

## INCREASING BY 5 PERCENT THE RATES OF PENSION PAYABLE TO VETERANS AND THEIR DEPENDENTS

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AUGUST 6 (legislative day, August 5), 1954.—Ordered to be printed

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Mr. MILLIKIN, from the Committee on Finance, submitted  
the following

### REPORT

[To accompany H. R. 9962]

The Committee on Finance, to whom was referred the bill (H. R. 9962) to increase by 5 percent the rates of pension payable to veterans and their dependents, having considered the same, report favorably thereon without amendment, and recommend that the bill do pass.

The House report on this bill is self-explanatory and is as follows:

#### EXPLANATION OF THE BILL

The purpose of this bill is to increase by 5 percent all monthly rates of pension payable to veterans of the Armed Forces and their dependents under any public law administered by the Veterans' Administration except: (1) The so-called Navy pension allowance payable to certain veterans of the Navy and Marine Corps, (2) pension payable in the amount of \$10 monthly to otherwise eligible holders of Medals of Honor upon reaching age 65, and (3) payments to those who rendered certain service as a part of the yellow fever study in Cuba.

This bill is comparable to section 1 of H. R. 9020 which provided a 5-percent increase in the rates of compensation for service-connected disabled veterans. H. R. 9020 passed the House on July 21, 1954.

The report of the Veterans' Administration indicates that H. R. 9962 would affect approximately 544,700 veterans and 399,100 cases of dependents of deceased veterans, to make the total first-year cost approximately \$35,958,000.

The present rates and the rates proposed in H. R. 9962 are set forth in the table which appears below:

## 2 5 PERCENT PENSION INCREASE TO VETERANS AND DEPENDENTS

	Existing rates	H. R. 9062	Number affected	Estimated first year's cost
<b>WORLD WAR I, WORLD WAR II, AND KOREAN CONFLICT</b>				
<b>Veterans</b> .....			482,700 veterans.....	\$20,210,000
Permanent and total disability.....	\$63.00	\$66.15		
Permanent and total disability and age 65.....	75.00	78.75		
Rated permanent and totally disabled, continuous period of 10 years.....				
Aid and attendance.....	129.00	135.45		
(NOTE.—The foregoing rates are available to Spanish-American War veterans. However, substantially all such veterans on the pension rolls are being paid the greater rates set forth below.)				
<b>Dependents</b> .....			310,600 cases.....	9,257,000
Widow, no child.....	48.00	50.40		
Widow and 1 child.....	60.00	63.00		
Each additional child.....	7.20	7.56		
<b>Children where there is no widow:</b>				
1 child.....	26.00	27.30		
2 children (equally divided).....	39.00	40.95		
3 children (equally divided).....	52.00	54.60		
Each additional child (total equally divided).....	7.20	7.56		
<b>SPANISH-AMERICAN WAR</b>				
<b>Veterans</b> .....			61,800 veterans.....	3,707,000
90 days' or more service:				
3/4 disability or more.....	96.75	101.59		
Age 62 or over.....				
Aid and attendance.....			129.00	135.45
70 through 89 days' service:				
3/4 disability or more.....	64.50	67.73		
Age 62 or over.....				
Aid and attendance.....			83.85	88.04
<b>Dependents</b> .....			81,700 cases.....	2,564,000
Widow.....	51.60	54.18		
Widow who was wife of veteran during service.....	64.50	67.73		
Additional for each child.....	7.74	8.13		
<b>Children where there is no widow:</b>				
1 child (to age 16).....	59.34	62.31		
Each additional child (to age 16), total equally divided.....	7.74	8.13		
1 child (age 16 or over).....	26.00	27.30		
2 children (age 16 or over) equally divided.....	39.00	40.95		
3 children (age 16 or over) equally divided.....	52.00	54.60		
Each additional child (age 16 or over), total equally divided.....	7.20	7.56		
<b>CIVIL WAR</b>				
<b>Veterans</b> .....			1 veteran.....	77
Basic rate.....	96.75	101.59		
Aid and attendance.....	129.00	135.45		
<b>Dependents</b> .....			5,600 cases.....	170,000
Widow.....	38.70	40.04		
Widow, age 70.....	51.60	54.18		
Widow who was wife of veteran during service.....	64.50	67.73		
Additional for each child.....	7.74	8.13		
No widow, 1 child.....	46.44	48.76		
Each additional child, total equally divided.....	7.74	8.13		
<b>INDIAN WARS OR CAMPAIGNS</b>				
<b>Veterans</b> .....			200 veterans.....	14,000
3/4 disability or more.....	96.75	101.59		
Age 62 or over.....				
Aid and attendance.....			129.00	135.45
<b>Dependents</b> .....			1,200 cases.....	36,000
Widow.....	38.70	40.04		
Widow, age 70.....	51.60	54.18		
Widow who was wife of veteran during service.....	64.50	67.73		
Additional for each child.....	7.74	8.13		
No widow, 1 child.....	40.44	48.76		
Each additional child, total equally divided.....	7.74	8.13		
<b>WAR WITH MEXICO</b>				
<b>Dependents</b> .....			3 cases.....	90
Widow.....	50.00	52.50		

