

## AMEND THE WORLD WAR VETERANS' ACT, 1924

MAY 28, 1928.—Ordered to be printed

Mr. JOHNSON of South Dakota, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany H. R. 13039]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13039) to amend the World War veterans' act, 1924, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 17, 19, and 23, and agree to the same.

#### Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert (3), and on page 5, line 12, of the House bill after "(1)" insert a comma and (2) and a comma; 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:

Strike out the quotation marks at the end of the Senate amendment; and the Senate agree to the same.

#### Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows:

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

(3) *The payment of compensation to or for a child shall continue until such child reaches the age of eighteen years or marries, or if such child*

be permanently incapable of self-support by reason of mental or physical defect, then during such incapacity: *Provided, That the payment of compensation shall be further continued after the age of eighteen years and until completion of education or training (but not after such child reaches the age of twenty-one years) to any child who is or may hereafter be pursuing a course of instruction at a school, college, academy, seminary, technical institute, or university, particularly designated by him and approved by the director, which shall have agreed to report to the director the termination of attendance of such child, and if any such institution of learning fails to make such report promptly the approval shall be withdrawn.*

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 stricken out by the Senate amendment insert the following:

*Sec. 10. That section 206 of the World War veterans' act, 1924, as amended (section 495, title 38, United States Code), is amended to read as follows:*

*"Sec. 206. That no compensation shall be payable for death or disability which does not occur prior to or within one year after discharge or resignation from the service, except as provided in section 200 of this act, and except where there is an official record of the injury during service or at the time of separation from active service, or where prior to April 6, 1930, satisfactory evidence is furnished the bureau to establish that the injury was suffered or aggravated during active service. Where there is official record of injury during service compensation shall be payable in accordance with the provisions of this title, for death or disability whenever occurring, proximately resulting from such injury."*

And the Senate agree to the same.

Amendment numbered 13:

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows:

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

*Sec. 11. That the second paragraph of section 209 of the World War veterans' act, 1924, as amended (section 498, title 38, United States Code), is amended to read as follows:*

*"The time herein provided may be extended by the director up to April 6, 1930, for good cause shown. If at the time that any right accrues to any person under the provisions of this title such person is a minor, or is of unsound mind or physically unable to make a claim, the time herein provided shall not begin to run until such disability ceases."*

And the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert 12; 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:

In lieu of the matter proposed to be inserted by the Senate amendment insert 13; and the Senate agree to the same.

**Amendment numbered 16:**

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert 14; and the Senate agree to the same.

**Amendment numbered 18:**

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows:

In the matter proposed to be inserted by the Senate amendment strike out the comma after "made"; and the Senate agree to the same.

**Amendment numbered 20:**

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert 15; and the Senate agree to the same.

**Amendment numbered 21:**

That the House recede from its disagreement to the amendment of the Senate numbered 21, 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:  
*: Provided further, That no person who has surrendered his United States Government life (converted) insurance for its cash surrender value shall be entitled to apply for insurance under this section to the extent of the amount of the insurance so surrendered: Provided further, That the provisions of this section shall not apply to any person who did not serve in the military or naval forces of the United States in the course of the World War; and the Senate agree to the same.*

**Amendment numbered 22:**

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert 16; and the Senate agree to the same.

Amendment numbered 24:

That the House recede from its disagreement to the amendment of the Senate numbered 24, 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. 17. That section 305 of the World War Veterans' act, 1924, as amended (section 516, title 38, United States Code), is amended by striking out the period at the end thereof and inserting a colon and the following: "Provided further, That compensation which is uncollectible by reason of the provisions of section 310 of the war risk insurance act, as amended, or section 210 of the World War veterans' act, 1924, as amended, shall be considered as uncollected compensation for the purposes of this section.*

And the Senate agree to the same.

ROYAL C. JOHNSON,  
ROBERT LUCE,  
GORDON BROWNING,

*Managers on the part of the House.*

DAVID A. REED,  
REED SMOOT,

WALTER F. GEORGE,  
*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. 13039) to amend the World War veterans' act, 1924, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendments Nos. 2, 3, 11, and 19: These amendments make a clerical change; and the House recedes.

Amendments Nos. 4, 14, 15, 16, 20, and 22: These amendments make clerical changes; and the House recedes with amendments making further clerical changes.

Amendment No. 1: The Senate amendment provides authority for payment by the bureau of medical examinations and inspections in connection with the reinstatement of insurance or the determination of permanent total disability under such contracts. The expense of such examination is to be borne out of the appropriations for the bureau; and the House recedes.

