

SERVICEMEN'S AND VETERANS' SURVIVOR BENEFITS  
ACT

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JULY 16, 1956.—Ordered to be printed

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Mr. HARDY, from the committee of conference, submitted  
the following

CONFERENCE REPORT

[To accompany H. R. 7089]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, 36, 37, 38, 102, 110, 146, 149, 152, 157, 159, 160, 161, 162, 164, 165, 166, 167, 168, 171, 172, 173, 175, 177, 180, and 182.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 8, 9, 13, 14, 20, 21, 30, 31, 32, 33, 34, 35, 39, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 75, 76, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 123, 125, 126, 127, 128, 129, 131, 133, 134, 135, 136, 137, 138, 139, 141, 143, 145, 153, 154, 155, 163, 169, 170, 174, 176, 178, 179, 183, 186, 187, 189, 190, 191, 192, 193, 194, 195, and 196, and agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment and in lieu thereof insert *SEC. 405. Payment of benefits in certain cases of in-service or service-connected deaths.*; and the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 406; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 407; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 408; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 409; and the Senate agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 410; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 411; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 412; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows:

On page 2 of the Senate engrossed amendments, in the matter following line 6, strike out "SEC. 602. Extension of insurance privileges." and in lieu thereof insert *SEC. 602. Renewal of term insurance.*; and the Senate agree to the same.

## Amendment numbered 46:

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

*SEC. 202. (a) Dependency and indemnity compensation shall be paid under this title to a widow at a monthly rate equal to \$112 plus 12 per centum of the basic pay of her deceased husband.*

*(b) If there are two or more children of a deceased person who have not attained the age of eighteen, and the total of the monthly benefits to which the widow and children who have not attained the age of eighteen of such deceased person are or would, upon the filing of an application, be entitled under—*

*(1) section 405 of this Act,*

*(2) section 202 of the Social Security Act (after reduction under section 203 (a) of such Act but without regard to the deduction provisions of such section 203), on the basis of such deceased person's earnings, and*

*(3) section 5 of the Railroad Retirement Act of 1937 (after reduction under section 4 (i) and section 5 (h) of such Act), on the basis of such deceased person's earnings, is less than the amount described in subsection (d), then the dependency and indemnity compensation paid monthly to the widow pursuant to subsection (a) of this section shall be increased by \$25 for each child who has not attained the age of eighteen in excess of one.*

*(c) The total of increases under subsection (b) shall, in any case, not exceed an amount equal to—*

*(1) the amount described in subsection (d), less*

*(2) the total of the monthly benefits to which such widow and such children who have not attained the age of eighteen are or would, upon the filing of an application, be entitled under—*

*(A) section 405 of this Act,*

*(B) section 202 of the Social Security Act (after reduction under section 203 (a) of such Act but without regard to the deduction provisions of such section 203), on the basis of the deceased person's earnings, and*

*(C) section 5 of the Railroad Retirement Act of 1937 (after reduction under section 4 (i) and section 5 (h) of such Act), on the basis of the deceased person's earnings.*

*(d) The amount referred to in subsections (b) and (c) (1) is an amount equal to the total of the monthly benefits to which a widow and two children of a deceased person would be entitled under section 202 of the Social Security Act if the deceased person's average monthly wage had been \$160 (after reduction under section 203 (a) of such Act but without regard to deduction provisions of such section 203).*

*(e) The amount determined under subsection (a) shall, after increase (if any) under subsection (b), be adjusted by the Administrator to the next higher dollar. The amount referred to in paragraph (2) (A) or (B) or paragraph (2) (C) of subsection (c) shall be determined by the Secretary of Health, Education, and Welfare, or the Railroad Retirement Board, as the case may be, and shall be certified to the Administrator upon his request.*

And the Senate agree to the same.

Amendment numbered 74:

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment and on page 22 of the House engrossed bill, in line 6, strike out "dependent" where it appears the second time; and the Senate agree to the same.

Amendment numbered 77:

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *Except as provided in paragraphs (3) and (4), no; and the Senate agree to the same.*

Amendment numbered 80:

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment and in lieu thereof insert the following:

*(3) In the case of a child who has applied for dependency and indemnity compensation pursuant to this section, and who is or becomes a beneficiary under the Servicemen's Indemnity Act of 1951 by reason of the death giving rise to his eligibility for dependency and indemnity compensation, the Administrator shall determine and pay to such child for each month, or part thereof, payments under this title or under such Act, whichever payment he determines to be the greater amount.*

*(4) Notwithstanding paragraph (2), where a child receives dependency and indemnity compensation under this title, and thereafter dies, the portion of servicemen's indemnity in which such child had an interest may be paid (subject to paragraph (3)) to another child of the person by reason of whose death such servicemen's indemnity was payable.*

And the Senate agree to the same.

