

**RESTORING BENEFITS TO CERTAIN WORLD WAR
VETERANS**

JUNE 29, 1939.—Ordered to be printed

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

R E P O R T

[To accompany H. R. 2296]

The Committee on Finance, to whom was referred the bill (H. R. 2296) to restore certain benefits to World War veterans suffering with paralysis, paresis, or blindness, or who are helpless or bedridden, and for other purposes, having considered the same, report favorably thereon, with amendments, and as amended recommend that the bill do pass.

Section 1 of the bill would restore with certain limitations benefits provided by section 200 of the World War Veterans' Act, 1924, as amended, which were repealed by Public Law No. 2, Seventy-third Congress. The World War Veterans' Act permitted the payment of compensation notwithstanding misconduct, provided the disability had progressed to the state of paralysis, paresis, or blindness, or where the veteran was helpless or bedridden. The blind group on the rolls March 19, 1933, was restored by section 26 of Public Law No. 141, Seventy-third Congress, March 28, 1934, and the bill would bring in other cases where the veteran was in receipt of compensation on March 19, 1933, for such disability; subject, however, to the limitations except as to misconduct or willful misconduct contained in sections 27 and 28 of Public Law No. 141. It will exclude those cases where clear and unmistakable evidence discloses that the disease, injury, or disability had inception before or after the period of active military or naval service unless such diseases, injury, or disability is shown to have been aggravated during service. It will also exclude those cases where service connection was established by fraud, clear or unmistakable error as to conclusions of fact or law, or misrepresentation of material facts.

All reasonable doubts will be resolved in favor of the veteran and the burden of proof will be on the Government. As to those cases service connected by statutory presumption, the compensation to veterans will be reduced by 25 percent. In other words, these cases

2 RESTORE BENEFITS TO CERTAIN WORLD WAR VETERANS

would be restored to the same status they occupied on March 19, 1933, on the same basis as other World War cases of service-connected disabilities under existing laws which include application of limitations of Public Law No. 141, Seventy-third Congress.

Whereas section 1 of the bill as it passed the House of Representatives would have provided death compensation benefits at the rates prescribed in part I of Veterans Regulation No. 1 (a) for the widows, children, and dependent parents of World War veterans whose death resulted from disease or injury where service connection for such disease or injury would have been established under the provisions of the bill, this section as amended would permit payment of death compensation benefits under Public Law No. 484, Seventy-third Congress, as amended, which provides such benefit for widows and children.

Whereas the House bill would also have permitted the filing of new claims both as to veterans and dependents without limitation, the bill as amended is restricted to the cases of those veterans who were in receipt of compensation for such disability on March 19, 1933.

Under the bill as amended, payment of death compensation under Public Law No. 484, as amended, is provided for those cases where service connection is reestablished and it will also permit the payment of death compensation benefits under Public Law No. 484, as amended, in the case of death subsequent to June 30, 1933, where service connection would have been reestablished under the provisions of the bill as amended had the veteran been living.

Elimination of the last proviso in section 1 and section 2 of the bill as it passed the House of Representatives is made necessary by the amendment to section 1 which restricts the bill to cases where the veteran was in receipt of compensation for such disability on March 19, 1933.

Section 3 of the bill which becomes section 2, provides for the effective dates of payments thereunder and has been amended to facilitate administration.

It is estimated that approximately 1,100 World War veterans would be restored to the compensation rolls under this bill at a cost of approximately \$1,198,000 for the fiscal year 1940. It has not been possible to obtain an estimate of the cost providing death compensation under Public Law No. 484, as amended, to the widows and children as provided by the bill as amended.