## 5 PERCENT PENSION INCREASE TO VETERANS AND DEPENDENTS 3

The report of the Veterans' Administration follows:

VETERANS' ADMINISTRATION,  
OFFICE OF THE ADMINISTRATOR OF VETERANS' AFFAIRS,  
Washington 25, D. C., July 21, 1954.

Hon. EDITH NOURSE ROGERS,  
Chairman, Committee on Veterans' Affairs,  
House of Representatives, Washington 25, D. C.

DEAR MRS. ROGERS: This is in reply to your oral request of July 20, 1954, for a report by the Veterans' Administration on H. R. 9362, 83d Congress, a bill to increase by 5 percent the rates of pension payable to veterans and their dependents.

The purpose of the bill is to increase by 5 percent all monthly rates of pension payable to veterans of the Armed Forces and their dependents under any public law administered by the Veterans' Administration, except as noted in the following paragraph. The increases would be effective from the first day of the second calendar month following enactment of the bill.

Under the provisions of subsection (b) of the first section the increase would not apply to (1) naval pension allowances payable to certain veterans of the Navy or Marine Corps upon certification by the Secretary of the Navy in accordance with sections 4756 and 4757 of the Revised Statutes, as amended (38 U. S. C. 229, 230); (2) pension payable to certain holders of the Medal of Honor upon certification of the military departments concerned under the act of April 27, 1916 (39 Stat. 53), as amended (38 U. S. C. 391 et seq.); or (3) to payments authorized in lieu of pensions under the act of February 28, 1929 (45 Stat. 1409), for service rendered in connection with experimentations during the yellow fever investigation in Cuba.

For the convenience of the committee, there is enclosed a chart showing the rates of pension under existing laws and the rates proposed for the veterans and the dependents of veterans included in the bill.

The most recent general increase in the rates of non-service-connected disability and age pensions, and death pensions, was granted by the act of May 23, 1952 (Public Law 356, 82d Cong.). That act increased, in addition to certain compensation rates, the rates of pension of the veterans and the dependents of deceased veterans who would be benefited by the enactment of H. R. 9962, except widows of veterans of the Mexican War. The death pension rate for widows of veterans of the war with Mexico was last increased to \$50 monthly by the act of July 3, 1926 (44 Stat. 806; 38 U. S. C. 292). As indicated by the titles of the House and Senate committee reports and the congressional debates on the bill which became the act of May 23, 1952, the increased rates were predicated on the increased cost of living. In this connection, it is noted that the Consumer's Price Index of the Bureau of Labor Statistics, United States Department of Labor, for May 1952, was 113 points, and for May 1954, 115 points (1947-49=100 points)—an increase of approximately 1.8 percent.

It is estimated that the enactment of H. R. 9962 would affect approximately 544,700 veterans and 399,100 cases of deceased veterans during the first year, at an additional cost of approximately \$35,958,000. For the convenience of the committee, the enclosed chart contains an analysis which reflects the number of veterans and cases of deceased veterans affected by the bill, and the estimated cost during the first year. In view of the request that the report be expedited, it is not possible to furnish an estimate of the cost of the bill for the succeeding 4-year period as required by paragraph 7 of Bureau of the Budget Circular A-19, dated June 14, 1954. Based upon experience, however, it appears that there will be an increase in the number of persons on the pension rolls in each of those 4 years and, accordingly, the cost for each such year would progressively increase and would be greater than the foregoing estimate of the first year's cost.

Pension is a gratuity payable to otherwise eligible veterans who served in time of war, and to dependents of such veterans after their death from non-service-connected causes. It is not intended to provide full support, but rather it is to afford limited financial assistance. Accordingly, and in view of the recent general increase in rates of pension, as well as the potential cost of the bill, the Veterans' Administration does not believe that it merits favorable consideration.

Advice has been received from the Bureau of the Budget that there would be no objection to the presentation of this report to the committee, and that for the

#### 4 5 PERCENT PENSION INCREASE TO VETERANS AND DEPENDENTS

reasons stated therein the Bureau of the Budget concurs in recommending against favorable consideration of H. R. 9962.