Amendment numbered 89:

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *in the same parental line may not be paid to or on account of such child; and the Senate agree to the same.*

Amendment numbered 122:

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment and in lieu thereof insert the following:

## PAYMENT OF BENEFITS IN CERTAIN CASES OF IN-SERVICE OR SERVICE-CONNECTED DEATHS

*SEC. 405. (a) In the case of any individual—*

*(1) who dies after December 1956 and is not a fully and currently insured individual (as defined in section 214 of the Social Security Act) at the time of his death; and*

*(2) whose death occurs—*

*(A) while on active duty, active duty for training, or inactive duty training as a member of a uniformed service; or*

*(B) as the result of a disease or injury which the Administrator determines was incurred or aggravated in line of duty while on active duty or active duty for training, or an injury which the Administrator determines was incurred or aggravated in line of duty while on inactive duty training, as a member of a uniformed service after September 15, 1940, if the Administrator determines that such individual was discharged or released from the period of such active duty, active duty for training, or inactive duty training under conditions other than dishonorable; and*

*(3) who leaves one or more survivors who are not entitled for any month to monthly benefits under section 202 of the Social Security Act on the basis of his wages and self-employment income but who would, upon application therefor, be entitled to such benefits if he had been both fully and currently insured at the time of his death;*

*the Administrator shall pay for such month benefits under this section to each such survivor in an amount equal to the amount of the benefits which would have been paid for such month to such survivor under title II of the Social Security Act, if such individual had been both fully and currently insured at the time of his death and if such survivor had filed application therefor on the same date on which application for benefits under this section is filed with the Administrator.*

*(b) The determination (other than a determination required by subsection (a) (2)) as to whether any survivor described in subsection (a) (3) of a deceased individual would be entitled to benefits under section 202 of the Social Security Act for any month and as to the amount of the benefits which would be paid for such month, if the deceased individual had been a fully and currently insured individual at the time of his death, shall be made by the Secretary of Health, Education, and Welfare, and shall be certified by him to the Administrator upon request of the Administrator.*

*(c) Upon the basis of estimates made by the Secretary of Health, Education, and Welfare after consultation with the Administrator, the Administrator shall pay to the Secretary an amount equal to the costs which will be incurred in making determinations and certifications under subsection (b). Such payments shall be made with respect to the costs incurred during such period (but not shorter than a calendar quarter) as the Secretary and the Administrator may prescribe. The amount payable for any period shall be increased or reduced to compensate for any underpayment or overpayment, as the case may be, of the costs incurred in any preceding period.*

*(d) Except with respect to determinations made under subsection (b), the Administrator shall prescribe such regulations as may be necessary to carry out the provisions of this section.*

**And the Senate agree to the same.**

Amendment numbered 124:

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 406; and the Senate agree to the same.

Amendment numbered 130:

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 407; and the Senate agree to the same.

Amendment numbered 132:

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 408; and the Senate agree to the same.

Amendment numbered 140:

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows:

On page 15 of the Senate engrossed amendments, in line 5, strike out "408" and in lieu thereof insert 409; and the Senate agree to the same.

Amendment numbered 142:

That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 410; and the Senate agree to the same.

Amendment numbered 144:

That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 411; and the Senate agree to the same.

Amendment numbered 147:

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows:

On page 17 of the Senate engrossed amendments, in line 1, strike out "411" and in lieu thereof insert 412; and the Senate agree to the same.

Amendment numbered 148:

That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows:

Restore the matter proposed to be stricken out by the Senate amendment, omit the matter proposed to be inserted by the Senate

amendment, and on page 64 of the House engrossed bill, in line 9, strike out "1956" and in lieu thereof insert 1957; and the Senate agree to the same.

**Amendment numbered 150:**

That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

*(b) Notwithstanding the provisions of subsection (a), no application for waiver of premiums may be made after December 31, 1956, except applications therefor filed pursuant to the first proviso of subsection (a).*

And the Senate agree to the same.

