

AID AND ATTENDANCE PENSION FOR NON-SERVICE- CONNECTED DISABLED VETERANS

JUNE 25 (legislative day, JUNE 21), 1951.—Ordered to be printed

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

REPORT

[To accompany H. R. 3193]

The Committee on Finance, to whom was referred the bill (H. R. 3193) to establish a rate of pension for aid and attendance under part III of Veterans Regulation No. 1 (a), as amended, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

By virtue of this act the Committee on Finance adopts the report of the Committee on Veterans' Affairs which is as follows:

EXPLANATION OF THE BILL

This bill seeks to provide a pension of \$120 a month for veterans of World Wars I and II and of the present conflict in those cases where an otherwise eligible veteran needs the regular aid and attendance of another person. It would also apply to a small number of the Spanish-American War veterans. The disability is of a non-service-connected type. Persons serving on and after June 27, 1950, and until such time as determined by the President or the Congress are covered by this proposal by virtue of Public Law 28 of the Eighty-second Congress.

This rate is in line with the \$120 rate provided under the service pension laws now enjoyed by veterans of the Spanish-American War who have the same condition. There is a difference in eligibility requirements, however; such veterans do not have any income limitations with which to comply, while veterans covered by this bill cannot have more than \$1,000 annual income if single, or \$2,500 if with dependents, in order to get the benefits of this proposal.

The committee is of the belief that the veterans covered by this bill are by far the most meritorious of the non-service-connected-disability class. All of these men are either helpless or blind or so

nearly helpless or blind as to need the regular assistance of another person.

It is estimated that during the first year approximately 400 World War II veterans, 23,700 veterans of World War I, and 50 veterans of the Spanish-American War would be eligible for benefits under the bill at an additional cost for that year of approximately \$16,700,000. Because of unknown factors, it is not possible to estimate the number of veterans of the present conflict who would benefit from the bill during the first year, but it appears that the number would be small.

The report of the Veterans' Administration follows:

VETERANS' ADMINISTRATION,
Washington 25, D. C., April 10, 1951.

HON. JOHN E. RANKIN,
*Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington 25, D. C.*

DEAR MR. RANKIN: This is in reply to your request for a report by the Veterans' Administration on H. R. 3193, Eighty-second Congress, a bill to establish a rate of pension for aid and attendance under part III of Veterans Regulation No. 1 (a), as amended.

The purpose of the bill is to establish a rate of pension under the provisions of part III, Veterans Regulation No. 1 (a), as amended, for any person who is or hereafter becomes, on account of age or physical or mental disabilities, helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person.

Under the mentioned part III veterans of World War I, World War II, the Spanish-American War, Philippine Insurrection, and Boxer Rebellion are eligible for pension based on permanent and total non-service-connected disability. Pension is payable to any such veteran who served in the active military or naval service for a period of 90 days or more during such wars and who was discharged therefrom under conditions other than dishonorable, or who, having served less than 90 days, was discharged for disability incurred in service in line of duty. The veteran must have been in active service before the cessation of hostilities and be suffering from non-service-connected permanent and total disability not incurred as a result of his own willful misconduct or vicious habits. The rate is \$60 per month, except that where the veteran shall have been rated permanent and total and has been in receipt of pension for a continuous period of 10 years or reaches the age of 65 years and is permanently and totally disabled, the rate is \$72 per month. Such pension is not payable to any unmarried person whose annual income exceeds \$1,000 or to any married person or any person with minor children whose annual income exceeds \$2,500.

In addition to the foregoing rates of pension (\$60 and \$72) now authorized under part III, H. R. 3193, if enacted, would authorize a new rate of \$120 per month to any person otherwise eligible under part III, who is or hereafter becomes on account of age or physical or mental disability, helpless or blind or so nearly helpless or blind as to need and require the regular aid or attendance of another person. Such pension would be payable to eligible persons from the date of receipt of claim therefor, but in no event prior to the first day of the second calendar month following enactment of the bill. It may be noted that since the overwhelming majority of veterans of the Spanish-American War group on the pension rolls receive pension under the service pension acts rather than under part III, it appears that the bill is primarily concerned with World War I and World War II cases.

The committee, in considering H. R. 3193, may be interested in knowing the period of time that elapsed between the termination of certain wars and the date benefits of this type were first afforded the veterans of such wars. A rate of pension for veterans of the Civil War requiring the regular aid and attendance of another person was first provided for in the act of May 1, 1920 (41 Stat. 585; 38 U. S. C. 270 et seq.), or 54 years after the termination of that war; and for veterans of the Spanish-American War, Philippine Insurrection, and Boxer Rebellion in the act of May 1, 1926 (44 Stat. 382), as amended (38 U. S. C. 364 et seq.), or 27, 24, and 26 years, respectively, after the termination dates. As the committee knows, approximately 32 years have elapsed since the termination of hostilities in World War I and 4 years since the termination of hostilities in World War II.

The matter of establishing a pension in the amount and under the conditions proposed by the bill involves a question of broad public policy. It is the view of the Veterans' Administration that any revision of that policy is primarily for the consideration of and determination by the Congress. In this connection, it is deemed appropriate to invite attention to the President's budget message for fiscal year 1952. The President, in discussing veterans' services and benefits on page M57, among other things, stated:

"In the fiscal year 1952 expenditures for veterans' services and benefits will be under \$5,000,000,000 for the first time in 6 years. This results from a further decline in requirements for the readjustment of veterans of World War II.

"During the coming years, because we shall need to maintain larger armed forces, virtually all our able-bodied young men may be required to serve their country in its military forces. Before many years, nearly all the population may be veterans or the dependents of veterans.

"This means a profound change in the social and economic import of Government programs which affect veterans. It requires a clear recognition that many of the needs of our veterans and their dependents can be met best through the general programs serving the whole population. Therefore, in legislation directed particularly to the problems of servicemen and their dependents, we should provide only for those special and unique needs which arise directly from military service. We should meet their other needs through general programs of the Government."

It is estimated that the enactment of H. R. 3193 would affect approximately 400 veterans of World War II, 23,700 veterans of World War I, and 50 veterans of the Spanish-American War group, during the first year at an additional cost for that year of approximately \$16,700,000.

Advice has been received from the Bureau of the Budget that there would be no objection to the submission of this report to your committee.

Sincerely yours,

O. W. CLARK,
Deputy Administrator

(For and in the absence of the Administrator).

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets; new matter is printed in italics; existing law in which no change is proposed is shown in roman):

PARAGRAPH I (F), PART III, VETERANS REGULATION No. 1 (A)

[(f) The amount of pension payable under terms of part III shall be \$50 monthly, except that where such veterans shall have been rated permanent and total and in receipt of pension for a continuous period of ten years or reach the age of sixty-five years, the amount of pension shall be \$60 monthly: *Provided, That—*]

(NOTE.—Above rates increased to \$60 and \$72 respectively by Public Law 662, 70th Congress.)

(f) *The amount of pension payable under the terms of part III shall be \$60 monthly, except—*

(1) *That where an otherwise eligible person shall have been rated permanent and total and in receipt of pension for a continuous period of ten years or reaches the age of sixty-five years, the amount of pension shall be \$72 monthly;*

(2) *That where an otherwise eligible person is or hereafter becomes, on account of age or physical or mental disabilities, helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person, the amount of pension shall be \$120 monthly.*