Sincerely yours,

J. C. PALMER,  
*Acting Deputy Administrator*  
(For and in the absence of the Administrator).

For the convenience of Members the text of the laws referred to in subsection (b) is reproduced below:

(38 U. S. C. 229)

#### § 229. Navy or Marine Corps; half rating to disabled enlisted persons serving twenty years.

There shall be paid to every person who, from age or infirmity, is disabled from sea service, but who has served as an enlisted person or as an appointed petty officer, or both, in the Navy or Marine Corps for the period of twenty years, and not been discharged for misconduct in lieu of being provided with a home in the Naval Home, Philadelphia, if he so elects, a sum equal to one-half the pay of his rating at the time he was discharged, to be paid to him monthly, under the direction of the Administrator of Veterans' Affairs; and applications for such pension shall be made to the Secretary of the Navy, who, upon being satisfied that the applicant comes within the provisions of this section, shall certify the same to the Administrator of Veterans' Affairs, and such certificate shall be his warrant for making payment as authorized in this section. (R. S. § 4756; Dec. 23, 1886, ch. 9, 24 Stat. 353; May 3, 1922, ch. 177, § 1, 42 Stat. 505; July 3, 1930, ch. 863, § 2, 46 Stat. 1016; June 26, 1934, ch. 756, § 9, 48 Stat. 1229.)

(38 U. S. C. 230)

#### § 230. Same; serving not less than ten years.

Every disabled person who has served in the Navy or Marine Corps as an enlisted man or as an appointed petty officer, or both, for a period not less than ten years, and not been discharged for misconduct, may apply to the Secretary of the Navy for aid; and the Secretary of the Navy is authorized to convene a board of not less than three naval officers, one of whom shall be a surgeon, to examine into the condition of the applicant, and to recommend a suitable amount for his relief, and for a specified time, and upon the approval of such recommendation by the Secretary of the Navy, and certificate thereof to the Administrator of Veterans' Affairs, the amount shall be paid in the same manner as is provided in section 229 of this title for the payment to persons disabled by long service in the Navy; but no allowance so made shall exceed the rate of a pension for full disability corresponding to the grade of the applicant, nor, if in addition to a pension, exceed one-fourth the rate of such pension. (R. S. § 4757; Dec. 23, 1886, ch. 9, 24 Stat. 353; July 3, 1930, ch. 863, § 2, 46 Stat. 1016; June 26, 1934, ch. 756, § 9, 48 Stat. 1229.)

(38 U. S. C. 391, 392, 393, and 394)

#### § 391. Army and Navy Medal of Honor Roll; persons eligible.

There is established in the Department of the Army and Navy Department, respectively, a roll designated as "the Army and Navy Medal of Honor Roll." Upon written application made to the Secretary of the proper department, and subject to the conditions and requirements hereinafter contained, the name of each surviving person who has served in the military or naval service of the United States in any war, who has attained or shall attain the age of sixty-five years, and who has been awarded a medal of honor for having in action involving actual conflict with an enemy distinguished himself conspicuously by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty, and who was honorably discharged from service by muster out, resignation, or otherwise, shall be, by the Secretary of the proper department, entered and recorded on said roll. Applications for entry on said roll shall be made in such form and under such regulations as shall be prescribed by the Department of the Army and Navy Department, respectively, and proper blanks and instructions shall be, by the proper Secretary, furnished without charge upon request made by any person claiming the benefits of sections 391-394 of this title. (Apr. 27, 1916, ch. 88, § 1, 39 Stat. 53; July 26, 1947, ch. 343, title II, § 205 (a), 61 Stat. 501.)

**§392. Same; certificates entitling holder to pension; procedure.**

It shall be the duty of the Secretary of the Army and of the Secretary of the Navy to carry the provisions of sections 391-394 of this title into effect and to decide whether each applicant, under said sections, in his department is entitled to the benefit thereof. If the official award of the medal of honor to the applicant, or the official notice to him thereof, shall appear to show that the medal of honor was awarded to the applicant for such an act as is required by the provisions of said sections, it shall be deemed sufficient to entitle the applicant to such special pension without further investigation. Otherwise all official correspondence, orders, reports, recommendations, requests, and other evidence now on file in any public office or department shall be considered. A certificate of service and of the act of heroism, gallantry, bravery, and intrepidity for which the medal of honor was awarded, and of enrollment under said sections, and of the right of the special pensioner to be entitled to and to receive the special pension herein granted, shall be furnished each person whose name shall be so entered on said roll. The Secretary of the Army and the Secretary of the Navy shall deliver to the Administrator of Veterans' Affairs a certified copy of each of such said certificates as he may issue, as aforesaid, and the same shall be full and sufficient authority to the Administrator of Veterans' Affairs for the payment by him to the beneficiary named in each such certificate the special pension herein provided for. (Apr. 27, 1916, ch. 88, § 2, 39 Stat. 54; July 3, 1930, ch. 863, § 2, 46 Stat. 1016; July 26, 1947, ch. 343, title II, § 205 (a), 61 Stat. 501.)