**Amendment numbered 151:**

That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows:

On page 20 of the Senate engrossed amendments, in line 19; strike out "(1)" and, in lines 23, 24, and 25, strike out ", or (2) during a period of war or of any emergency involving hostilities proclaimed by the Congress or the President"; and the Senate agree to the same.

**Amendment numbered 156:**

That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment as follows:

On page 23 of the Senate engrossed amendments, in line 1, strike out "(6)" and in lieu thereof insert (5); and the Senate agree to the same.

**Amendment numbered 158:**

That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows:

Restore the matter proposed to be stricken out by the Senate amendment and—

(1) on page 68 of the House engrossed bill, in line 17, strike out "1956" and insert 1957;

(2) on page 68 of the House engrossed bill, in line 18, strike out "1956" and insert 1957;

(3) on page 68 of the House engrossed bill, in line 23, strike out "1955" and insert 1956;

(4) on page 69 of the House engrossed bill, in line 2, strike out "1955" and insert 1956;

(5) on page 69 of the House engrossed bill, in line 5, strike out "1956" and insert 1957;

(6) on page 69 of the House engrossed bill, in line 6, strike out "1956" and insert 1957;

(7) on page 69 of the House engrossed bill, in line 8, strike out "1956" and insert 1957;

(8) on page 69 of the House engrossed bill, in line 22, strike out "1955" and insert 1956;

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(9) on page 70 of the House engrossed bill, in line 13, strike out "1956" and insert 1957;

(10) on page 71 of the House engrossed bill, in line 8, strike out "1956" and insert 1957;

(11) on page 71 of the House engrossed bill, in line 9, strike out "1956" and insert 1957;

(12) on page 71 of the House engrossed bill, in line 17, strike out "1956" and insert 1957;

(13) on page 72 of the House engrossed bill, in line 11, strike out "1956" and insert 1957; and

(14) on page 72 of the House engrossed bill, in line 12, strike out "1956" and insert 1957.

And the Senate agree to the same.

Amendment numbered 181:

That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment as follows:

On page 26 of the Senate engrossed amendments, beginning with line 4, strike out all through line 10 on page 27 of the Senate engrossed amendments, and on page 27 of the Senate engrossed amendments, in line 11, strike out "(r)" and insert in lieu thereof (u); and the Senate agree to the same.

Amendment numbered 184:

That the House recede from its disagreement to the amendment of the Senate numbered 184, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: (8); and the Senate agree to the same.

Amendment numbered 185:

That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment, as follows:

Restore the matter proposed to be stricken out by the Senate amendment and, on page 78 of the House engrossed bill, in line 25, strike out "(10)" and in lieu thereof insert (9); and the Senate agree to the same.

Amendment numbered 188:

That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

RENEWAL OF TERM INSURANCE

*Sec. 602. (a) Subsection (f) of section 602 of the National Service Life Insurance Act of 1940 (38 U. S. C., sec. 802) is amended by striking out "and which is not lapsed" in the first proviso, and by adding immediately after such proviso the following: "Provided further, That such renewal shall be effected in cases where the policy is lapsed only in the event the lapse occurred not earlier than two months prior to expiration of the*



*term period, and reinstatement in such cases shall be under terms and conditions prescribed by the Administrator:"*

*(b) The amendments made by subsection (a) shall be effective July 23, 1953.*

And the Senate agree to the same.

PORTER HARDY, Jr.,  
OLIN E. TEAGUE,  
PAUL J. KILDAY,  
ROBERT W. KEAN,  
WILLIAM H. BATES,

*Managers on the Part of the House.*

HARRY F. BYRD,  
WALTER F. GEORGE,  
ROBT. S. KERR,  
E. D. MILLIKIN,  
EDWARD MARTIN,

*Managers on the Part of the Senate.*

## STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7089) to provide benefits for survivors of servicemen and veterans, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

### TECHNICAL AND CLERICAL AMENDMENTS

The following Senate amendments made technical, clerical, clarifying, or conforming changes (including changes made necessary to conform to laws enacted after the bill passed the House in 1955): 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 23, 25, 26, 28, 33, 34, 35, 36, 44, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 65, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 86, 87, 88, 89, 90, 93, 94, 97, 98, 99, 100, 114, 116, 120, 124, 130, 131, 132, 142, 143, 144, 147, 149, 152, 154, 156, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 175, 177, 180, 183, 184, 186, 187, 189, 190, 191, 195, and 196. With respect to these amendments (1) the House either recedes or recedes with amendments which are technical, clerical, clarifying, or conforming in nature, or (2) the Senate recedes in order to conform to other action agreed on by the committee of conference.

