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war activities. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such surplus articles to the municipal government under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Price stipulation.

Sales authorized.

Proviso.
Transfers under Executive order not affected.

Approved, July 3, 1930.

CHAP. 849. An Act To amend the World War Veterans' Act, 1924, as amended.

July 3, 1930.
[H. R. 13174.]
[Public, No. 522.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the World War Veterans' Act, 1924, as amended (section 426, title 38, United States Code), be hereby amended to read as follows:

World War Veterans' Act, 1924.
Vol. 43, p. 608.
U. S. C., p. 1215.
Post, p. 1016.

"SEC. 5. The director, subject to the general direction of the President, shall administer, execute, and enforce the provisions of this Act, and for that purpose shall have full power and authority to make rules and regulations, not inconsistent with the provisions of this Act, which are necessary or appropriate to carry out its purposes, and shall decide all questions arising under this Act; and all decisions of questions of fact and law affecting any claimant to the benefits of Titles II, III, or IV of this Act shall be conclusive except as otherwise provided herein. All officers and employees of the bureau shall perform such duties as may be assigned them by the director. All official acts performed by such officers or employees specially designated therefor by the director shall have the same force and effect as though performed by the director in person. Wherever under any provision or provisions of the Act regulations are directed or authorized to be made, such regulations, unless the context otherwise requires, shall or may be made by the director. The director shall adopt reasonable and proper rules to govern the procedure of the divisions and to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits of compensation, insurance, vocational training, or maintenance and support allowance provided for in this Act, the forms of application of those claiming to be entitled to such benefits, the methods of making investigations and medical examinations, and the manner and form of adjudications and awards: *Provided*, That regulations relating to the nature and extent of the proofs and evidence shall provide that due regard shall be given to lay and other evidence not of a medical nature."

Director.
Administrative powers, etc.

Effect of decisions.

Assignment of duties.

Administrative procedure.

Proof and evidence to establish right to benefits hereunder, etc.

Proviso.
Evidence not of medical nature.

SEC. 2. That section 10 of the World War Veterans' Act, 1924, as amended (section 434, title 38, United States Code), be hereby amended by adding thereto the following paragraphs:

Vol. 43, p. 610.
Vol. 44, p. 790.
U. S. C., p. 1216.
Post, p. 1016.

"The director is further authorized to secure such recreational facilities, supplies, and equipment for the use of patients in hospitals, and for employees at isolated stations as he, in his discretion, may deem necessary, and the appropriations made available for the carrying out of the provisions of this section may be expended for that purpose."

Recreational equipment, etc., for use of patients, etc.

SEC. 3. That section 16 of the World War Veterans' Act, 1924, as amended (section 442, title 38, United States Code), be hereby amended to read as follows:

Vol. 43, p. 612.
U. S. C., p. 1217.

Prior insurance appropriations and premium collections made available.

"SEC. 16. All sums heretofore appropriated for the military and naval insurance appropriation and all premiums collected for the yearly renewable term insurance provided by the provisions of Title III deposited and covered into the Treasury to the credit of this appropriation, shall, where unexpended, be made available for the bureau. All premiums that may hereafter be collected for the yearly renewable term insurance provided by the provisions of Title III hereof shall be deposited and covered into the Treasury for the credit of this appropriation. Such sum, including all premium payments, is made available for the payment of the liabilities of the United States incurred under contracts of yearly renewable term insurance made under the provisions of Title III, including the refund of premiums and such liabilities as shall have been or shall hereafter be reduced to judgment in a district court of the United States or in the Supreme Court of the District of Columbia. Payments from this appropriation shall be made upon and in accordance with the awards by the director."

Subsequent premium collections.

Payment of term insurance, etc., therefrom.

Authority for.

Vol. 43, pp. 612, 1302.
Vol. 45, p. 964.
U. S. C., p. 1218.
Post, p. 1016.

SEC. 4. That section 19 of the World War Veterans' Act, 1924, as amended (section 445, title 38, United States Code), be hereby amended to read as follows:

Adjudication of disputed claim.

