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SENATE

{ REPORT
No. 569

PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS AND SAILORS OF THE REGULAR ARMY AND NAVY, ETC.

APRIL 5 (calendar day, APRIL 10), 1926.—Ordered to be printed

Mr. NORBECK, from the Committee on Pensions, submitted the following

REPORT

[To accompany H. R. 8132]

The Committee on Pensions, to whom was referred the bill (H. R. 8132) granting pensions and increase of pensions to certain soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes, having considered the same, report the bill back to the Senate with the favorable recommendation that the bill do pass with amendments.

This bill (H. R. 8132) is known as the Spanish war general pension bill and is similar to S. 3300, which was favorably reported by this committee March 6 (calendar day, March 8), 1926, and is now pending on the Senate calendar. The committee recommends that the House bill be amended by striking out all after the enacting clause and that the Senate bill (S. 3300) be substituted as an amendment, and that further consideration of S. 3300 be indefinitely postponed.

The act of June 5, 1920, grants pensions of from \$12 to \$30 per month to persons who served 90 days or more in the military or naval service during the war with Spain, the Philippine insurrection, or the China relief expedition, who are suffering from mental or physical disabilities of a permanent character, not the result of vicious habits and not necessarily due to service, which so incapacitates them for manual labor as to render them unable to earn a support. Said act also provides certain rates for those who have attained certain ages (62, 68, 72, and 75). The act of September 1, 1922, extends the benefits of the act to include any woman who served honorably as an Army nurse, chief nurse, or superintendent of Nurse Corps under contract for 90 days between the beginning of the war with Spain and February 2, 1901, when the Nurse Corps was declared by law a component part of the Army and to any nurse who was released from service before the expiration of 90 days by reason of disability contracted in line of duty.

Section 1 of this bill proposes to raise the maximum rate provided in the act of June 5, 1920, of \$30 to \$50 per month, and also provides a minimum rate of \$20 instead of \$12 provided in said act; the rate to

be proportioned according to the degree of disability between the minimum rate and the maximum rate as provided in the act of June 5, 1920, and also extends the benefits to nurses of the Spanish War who were employed under contract for 90 days or more between April 21, 1898, and February 2, 1901, inclusive, and gives them the same rates provided for soldiers.

Section 2 of this bill provides an increase of the rate of pensions for widows and remarried widows of soldiers who served during the Spanish War from \$20 to \$30 a month. It also provides for an increase of the additional allowance to a widow or to a remarried widow on account of a child under the age of 16 years, or on account of a helpless child of the soldier from \$4 to \$6. This additional allowance of \$6 on account of a child is recommended in order that the widow of a Spanish War soldier may receive the same additional allowance on account of a child as a widow of the Civil War. The latter under existing law receives an additional allowance of \$6.

Section 3 of the bill provides the rate of \$72 for a soldier or nurse who served during the Spanish War as provided in the bill when they may become helpless or blind or so nearly helpless and blind by reason of age or physical or mental disabilities as to need or require the regular aid and attendance of another person, provided they are not inmates of a National or State home. If in a home, the maximum rate which may be allowed in such cases is limited to \$50.

Section 4 of the bill provides for an automatic increase of the rate of pension to those who are now on the pension roll. As to those who are not now pensioners it is provided that the pension shall commence from the date of filing application in the Bureau of Pensions.

It is also provided in this bill that the issue of a check in payment of a pension for which the execution of a voucher is not required shall constitute payment and that in the event of the death of the pensioner prior to the date of the period covered by the check, it shall not be canceled but shall become a part of the estate of the deceased pensioner and payable to his heirs.

Section 5 of the bill preserves to the soldiers, who have been placed by the Secretary of War or by the Secretary of the Navy on what is known as "The Army and Navy medal of honor roll," the right to receive and be paid an additional sum of \$10.

Section 6 of the bill refers to the recognition of a claim agent and attorney and to the payment of their fees in the prosecution of claims filed in the Bureau of Pensions. It is the usual provision carried in all general pension bills.

Section 7 of the bill merely modifies and amends all previous acts in conflict with this act.

This bill as originally introduced was similar to the bill (H. R. 8132) reported out of the Pension Committee of the House February 20, 1926, and is now pending on the House side. However, the original bill has been amended by the committee so as to eliminate any new and unusual features of legislation not now covered by existing law, and also to eliminate certain provisions providing for arrears of pensions. The amendments recommended by this committee will materially reduce the cost of the bill.

Following will be found the report of the Secretary of the Interior on the House bill (H. R. 8132). The estimate of the Secretary of the Interior of the cost of the House bill will be materially reduced by reason of the changes in the bill recommended by this committee:

DEPARTMENT OF THE INTERIOR,
Washington, February 17, 1926.

Hon. HAROLD KNUTSON,
Chairman Committee on Pensions, House of Representatives.

MY DEAR MR. KNUTSON: I am in receipt of your communication of the 22d ultimo, inclosing a copy of a bill (H. R. 8132) proposing to grant pensions and increase of pensions to certain soldiers and sailors of the war with Spain, etc.

Replying to your request for a report showing the estimated amount the bill will increase the annual expenditure for pensions, I have to advise you that it is estimated the annual increase will be \$18,555,528.

Section 1 of the bill will affect approximately 114,724 pensioners who would be increased at an average of about \$11 per month. This would involve an increased cost of \$15,143,568.