### AMENDMENTS RELATING TO EFFECTIVE DATE

The effective date of the bill as it passed the House was January 1, 1956. The following Senate amendments either (1) establish January 1, 1957, as the effective date of the bill, or (2) make conforming changes to reflect the January 1, 1957, effective date: 1, 30, 39, 40, 41, 43, 45, 66, 67, 78, 81, 83, 84, 85, 92, 101, 115, 118, 119, 125, 126, 127, 128, 133, 134, 135, 136, 137, 138, 139, 145, 174, 176, 178, 179, 192, 193, and 194. The House recedes.

### AMENDMENTS EXTENDING GRATUITOUS WAGE CREDITS

The following Senate amendments (1) extend gratuitous wage credits of \$160 per month for all persons in the military service between April 1, 1956, and December 31, 1956, or (2) make conforming changes in the Social Security Act to reflect this extension of the gratuitous wage credits: 105, 106, 107, 108, 109, 111, 112, 113, and 121. The House recedes.

### AMENDMENTS RELATING TO PUBLIC HEALTH SERVICE AND COAST AND GEODETIC SURVEY

The following Senate amendments eliminated commissioned officers of the Public Health Service and Coast and Geodetic Survey from the coverage of the bill under normal conditions of service: 16, 17, 22, 24, 27, 29, 37, 38, 102, 110, 146, and 182. The Senate recedes.

## OTHER SUBSTANTIVE AMENDMENTS

Amendments Nos. 31 and 32: Under section 102 (6) (B) of the House bill, coverage is extended to members of Reserve components who are proceeding directly to or returning directly from active duty for training or inactive-duty training. In case any such reservist incurs a disability during such travel and dies from it within 120 days, the death gratuity provided by section 303 of the bill will be payable. The Senate amendments provide that determinations for purposes of section 303 of the bill with respect to these reservists shall be made by the Administrator of Veterans' Affairs. The House recedes.

Amendment No. 42: The House bill provided that the Secretary concerned shall certify to the Administrator of Veterans' Affairs, upon request, the rank and years of service of deceased persons with respect to whose deaths applications for benefits are filed under title II of the bill. The Senate amendment provides that the Secretary shall certify the basic pay of the deceased person, and does not preclude certification of rank and years of service. The House recedes.

Amendment No. 46: Section 202 of the House bill, in subsection (a), established the basic rate of payment of dependency and indemnity compensation to a widow, and in subsection (b) provided for a supplemental payment from the Veterans' Administration to a widow with two or more children where social security payments to her and the children are inadequate. For purposes of determining the number of children on whose account this payment would be made, the House bill provided for including children over 18 years if (1) helpless or (2) under 21 and attending school. The payment would have equaled \$20 for each child in excess of 1, subject to an overall ceiling under which the supplemental payments combined with social-security payments could not exceed the amount which would have been payable under the Social Security Act if the deceased person had died fully and currently insured with an average monthly wage of \$160.

The Senate amendment increased the supplemental payment to \$30 for each child in excess of 1, limited the children on whose account the payment could be made to children under the age of 18, provided for taking account of Railroad Retirement Act benefits in determining the supplement payable, and provided that the ceiling on payments under the Social Security Act (or the Railroad Retirement Act) and the supplemental payments should not exceed \$128.

The House recedes with an amendment. Under the conference substitute, the supplemental payment is to be \$25 for each child in excess of 1. The substitute also limits the children on whose account the payment can be made to children under the age of 18, takes Railroad Retirement Act benefits into account in determining the supplement payable, and provides that the supplemental payments, when combined with payments under the Social Security Act, the Railroad Retirement Act of 1937, and section 405 of the bill, shall not exceed the amount payable under the Social Security Act to a widow and 2 children based upon an average monthly wage of \$160.

Amendment No. 62: Section 205 (g) of the House bill specified the items to be excluded by the Administrator of Veterans' Affairs in determining income of a parent for purposes of establishing the dependency and indemnity compensation payable to the parent.

The Senate amendment provides that disability compensation payable by the Veterans' Administration to a parent shall be excluded in determining such income. The House recedes.