"SEC. 19. In the event of disagreement as to claim, including claim for refund of premiums, under a contract of insurance between the bureau and any person or persons claiming thereunder an action on the claim may be brought against the United States either in the Supreme Court of the District of Columbia or in the district court of the United States in and for the district in which such persons or any one of them resides, and jurisdiction is hereby conferred upon such courts to hear and determine all such controversies. The procedure in such suits shall be the same as that provided in sections 5 and 6 of the Act entitled 'An Act to provide for the bringing of suits against the Government of the United States,' approved March 3, 1887, and section 10 thereof so far as applicable. All persons having or claiming to have an interest in such insurance may be made parties to such suit, and such as are not inhabitants of or found within the district in which suit is brought may be brought in by order of the court to be served personally or by publication or in such other reasonable manner as the court may direct. In all cases where the bureau acknowledges the indebtedness of the United States upon any such contract of insurance and there is a dispute as to the person or persons entitled to payment, a suit in the nature of a bill of interpleader may be brought by the bureau in the name of the United States against all persons having or claiming to have any interest in such insurance in the Supreme Court of the District of Columbia or in the district court in and for the district in which any such claimants reside: *Provided*, That no less than thirty days prior to instituting such suit the bureau shall mail a notice of such intention to each of the persons to be made parties to the suit. The circuit courts of appeal and the Court of Appeals of the District of Columbia shall respectively exercise appellate jurisdiction and, except as provided in sections 346 and 347, title 28, United States Code, the decrees of the circuit courts of appeal and the Court of Appeals of the District of Columbia shall be final.

Procedure.

Vol. 24, pp. 506, 508.
U. S. C., p. 938.

Joining of parties in interest.

Bill of interpleader allowed, if indebtedness acknowledged.

Proviso.
Notice, prior to filing.

Courts exercising appellate jurisdiction.

Vol. 43, pp. 938, 939.
U. S. C., p. 906.

"No suit on yearly renewable term insurance shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made or within one year after the date of approval of this amendatory Act, whichever is the later date, and no suit on United States Government life (converted) insurance shall be allowed under this section unless the same shall have been brought within six years after the right

Time allowed for bringing suits on term insurance.

accrued for which the claim is made: *Provided*, That for the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is founded: *Provided further*, That this limitation is suspended for the period elapsing between the filing in the bureau of the claim sued upon and the denial of said claim by the director. Infants, insane persons, or persons under other legal disability, or persons rated as incompetent or insane by the bureau shall have three years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year though the period of limitations has elapsed. Judgments heretofore rendered against the person or persons claiming under the contract of war-risk insurance on the ground that the claim was barred by the statute of limitations shall not be a bar to the institution of another suit on the same claim. No State or other statute of limitations shall be applicable to suits filed under this section.

Proviso. Right to bring suit accrues, when claim arises.

Suspension of limitation.

Incompetents.

New suit, if defect in process, etc.

Time allowed.

Statute of limitations waived.

State statutes, etc., not applicable.

"In any suit, action, or proceeding brought under the provisions of this Act subpœnas for witnesses who are required to attend a court of the United States in any district may run into any other district: *Provided*, That no writ of subpœna shall issue for witnesses living out of the district in which the court is held at a greater distance than one hundred miles from the place of holding the same without the permission of the court being first had upon proper application and cause shown. The word 'district' and the words 'district court' as used herein shall be construed to include the District of Columbia and the Supreme Court of the District of Columbia.

Subpœnas.

Proviso. Restriction.

"District" and "district court" construed.

"Attorneys of the bureau when assigned to assist in the trial of cases, and employees of the bureau when ordered in writing by the director to appear as witnesses shall be paid the regular travel and subsistence allowance paid to other employees when on official travel status.

Allowances to bureau attorneys.