Amendment No. 5: The Senate amendment is for the purpose of requiring proof of dependency on the part of parents of deceased ex-service men who file claim for compensation. Under this amendment it is no longer required that the dependency arise within five years from the date of death of the veteran, but it is provided that in the event the dependency ceases, the parents shall no longer receive compensation. By the use of the term "dependency" is meant inability to support one's self; and the House recedes.

Amendment No. 6: The Senate amendment provides that in connection with burial claims no deduction shall be made from the sum allowed because of contributions made by any State, county, or municipality. The purpose of this amendment is to obviate the necessity, under recent rulings of the Comptroller General, of taking into consideration in making burial awards, small amounts provided by local governments; and the House recedes.

Amendment No. 7: The Senate amendment strikes out of the existing law the provision to the effect that if dependency compensation is awarded a parent, such compensation shall continue until the death of the parent. This amendment is for the purpose of restricting the payment of compensation during the period of actual dependency; and the House recedes.

Amendment No. 8: The House bill provided for the payment of compensation to or for a child between the ages of 18 years and 21 years if such child during such period is attending school. The Senate amendment eliminated this provision from the bill. The House recedes with an amendment to the effect that compensation shall be payable to such children between the ages of 18 years and

21 years if and while in attendance at school but clarifies the provision so that there may be no question but that a child permanently incapable of self-support by reason of mental or physical defect will continue to draw compensation beyond the age of 21 years.

Amendment No. 9: The House bill provided for an increase in the amount of compensation payable to insane veterans who had been maintained by the Government in institutions for more than six months from \$20 per month to \$30 per month. The Senate amendment struck this provision from the bill. The House recedes.

Amendment No. 10: The Senate amendment provides that disability compensation payable to a veteran on behalf of a mother or father shall only be payable during dependency and that the status of dependency shall be determined as of the first day of each year. The director is granted discretion as to the extent of proof he will require from time to time upon which to make his determination. The House recedes.

Amendment No. 12: The House bill provided for the repeal of section 206 of the World War veterans' act, 1924, as amended, which requires the submission of proof of service origin of disability within three years of June 7, 1924, where no disability existed within one year of discharge. The Senate amendment eliminated this repealing section from the bill. The House recedes with an amendment extending the time during which proof of service connection for compensation may be filed to April 6, 1930.

Amendment No. 13: The House bill provided for the repeal of section 209 of the World War veterans' act, 1924, as amended, which requires that a claim for compensation be filed within five years of date of discharge or the date the disability arose or the death occurred. The section as repealed also granted to the director discretionary power to extend the time for filing claim not to exceed five years for good cause shown. The Senate amendment struck this repealing section from the bill. The House recedes with an amendment extending the time during which the director might exercise his discretion to April 6, 1930.

Amendment No. 17: The Senate amendment added a provision to section 13 of the bill as passed by the House granting the right to policy holders of Government life insurance to reconvert such policies to policies carrying a lower premium rate provided the applicant is in good health. The House recedes.

Amendment No. 18: The Senate amendment provides that no reconversion shall be made to the five-year level premium form of policy. This amendment is merely for the purpose of restricting amendment No. 17 so that reconversion shall not be made to the five-year level premium policy which is a temporary form of insurance at an extremely low rate and to which no permanent form of policy should ever be converted.

The House recedes.

Amendment No. 21: The Senate amendment adds a proviso prohibiting persons who have surrendered United States Government life insurance for its cash surrender value from applying for insurance under section 14 of the bill as it passed the House to the extent of the amount of the insurance so surrendered. This limitation on the right to apply for Government insurance granted under section 14 of the House bill is for the purpose of protecting the United States

Government life insurance fund from adverse selection. The House recedes with an amendment to the effect that the entire section as amended should apply only to persons who served in the military or naval forces of the United States in the course of the World War.

Amendment No. 23: The House bill provided that where an insured under a Government life insurance contract was totally disabled for a period of 12 months, the insurance should mature as though the insured were permanently or totally disabled. Certain limitations were contained as to retroactive payments. The Senate amendment provides that persons now holding United States Government life insurance and who are in good health, may apply for the insertion in their contracts of a disability clause providing for the payment of disability benefits where total disability has existed for 12 months. The director, under this amendment, is required to fix a rate of premium for this added feature to the insurance to cover the necessary cost of same; and the House recedes.

Amendment No. 24: The Senate amendment places the legislative stamp of approval on the interpretation of section 305 of the World War veterans' act, 1924, as amended, heretofore made by the bureau but which has recently been overruled by the Comptroller General. The purpose of the amendment is to make available for the purposes of section 305, compensation the payment of which is barred under section 310 of the war risk insurance act, as amended, or section 210 of the World War veterans' act, 1924, as amended.

ROYAL C. JOHNSON,  
ROBERT LUCE,  
GORDON BROWNING,  
*Managers on the part of the House.*