Amendment No. 64: The Senate amendment provides that lump-sum death payments under title II of the Social Security Act shall not be taken into account in determining income of a parent for purposes of establishing the dependency and indemnity compensation payable to the parent. The House recedes.

Amendment No. 79: Section 206 (e) (1) of the House bill provides that persons now entitled to servicemen's indemnity may not receive servicemen's indemnity after being granted the new benefits from the Veterans' Administration. The second sentence of this section prohibits payments to any beneficiary who has assigned his interest in servicemen's indemnity after June 28, 1955. The Senate amendment prohibits such payments to any beneficiary who has assigned his interest in servicemen's indemnity after June 28, 1956, the date the bill was reported to the Senate. The House recedes.

Amendment No. 80: Section 206 (e) (3) of the House bill provided an exception to other provisions of the House bill prohibiting payment of servicemen's indemnity to beneficiaries who had been granted the new benefits. This section was intended to provide (1) that where a child is eligible for the new benefits and (but for the receipt of the new benefits) would be entitled to payments of servicemen's indemnity in amounts greater than the new benefits, the child shall receive payments of indemnity, and (2) that one child could succeed to the indemnity rights of another child who has been granted the new benefits.

The Senate amendment deleted this paragraph. The House recedes with an amendment, which clarifies the intent of this paragraph as it was adopted by the House, and makes it clear that children shall receive payments under either program of benefits, whichever is determined by the Administrator to be more beneficial to the child for the period involved. The amendment also restores the provisions of the House bill under which a child can succeed to the rights of another child to indemnity, where the latter child has been granted the new benefits and thereafter dies.

Amendment No. 82: The House bill provided that the effective date of awards of the new benefits from the Veterans' Administration would be the same as is provided in other laws administered by the Veterans' Administration.

The Senate amendment provides that in certain cases children's benefits should be paid retroactively to the date their entitlement arose, and in all other cases should be paid effective as of the date of application. The House recedes.

Amendment No. 91: The House bill provides that new benefits shall be exempt from taxation, and claims of creditors, and not subject to attachment or seizure.

The Senate amendment provides that the new benefits shall not be exempt from levy under the Internal Revenue Code of 1954 for collection of unpaid taxes. The Senate amendment makes the new benefits subject to the same provisions of law as apply in the case of all other veterans' benefits. The House recedes.

Amendment No. 95: The House bill provided that certifying or disbursing officers should not be liable for erroneous payments or over-

payments of the death gratuity in certain cases. The Senate amendment deletes this provision from the House bill. The House recedes.

Amendment No. 96: The House bill provided authority for the Secretary concerned to waive recovery of erroneous payments or overpayments of the death gratuity when such recovery would be against equity and good conscience.

The Senate amendment deletes this provision from the House bill. The House recedes.

Amendments Nos. 103 and 104: The House bill provided a continuation of the present provision in the Social Security Act under which applications for lump-sum death payments in cases where an individual dies overseas in the active military or naval service of the United States and is returned to the United States for interment or reinterment may be filed within 2 years after such interment or reinterment, instead of having to be filed within 2 years of the date of death.

The Senate amendment extends this provision to apply to deaths occurring after March 31, 1956, the date of expiration of the provisions of existing law on this subject. The House recedes.

Amendment No. 117: The House bill provided that in cases where the widow or child is entitled to an annuity under the Civil Service Retirement Act, such annuity is based in part on military service, and but for the receipt of such annuity, the widow (or child, as appropriate) could receive social-security benefits, the widow or child or children of the deceased person could waive their civil-service annuity and receive social-security benefits. The Senate amendment specifies the persons who may make the waiver on behalf of children, and requires that any waiver of civil-service benefits must be made by all children, and the widow (if there is one) in order for the waiver to be effective as to any of them. The House recedes.

Amendment No. 122: The House bill, in section 405, provided that every person dying after the effective date of the bill (1) in the military service, or (2) from a service-connected disability incurred or aggravated after September 15, 1940, should be deemed, for the purposes of the Social Security Act, to have died fully and currently insured. The Senate amendment deleted this provision from the bill.