"Part time and fee basis employees of the bureau, in addition to their regular travel and subsistence allowance, when ordered in writing by the director to appear as witnesses in suits under this section, may be allowed, within the discretion and under written orders of the director, a fee in an amount not to exceed $20 per day.

Employees appearing as witnesses.

"Employees of the United States Veterans' Bureau who are subpœnaed to attend the trial of any suit, under the provisions of this Act, as witnesses for plaintiffs shall be granted official leave for the period they are required to be away from the bureau in answer to such subpœnas.

Official leave granted to subpœnaed bureau employees.

"The term 'claim' as used in this section, means any writing which alleges permanent and total disability at a time when the contract of insurance was in force, or which uses words showing an intention to claim insurance benefits and the term 'disagreement' means a denial of the claim by the director or some one acting in his name on an appeal to the director. This section, as amended, with the exception of this paragraph, shall apply to all suits now pending against the United States under the provisions of the War Risk Insurance Act, as amended, or the World War Veterans' Act, 1924, as amended."

Terms defined. "Claim."

"Disagreement."

Provisions herein applicable to pending suits.

Vol. 37, p. 711; Vol. 43, p. 607, amended. *Post*, p. 1016.

SEC. 5. That a new subdivision be added to section 21 of the World War Veterans' Act, 1924, as amended (section 450, title 38, United States Code), to be known as subdivision (3), and to read as follows:

Vol. 43, p. 613. Vol. 44, p. 792. U. S. C., p. 1218; Supp. III, p. 382. *Post*, p. 1016.

"(3) All or any part of the compensation or insurance the payment of which is suspended or withheld under this section may, in the discretion of the director, be paid temporarily to the person having custody and control of the incompetent or minor beneficiary to be used solely for the benefit of such beneficiary, or, in the case of an

Payment of suspended compensation, to custodian of minor, etc.

To dependents of incompetent veteran.

Balance covered into Treasury.

incompetent veteran, may be apportioned to the dependent or dependents, if any, of such veteran. Any part not so paid and any funds of a mentally incompetent or insane veteran not paid to the chief officer of the institution in which such veteran is an inmate nor apportioned to his dependent or dependents under the provisions of section 202 (7) of this Act may be ordered held in the Treasury to the credit of such beneficiary. All funds so held shall be disbursed under the order and in the discretion of the director for the benefit of such veteran or his dependents. Any balance remaining in such fund to the credit of any veteran may be paid to him if he recovers and is found competent, or otherwise to his guardian, curator, or conservator, or, in the event of his death, to his personal representative, except as provided in section 26 of this Act: *Provided*, That payment will not be made to his personal representative if, under the law of the State of his last legal residence, his estate would escheat to the State: *Provided further*, That any funds in the hands of a guardian, curator, conservator, or person legally vested with the care of the veteran or his estate, derived from compensation, automatic or term insurance payable under said Acts, which under the law of the State wherein the veteran had his last legal residence would escheat to the State, shall escheat to the United States and shall be returned by such guardian, curator, conservator, or person legally vested with the care of the veteran or his estate, less legal expenses of any administration necessary to determine that an escheat is in order, to the bureau, and shall be deposited to the credit of the current appropriations provided for payment of compensation and insurance."

Vol. 45, p. 617.

Disbursement by Director.

To veteran, upon recovery, etc.

Provisos.
Restriction on payment to representative.

Funds unused at veterans death, shall escheat to United States, if under State laws, would escheat to State.

Redeposit.

Vol. 43, p. 615.
Vol. 45, p. 965.
U. S. C., p. 1219; Supp. IV, p. 530.
Post, p. 1016.

SEC. 6. That section 28 of the World War Veterans' Act, 1924, as amended (section 453, title 38, United States Code), be hereby amended to read as follows:

No recovery of payments from person, if without fault.

"SEC. 28. There shall be no recovery of payments from any person who, in the judgment of the director, is without fault on his part and where, in the judgment of the director, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience. No disbursing officer shall be held liable for any amount paid by him to any person where the recovery of such amount is waived under this section.