Section 2 affects approximately 21,983 widows and minors' cases, including 14,000 children under 16 years of age, and would involve an additional cost of approximately \$3,309,960.

Section 4 will affect approximately 1,000 pensioners who would be entitled to an increase at an estimated annual cost of \$102,000.

There is no way to ascertain how many would be eligible under section 3 of the bill, which provides a rate of \$72 a month for those soldiers, sailors, marines, or nurses who might be or might become, by reason 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, with the proviso that no one while an inmate of a soldiers' home shall be paid more than \$50 a month, hence it is not possible to estimate the cost as to this item.

A copy of this report was forwarded to the Director of the Budget, who, under date of February 13, 1926, advises that the proposed report which contains merely statistical cost data and makes no recommendation for or against the proposed legislation, is not in conflict with the financial program of the President.

Very truly yours,

HUBERT WORK.

The following table will show the number of Spanish War soldiers, their wives, and their widows who are now inmates of State soldiers' homes in the several States enumerated:

State soldiers' home	Civil War soldiers with wives	Civil War soldiers without wives	Widows of Civil War soldiers	Spanish War soldiers with wives	Spanish War soldiers without wives	Widows of Spanish War soldiers
Boise, Idaho		91			25	
Vineland, N. J.	22	49	142	1	3	1
Lisbon, N. Dak.	3	8	12		1	
Veterans' Home, Napa County, Calif.		310		556		
Orting, Wash.	121	141	69	33	66	
Roseburg, Oreg.	4	104	72		26	1
Retsil, Wash.	102	111	72	17	36	2
Burkett, Nebr.	94	97	204	5	11	2
Columbia Falls, Mont.	12	29	22	1	20	1
Buffalo, Wyo.	1	10	12	1	6	
Homelake, Colo.	13	47	17	13	25	1
Fort Dodge, Kans.	109	16	131	9	0	1
Oklahoma City, Okla.	14	28	22		2	
Bristol, R. I.		103			12	
Hot Springs, S. Dak.	16	89	49	13	12	
Marshalltown, Iowa	98	229	240	3	36	
Quincy, Ill.	149	384	248	17	57	1
Waupaca, Wis.	45	75	231	17	14	
Tilton, N. H.		27			12	
Millford, Nebr.	27	45	95		11	1
Minneapolis, Minn.	30	173	116	1	57	1
LaFayette, Ind.	77	39	385	29	12	4
Bennington, Vt.		29			4	
Grand Rapids, Mich.	31	267	241	5	82	3
Noroton Heights, Conn.		107			80	
Sandusky, Ohio		450			210	
St. James, Mo.	39	55	88	3	8	
Kearny, N. J.		127			78	
Erie, Pa.	6	78			56	
Oxford, Chenango County, N. Y.	9	4	149	2		1
Bath, Steuben County, N. Y.		198			62	
Chelsea, Mass. (no report).						
Total	1,022	3,520	2,549	734	1,024	20

There are 11,454 soldiers in the National Homes for Disabled Volunteer Soldiers, but of this number we have no statistics to show how many of them are Spanish War soldiers. Wives and widows of soldiers are not admitted to national soldiers' homes. No part of the pension is deducted from an inmate of a national home for his maintenance or hospitalization, and in only a few of the State homes, probably not more than five, make any deductions from the pensions on account of maintenance in a State home. All Spanish War soldiers are admissible to hospitals under the control and operated by the Veterans' Bureau. We have no data as to the number of Spanish War soldiers in the hospitals of the Veterans' Bureau.

Following will be found the report of the Secretary of the Interior dated March 20, 1926, upon the cost of this bill:

DEPARTMENT OF THE INTERIOR,
Washington, March 20, 1926.

HON. PETER NORBECK,
*Chairman Committee on Pensions,
United States Senate.*

MY DEAR SENATOR NORBECK: In response to your communication of the 6th instant, inclosing copies of a bill S. 3300 (committee print) concerning which you ask a report showing the number of pensioners by classes now on the roll affected by the bill, with the additional cost thereof, I have to advise you that there are now on the pension roll 106,053 persons who would be affected by the first section of the bill, and it is estimated that during the period ending June 30, 1927, there will be a net gain of 30,000. At the rates proposed in the bill the additional cost to June 30, 1927, would be approximately \$16,162,536.

Section 2 of the bill will affect 19,400 cases now on the rolls, besides 13,648 minor children. It is estimated that there will be a net gain of 3,000 pensioners during the period ending June 30, 1927, and that the increased cost thereof to that date would be approximately \$2,773,572.

It is found that it is not possible at this time to estimate the number of persons who might be affected by section 3 of the bill, although it is believed that it will be a considerable factor in the future cost of pensions.

It is estimated that the total additional cost of this legislation for the period ending June 30, 1927, will be approximately \$18,936,108. During each succeeding year for three years at least the probable cost will be about \$18,000,000.

The number of Spanish War survivors who are pensioners and who are now in national homes for disabled volunteer soldiers is approximately 5,800.

A copy of this report was submitted to the Director of the Budget, who, under date of March 17, 1926, advised "that the proposed report, which contains only cost data and makes no recommendation for or against the proposed legislation, is not in conflict with the financial program of the President."

Very truly yours,

HUBERT WORK.