The House recedes with an amendment. The conference substitute provides that where an individual dies under the circumstances listed above, and does not die both fully and currently insured for purposes of the Social Security Act, the Administrator of Veterans' Affairs shall, upon application, make monthly payments to the survivors of the deceased individual, not otherwise eligible for payments under the Social Security Act on the individual's wage record, in the same amounts as would have been payable to them under the Social Security Act of such individual had died fully and currently insured. If the individual did not die fully and currently insured, the Secretary of Health, Education, and Welfare will determine the amount of benefits which would have been payable under the Social Security Act, had he died so insured, to the survivors by whom or on whose behalf the application was filed and who are not eligible for such benefits, and will, upon request of the Administrator, certify monthly to the Administrator of Veterans' Affairs the amounts so determined. The Administrator will then pay the amounts so certified to or for such survivors.

The amendment also authorizes the Administrator of Veterans' Affairs to make necessary regulations for the administration of the section, and provides for advance payments by him to the Secretary of Health, Education, and Welfare to defray costs incurred in making determinations and certifications under subsection (b) of this section.

Amendment No. 123: The House bill provided that in certain cases involving totally disabled individuals whose disability is service-connected, the requirements of the Social Security Act with respect to the number of quarters of coverage needed by such individual (but for the provisions of the House bill) to qualify for the "disability freeze" under the Social Security Act should not be applicable.

The House bill also provided that individuals dying before the effective date of the bill (1) in the military service or (2) from a service-connected disability incurred or aggravated after September 15, 1940, should be deemed, for purposes of the Social Security Act, to have died fully and currently insured.

The Senate amendment deletes these provisions from the House bill. The House recedes.

Amendment No. 129: The House bill provided for reimbursement of the old-age and survivors' insurance trust fund for its additional costs arising out of the provisions of the House bill under which individuals dying in service or from service-connected causes would be deemed to have died fully and currently insured for purposes of the Social Security Act, whether or not such individuals had sufficient quarters of coverage to be fully and currently insured, or to meet the insured status requirements for purposes of the "disability freeze" under title II of that act.

The Senate amendment deleted this provision from the House bill. In view of the action of the conference with respect to amendments Nos. 122 and 123, the provisions of the House bill relating to reimbursement of the trust fund are unnecessary. The House recedes.

Amendment No. 140: The House bill provided that military service rendered after the effective date of the bill should not be counted in the computation of survivor annuities under the Civil Service Retirement Act for months with respect to which a social security survivor benefit is payable.

The Senate amendment, which was recommended by the Civil Service Commission, includes the same provisions with respect to survivors, and adds a provision that military service rendered after the effective date of the bill shall not be creditable to any individual for purposes of retirement annuities under the Civil Service Retirement Act for any month with respect to which an old-age insurance benefit is payable under the Social Security Act. The House recedes with a clerical amendment.

Amendment No. 141: The House bill provided for certain determinations to be made by the Administrator of Veterans' Affairs under the provisions of the House bill establishing a presumed insured status under the Social Security Act for individuals dying in service or service-connected deaths. Amendments Nos. 122 and 123 delete these provisions from the House bill. In view of the action of the conference with respect to Amendments Nos. 122 and 123, this provision of the House bill is unnecessary. The House recedes.

Amendment No. 148: The House bill provides that no national service life insurance shall be granted after the effective date of the

bill under section 621 of the National Service Life Insurance Act of 1940 except pursuant to applications filed before the effective date of the bill. The Senate amendment deleted these provisions of the House bill, and would have authorized the granting of such insurance under such section 621. The Senate amendment also provided for liquidation of the present revolving fund established for insurance granted under such section 621.

The House recedes with an amendment, which deletes the matter proposed to be inserted by the Senate amendment, and restores the original provisions of the House bill with a technical amendment required by the change in the effective date of the bill.

Amendment No. 150: The House bill provided that no waiver of premiums could be granted under section 622 of the National Service Life Insurance Act of 1940 after the effective date of the bill.

The Senate amendment deleted the provisions of the House bill, and inserted new language, which would have precluded the waiving of premiums under that section after December 31, 1956, except in certain cases involving members of the Armed Forces missing in action, and during periods of war or emergency involving hostilities.

The House recedes with an amendment. Under the conference substitute, no application for waiver of premiums made after the effective date of the bill shall be effective, except applications made in the case of members of the Armed Forces who are missing in action.

Amendment No. 151: The House bill provided that where individuals die on or after May 1, 1956, having in effect a policy of national service life insurance under waiver of premiums, the new Veterans' Administration benefits may not be paid to his survivors, but the old benefits should be payable.