**§393. Same; pensions additional to other pensions; liability to attachment, etc.**

Each such surviving person whose name shall have been entered on said roll in accordance with the provisions of sections 391-394 of this title shall be entitled to and shall receive and be paid by the Administrator of Veterans' Affairs, from the moneys appropriated for the payment of invalid and other pensions, a special pension of \$10 per month for life, payable monthly. The Administrator of Veterans' Affairs shall make all necessary rules and regulations for making payment of such special pensions to the beneficiaries thereof.

Such special pension shall begin on the day that such person shall file his application for enrollment on said roll in the office of the Secretary of the Army or of the Secretary of the Navy, and shall continue during the life of the beneficiary.

Such special pension shall not deprive any such special pensioner of any other pension or of any benefit, right, or privilege to which he is or may hereafter be entitled under any existing or subsequent law, but shall be in addition thereto.

The special pension allowed under this section shall not be subject to any attachment, execution, levy, tax, lien, or detention under any process whatever. (Apr. 27, 1916, ch. 88, § 3, 39 Stat. 54; June 30, 1916, ch. 194, 39 Stat. 242; May 3, 1922, ch. 177, § 1, 42 Stat. 505; July 3, 1930, ch. 863, § 2, 46 Stat. 1016; July 26, 1947, ch. 343, title II, § 205 (a), 61 Stat. 501.)

**§ 394. Same; one special pension only awarded; rank immaterial.**

In case any person has been awarded two or more medals of honor, he shall not be entitled to and shall not receive more than one such special pension.

Rank in the service shall not be considered in applications filed hereunder. (Apr. 27, 1916, ch. 88, § 4, 39 Stat. 54.)

(45 STAT. 1409)

CHAP. 381.—AN ACT To recognize the high public service rendered by Major Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in special recognition of the high public service rendered and disabilities contracted in the interest of humanity and science as voluntary subjects for the experimentations during the yellow-fever investigations in Cuba, the Secretary of War be, and he is hereby, authorized and directed to publish annually in the Army Register a roll of honor on which shall be carried the following names: Walter Reed, James Carroll, Jesse W. Lazear, Aristides Agramonte, James A. Andrus, John R. Bullard, A. W. Covington, William H. Dean, Wallace W. Forbes, Levi E. Folk, Paul Hamann, James F. Hanberry, Warren G. Jernegan, John R. Kissinger, John J. Moran, William Olsen, Charles G. Sonntag, Clyde L. West, Doctor R. P. Cooke, Thomas M. England, James Hildebrand, and Edward Weatherwalks, and to define in appropriate language the part which each of these persons played in the experimentations during the yellow-fever investigations in Cuba; and in further recognition of the high public service so rendered by the persons hereinbefore named, the Secretary of the

## 6 5 PERCENT PENSION INCREASE TO VETERANS AND DEPENDENTS

Treasury is authorized and directed to cause to be struck for each of said persons a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary of the Treasury, and to present the same to each of said persons as shall be living and posthumously to such representatives of each of such persons as shall have died, as shall be designated by the Secretary of the Treasury. For this purpose there is hereby authorized to be appropriated the sum of \$5,000; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts annually as may be necessary in order to pay to the following-named persons during the remainder of their natural lives the sum of \$125 per month, and such amount shall be in lieu of any and all pensions authorized by law for the following-named persons: Private Paul Hamann; Private John R. Kissinger; Private William Olsen, Hospital Corps; Private Charles G. Sonntag, Hospital Corps; Private Clyde L. West, Hospital Corps; Private James Hildebrand, Hospital Corps; Private James A. Andrus, Hospital Corps; Mr. John R. Bullard; Doctor Aristides Agramonte; Private A. W. Covington, Twenty-third Battery, Coast Artillery Corps; Private Wallace W. Forbes, Hospital Corps; Private Levi E. Folk, Hospital Corps; Private James F. Hanberry, Hospital Corps; Doctor R. P. Cooke; Private Thomas M. England; Mr. John J. Moran; and the widow of Private Edward Weatherwalks.

Approved, February 28, 1929.