Liability of disbursing officer waived.

Reimbursement of insurance fund for payments made.

"When under the provisions of this section the recovery of a payment made from the United States Government life insurance fund is waived, the United States Government life insurance fund shall be reimbursed for the amount involved from the current appropriation for military and naval insurance.

Effective date.

"This section, as amended, shall be deemed to be in effect as of June 7, 1924."

Vol. 45, p. 615.
U. S. C., p. 1219.

SEC. 7. That section 30 of the World War Veterans' Act, 1924, as amended (section 456, title 38, United States Code), be hereby amended by adding thereto a new subdivision to be known as subdivision (e), and to read as follows:

Inspection of bureau records.

"(e) The director may authorize an inspection of bureau records by duly authorized representatives of the organizations designated in or approved by him under section 500 of the World War Veterans' Act, 1924, as amended, under such rules and regulations as he may prescribe."

New sections added.

SEC. 8. That a new section be added to Title I of the World War Veterans' Act, 1924, as amended, to be known as section 37, and to read as follows:

Undelivered checks.

"SEC. 37. Checks properly issued to beneficiaries and undelivered for any reason shall be retained in the files of the bureau until such time as delivery may be accomplished, or, until three full fiscal years have elapsed after the end of the fiscal year in which issued."

SEC. 9. That a new section be added to Title I of the World War Veterans' Act, 1924, as amended, to be known as section 38, and to read as follows:

Post, p. 1016.

"SEC. 38. The director is hereby authorized to purchase uniforms for all personnel employed as watchmen, elevator operators, and elevator starters in the Arlington Building, city of Washington, District of Columbia."

Uniforms for watchmen, etc., authorized.

SEC. 10. That a new section be added to Title I of the World War Veterans' Act, 1924, as amended, to be known as section 39, and to read as follows:

"SEC. 39. The Secretary of War is hereby authorized and directed to transfer to and accumulate in the War Department in the city of Washington, District of Columbia, all records and files containing information regarding medical and service records of veterans of the World War: *Provided*, That the necessary appropriation to accomplish the transfer of such records and files is hereby authorized."

Medical and service records, etc.

Proviso.
Appropriation authorized.

SEC. 11. That section 200 of the World War Veterans' Act, 1924, as amended (Section 471, Title 38, United States Code), be hereby amended to read as follows:

Vol. 44, p. 793.
U. S. C., p. 1219, Supp. IV, p. 531.
Post, p. 1016.

"SEC. 200. For death or disability, resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this section and section 304 every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925, neuropsychiatric disease, spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, or amœbic dysentery developing a 10 per centum degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this Act, shall be presumed to have acquired his

Compensation, etc., to be paid officers, etc., for injury incurred, etc., after April 6, 1917.

Misconduct excepted.

Provisos.
Paralysis, etc., allowance.

Soundness on entrance inferred if in active service on November 11, 1918.

Recorded defects excepted.

Specified diseases developed prior to January 1, 1925, presumed as incurred in service.

Vol. 45, p. 618.

disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease, spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, or amœbic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per centum degree (in accordance with the provisions of subdivision (4) of section 202 of this Act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim.

Claims allowed for disability later.

Disability allowance for veterans serving 90 days, for injury not acquired during service.