The Senate amendment retains these provisions of the House bill, but only with respect to deaths occurring on or after May 1, 1957, and provides that these provisions of the bill should not apply in the case of deaths of persons having insurance under waiver of premiums (1) while they are missing in action, or (2) during any period of war or emergency involving hostilities.

The House recedes with an amendment. Under the conference substitute the provisions of the Senate amendment are retained deleting, however, those provisions authorizing payment of the new benefits where an individual dies during war or emergency having insurance in force under waiver of premiums.

Amendments Nos. 153 and 155: The House bill added a new section 623 to the National Service Life Insurance Act of 1940, preserving the right of individuals in the active service on the effective date of the bill to reinstate surrendered permanent plan national service life insurance or to obtain new term insurance where national service life insurance on the term plan had expired during their active service. The proposed new section 623 also contained provisions protecting insurance rights of persons discharged from the active service before the effective date of the bill.

The Senate amendment authorizes individuals in the active service whose insurance so expired or was surrendered before January 1, 1957, to reinstate their permanent plan insurance, or be granted new term insurance, while continuing in the active service, as well as during the 120-day period thereafter. The Senate amendment would apply to persons discharged before as well as after the effective date of the

bill. The amendment also provides that the excess costs arising out of insurance granted under this section should be paid from the national service life insurance appropriation, thereby reflecting changes in the law made by Public Law 194, 84th Congress, enacted after passage of the House bill. Since amendment No. 153 would protect insurance rights of persons discharged before the effective date of the bill, the provisions of the House bill with respect to these persons are unnecessary. The House recedes on both amendments.

Amendment No. 157: This amendment inserted a provision in the bill to protect insurance rights of certain commissioned officers of the Public Health Service and Coast and Geodetic Survey, which was necessary in view of the Senate amendments deleting these officers from full coverage under the bill.

In view of the conference action restoring these officers to coverage under the bill, amendment No. 157 is unnecessary. The Senate recedes.

Amendment No. 158: The House bill amended the Public Health Service Act, the act of May 22, 1917, and the Federal Employees Compensation Act, so as to provide coverage under the bill to commissioned officers of the Public Health Service and Coast and Geodetic Survey; made a technical amendment to the Federal Employees Group Life Insurance Act of 1954 made necessary by the repeal of the Servicemen's Indemnity Act of 1951; and authorized recomputation of benefits under the Social Security Act in certain cases involving commissioned officers of the Public Health Service and the Coast and Geodetic Survey, or their survivors, who might be entitled to greater benefits under the Social Security Act by reason of the provisions of the House bill.

The Senate amendment deleted these provisions from the House bill. The House recedes with an amendment, which restores to the bill the matter deleted by the Senate amendment, with amendments making the effective date of these provisions the same as the effective date of the bill.

Amendment No. 181: The House bill repealed the Servicemen's Indemnity Act of 1951. Senate amendment No. 185 struck out this provision of the House bill, but Senate amendment No. 181 would have suspended the operation of such act so that it would be applicable only in time of war or emergency involving hostilities. Senate amendment No. 181 also contained a provision under which the effective date of awards of veterans' benefits shall be the date of application for correction of a military or naval record under section 207 of the Legislative Reorganization Act of 1946, where eligibility for such benefits is restored solely by reason of such correction.

The House recedes with an amendment. Under the conference agreement the provisions of the Senate amendment making the Servicemen's Indemnity Act of 1951 applicable in time of war or emergency involving hostilities are deleted, and the provision of the Senate amendment relating to effective dates of awards are retained.

Amendment No. 185: The House bill repealed the Servicemen's Indemnity Act of 1951; the Senate amendment deleted this provision from the bill. The House recedes with an amendment. Under the conference agreement this provision of the House bill is restored with a clerical change.



Amendment No. 188: The Senate amendment added to the bill a provision under which World War II veterans could have obtained insurance under section 602 of the National Service Life Insurance Act of 1940, if application was made within 1 year after the effective date of the bill, and authorized veterans of service after April 25, 1951, to be granted insurance under section 620 or 621 of the National Service Life Insurance Act of 1940 if application was made within 1 year after the effective date of the bill.

The House recedes with an amendment. The conference substitute amends the National service Life Insurance Act of 1940 so as to authorize certain of the persons covered by the Senate amendment to reinstate their term insurance, by removing, effective as of July 23, 1953, the existing bar to the automatic renewal of term policies of national service life insurance which lapse in the 59th or 60th month of the term.

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*Managers on the Part of the House.*