"On and after the date of the approval of this amendatory Act any honorably discharged ex-service man who entered the service prior to November 11, 1918, and served ninety days or more during the World War, and who is or may hereafter be suffering from a 25 per centum or more permanent disability, as defined by the director, not the result of his own willful misconduct, which was not acquired in the service during the World War, or for which compensation is not payable, shall be entitled to receive a disability allowance at the following rates: 25 per centum permanent disability, $12 per month; 50 per centum permanent disability, $18 per month; 75 per centum permanent disability, $24 per month; total permanent disability, $40 per month. No disability allowance payable under this paragraph shall commence prior to the date of the passage of this amendatory Act or the date of application therefor, and such application shall be in such form as the director may prescribe: *Provided*, That no disability allowance under this paragraph shall be payable to any person not entitled to exemption from the payment of a Federal income tax for the year preceding the filing of application for such disability allowance under this paragraph. In any case in which the amount of compensation hereafter payable to any person for permanent disability under the provisions of this Act is less than the maximum amount of the disability allowance payable for a corresponding degree of disability under the provisions of this paragraph, then such person may receive such disability allowance in lieu of compensation. Nothing in this paragraph shall be construed to allow the payment to any person of both a disability allowance and compensation during the same period; and all payments made to any person for a period covered by a new or increased award of disability allowance or compensation shall be deducted from the amount payable under such new or increased award. As used in Titles I and V of the World War Veterans' Act, 1924, as amended, the term 'compensation' shall be deemed to include the term 'disability allowance' as used in this paragraph."

Rates.

No payments retroactive.

Proviso.
Only if exempt from payment of Federal income tax.

Disability allowance in lieu of compensation.

Both unlawful.

Term "compensation," to include "disability allowance."

The Secretary of the Treasury is hereby directed, upon the request of the director to transmit to the director a certificate stating whether the veteran who is applying for a disability allowance under this paragraph was entitled to exemption from the payment of a Federal income tax for the year preceding the filing of application for the disability allowance, and such certificate shall be conclusive evidence of the facts stated therein.

Certificate of exemption from payment of income tax.

Vol. 45, p. 965.
U. S. C., p. 1220; Supp. IV, p. 532.

SEC. 12. That section 201, subdivisions (f) and (1), of the World War Veterans' Act, 1924, as amended (section 472, title 38, United States Code), be hereby amended to read as follows:

Allowances in case of death.
Dependent father or mother, etc.
Limitation.

"(f) If there is a dependent mother (or dependent father), $20, or both, $30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow

and children and the sum of $75: *Provided*, That in case there is both a dependent mother and a dependent father, the amount payable to them shall not be less than $20. Such compensation shall be payable, whether the dependency of the father or mother or both arises before or after the death of the person: *Provided*, That the status of dependency shall be determined as of the first day of each year, and the director is authorized to require a submission of such proof of dependency as he, in his discretion, may deem necessary: *Provided further*, That upon refusal or neglect of the claimant or claimants to supply such proof of dependency in a reasonable time the payment of compensation shall be suspended or discontinued.

Provisos. Minimum.

Status of dependency.

Compensation suspended unless proved.

"(1) If death occur or shall have occurred subsequent to April 6, 1917, and before discharge or resignation from the service, the United States Veterans' Bureau shall pay for burial and funeral expenses and the return of body to his home a sum not to exceed $100, as may be fixed by regulation. Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director, in his discretion and with due regard to the circumstances of each case, shall pay, for burial and funeral expenses and the transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding $107 to cover such items and to be paid to such person or persons as may be fixed by regulations: *Provided*, That when such person dies while receiving from the bureau compensation or vocational training, or in a national military home, the above benefits shall be payable in all cases: *Provided further*, That where such person, while receiving from the bureau medical, surgical, or hospital treatment, or vocational training, dies away from home and at the place to which he was ordered by the bureau, or while traveling under orders of the bureau, or in a national military home, the above benefits shall be payable in all cases and in addition thereto the actual and necessary cost of the transportation of the body of the person (including preparation of the body) to the place of burial, within the continental limits of the United States, its Territories, or possessions, and including also, in the discretion of the director, the actual and necessary cost of transportation of an attendant: *Provided further*, That no accrued pension, compensation, or insurance due at the time of death shall be deducted from the sum allowed: *Provided further*, That the director may, in his discretion, make contracts for burial and funeral services within the limits of the amounts allowed herein without regard to the laws prescribing advertisement for proposals for supplies and services for the United States Veterans' Bureau: *Provided further*, That section 5, title 41, of the United States Code, shall not be applied to contracts for burial and funeral expenses heretofore entered into by the director so as to deny payment for services rendered thereunder, and all suspensions of payment heretofore made in connection with such contracts are hereby removed, and any and all payments which are now or may hereafter become due on such contracts are hereby expressly authorized: *Provided further*, That no deduction shall be made from the sum allowed because of any contribution toward the burial which shall be made by any State, county, or municipality, but the aggregate of the sum allowed plus such contribution or contributions shall not exceed the actual cost of the burial.

Burial expenses.

Allowance for burial expenses of veteran of any war.

Provisos. Bureau beneficiaries, etc.

Additional allowances, for beneficiary dying away from home.

No deductions.

Contracts for burials, etc., authorized.

Advertising not necessary. U. S. C., p. 1309.

No deduction because of State, etc., contribution.

"Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director shall furnish a flag to drape

Flag, for casket of honorably discharged veteran.

Disposition.

the casket of such veteran and afterwards to be given to his next of kin regardless of the cause of death of such veteran."

Vol. 43, pp. 618, 619. Vol. 44, p. 794. U. S. C., pp. 1220, 1221; Supp. IV, p. 532. *Post*, p. 1016.

SEC. 13. That subdivisions (3) and (5) of section 202 of the World War Veterans' Act, 1924, as amended (sections 473, 478, 479, title 38, United States Code), be hereby amended to read as follows:

Total and permanent disability. *Provisos.* Specific disabilities so rated.

"(3) If and while the disability is rated as total and permanent, the rate of compensation shall be $100 per month: *Provided*, *however*, That the permanent loss of the use of both feet, or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden, shall be deemed to be total permanent disability: *Provided further*, That the compensation for the loss of the use of both eyes shall be $150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be $200 per month: *Provided further*, That for double total permanent disability the rate of compensation shall be $200 per month.

Additional.

Double total disability.

Rating for tuberculous as temporary total.

"That any ex-service man shown to have a tuberculous disease of compensable degree, and who has been hospitalized for a period of one year, and who in the judgment of the director will not reach a condition of arrest by further hospitalization, and whose discharge from hospitalization will not be prejudicial to the beneficiary or his family, and who is not, in the judgment of the director, feasible for training, shall, upon his request, be discharged from hospitalization and rated as temporarily totally disabled, said rating to continue for the period of three years: *Provided*, *however*, That nothing in this subdivision shall deny the beneficiary the right, upon presentation of satisfactory evidence, to be adjudged to be permanently and totally disabled: *Provided further*, That in addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental, medical, surgical, and hospital services, including payment of court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for care and treatment of the insane, and shall be furnished with such supplies, including wheel chairs, artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary, which wheel chairs, artificial limbs, trusses, and similar appliances may be procured by the bureau in such manner, either by purchase or manufacture, as the director may determine to be advantageous and reasonably necessary: *Provided*, That nothing in this Act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service: *Provided further*, That where any person entitled to the benefits of this paragraph has heretofore been hospitalized in a State institution, the United States Veterans' Bureau is hereby authorized to reimburse such person, or his estate, where payment has been made to the State out of the funds of such person, or to reimburse the State or any subdivision thereof where no payment has been made for the reasonable cost of such services from the date of admission.

Provisos. Right for permanently total rating.

Additional services available.

Military, etc., control over veteran, until discharge, not affected.

Reimbursement for previous hospitalization, etc., of veteran.

Compensation for loss of creative organ, etc.

"There shall be paid to any person who suffered the loss of the use of a creative organ or one or more feet or hands as the result of an injury received in the active service in line of duty between April 6, 1917, and November 11, 1918, compensation of $25 per month, independent of any other compensation which may be payable under this Act: *Provided*, *however*, That if such injury was incurred while the veteran was serving with the United States military forces in Russia, the dates herein stated shall extend from April 6, 1917, to April 1, 1920.

Proviso. If injured in Russia.

"(5) If the disabled person is so helpless as to be in need of a nurse or attendant, such additional sum shall be paid, but not exceeding $50 per month, as the director may deem reasonable."

Nurse, etc., allowance.

SEC. 14. That subdivision (7) of section 202 of the World War Veterans' Act, 1924, as amended (sections 480, 481, title 38, United States Code), be hereby amended to read as follows:

Vol. 43, p. 619. Vol. 44, p. 795. U. S. C., p. 1221; Supp. IV, p. 533. *Post*, p. 1016.

"(7) Where any disabled person having neither wife, child, nor dependent parent shall, after July 1, 1924, have been maintained by the Government of the United States for a period or periods amounting to six months in an institution or institutions, and shall be deemed by the director to be insane, the compensation for such person shall thereafter be $20 per month so long as he shall thereafter be maintained by the bureau in an institution; and such compensation may, in the discretion of the director, be paid to the chief officer of said institution to be used for the benefit of such person: *Provided, however*, That in any case where the estate of such veteran derived from funds paid under the War Risk Insurance Act, as amended, and/or the World War Veterans' Act, 1924, as amended, equals or exceeds $3,000, payment of the $20 per month shall be discontinued until the estate is reduced to $3,000: *Provided further*, That if such person shall recover his reason and shall be discharged from such institution as competent, such additional sum shall be paid him as would equal the total sum by which his compensation has been reduced or discontinued through the provisions of this subdivision.

Compensation for insane patient maintained by Government for six months, etc.

Provisos.
Payments discontinued if estate amounts to $3,000.

Total payments to be made if patient discharged as competent.

"All or any part of the compensation of any mentally incompetent inmate of an institution may, in the discretion of the director, be paid to the chief officer of said institution to be properly accounted for and to be used for the benefit of such inmate, or may, in the discretion of the director, be apportioned to wife, child, or children, or dependent parents in accordance with regulations.

Payments to chief officer of institution caring for patient.

To dependents.

"That any ex-service person shown to have had a tuberculous disease of a compensable degree, who in the judgment of the director has reached a condition of complete arrest of his disease, shall receive compensation of not less than $50 per month: *Provided, however*, That nothing in this provision shall deny a beneficiary the right to receive a temporary total rating for six months after discharge from a one year's period of hospitalization: *Provided further*, That no payments under this provision shall be retroactive, and the payments hereunder shall commence from the date of the passage of this Act or the date the disease reaches a condition of arrest, whichever be the later date.

Compensation, if tuberculous disease arrested.

Provisos.
Temporary total rating allowed.

Retroactive payments unauthorized, etc.

"The director is hereby authorized and directed to insert in the rating schedule a minimum rating of permanent partial 25 per centum for arrested or apparently cured tuberculosis."

Minimum rating for arrested, etc., tuberculosis.

SEC. 15. (1) That so much of the second sentence of subdivision (10) of section 202 of the World War Veterans' Act, 1924, as amended (section 484, title 38, United States Code), as precedes the first proviso thereof, be hereby amended to read as follows:

Vol. 43, p. 620. Vol. 44, p. 796. U. S. C., p. 1222; Supp. IV, p. 533.

"The director is further authorized, so far as he shall find that existing Government facilities permit, to furnish hospitalization and necessary traveling expenses incident to hospitalization to veterans of any war, military occupation, or military expedition, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, and including persons who served overseas as contract surgeons of the Army at any time during the Spanish-American War, not dishonorably discharged, without regard to the nature or origin of their disabilities:"

Hospitalization, etc., for veterans of any war, who served overseas as contract surgeons.

(2) That the following new paragraph be added to subdivision (10) of section 202 of the World War Veterans' Act, 1924,

New matter.

as amended (section 484, title 38, United States Code), to read as follows:

Spanish-American War period.

"For the purposes of this section the Spanish-American War shall be construed to mean service between April 21, 1898, and July 4, 1902, and the term 'veteran' shall be deemed to include those persons retired or otherwise not dishonorably separated from the active list of the Army or Navy."

"Veteran" construed.

Vol. 43, p. 621.
U. S. C., p. 1223.
Post, p. 1016.

SEC. 16. That subdivision (15) of section 202 of the World War Veterans' Act, 1924, as amended (section 489, title 38, United States Code), be hereby amended to read as follows:

Compensation not allowed, if other pension, etc., being received.

"(15) That any person who is now receiving a gratuity or pension from the United States under existing law shall not receive compensation under this section unless he shall first surrender all claim to further payments of such gratuity or pension, except as hereafter provided and in subdivision (7) of section 201: *Provided*, That in the event of surrender of pension as hereinbefore set forth, any disability incurred in the military service of the United States, by reason of which said pension would be payable, shall be evaluated in accordance with the provisions of subdivision (4), section 202, and shall be payable as compensation under this Act: *Provided further*, That such compensation rating shall be combined with any other compensation rating awarded by reason of active service in the World War."

Provisos.
Evaluation of disability upon surrender of pension.

Compensation ratings to be combined.

Vol. 43, p. 622, repealed.
Vol. 45, p. 967.
U. S. C., p. 1223; Supp. IV, p. 534.

SEC. 17. That section 206 of the World War Veterans' Act, 1924, as amended (section 495, title 38, United States Code), be hereby repealed.

Vol. 43, p. 623, repealed.
Vol. 44, p. 797.
U. S. C., p. 1224; Supp. IV, p. 534.

SEC. 18. That section 209 of the World War Veterans' Act, 1924, as amended (section 498, title 38, United States Code), be hereby repealed.

Vol. 43, p. 623, amended.
U. S. C., p. 1224.

SEC. 19. That section 210 of the World War Veterans' Act, 1924, as amended (section 499, title 38, United States Code), be hereby amended to read as follows:

Back payments restricted.

"SEC. 210. That no compensation shall be payable for any period more than one year prior to the date of claim therefor, nor shall increased compensation be awarded to revert back more than six months prior to the date of claim therefor: *Provided*, That nothing herein shall be construed to permit the payment of compensation under the World War Veterans' Act, as amended, for any period prior to June 7, 1924. Except in case of fraud participated in by the beneficiary, no reduction in compensation shall be made retroactive." This section as amended to be effective June 7, 1924.

Proviso.
Payments prior to June 7, 1927, unauthorized.

Reduction in compensation not retroactive, unless fraud.

Vol. 43, p. 623, amended.
U. S. C., p. 1214; Supp. IV, p. 526.

SEC. 20. That section 212 of the World War Veterans' Act, 1924, as amended (section 422, title 38, United States Code), be hereby amended by adding thereto the following proviso:

New matter.
Application for compensation, deemed claim.
Vol. 44, p. 797.

"*Provided further*, That an application for compensation under the War Risk Insurance Act, as amended, shall be deemed to be a claim for compensation under this Act, and an application for compensation under the provisions of this Act shall be deemed to be a claim for compensation under all subsequent amendments to said Act, this proviso to be effective as of June 7, 1924."

Effective date.
Vol. 43, p. 615.

SEC. 21. That a new section be added to Title II of the World War Veterans' Act, 1924, as amended, to be known as section 214, and to read as follows:

New matter added.

Pay to dependents of incompetent veteran who disappears.

"SEC. 214. Where an incompetent veteran receiving disability compensation under the provisions of this Act disappears, the director, in his discretion, may pay to the dependents of such veteran the amount of compensation provided in section 201 of the World War Veterans' Act, 1924, as amended, for dependents of veterans."

SEC. 22. That section 301, paragraphs 3 and 4, of the World War Veterans' Act, 1924, as amended (section 512, title 38, United States Code), be hereby amended to read as follows:

Vol. 43, p. 624, amended.
Vol. 45, p. 969.
U. S. C., p. 1225; Supp. IV, p. 535.

"In case where an insured whose yearly renewable term insurance has matured by reason of total permanent disability is found and declared to be no longer permanently and totally disabled, and where the insured is required under regulations to renew payment of premiums on said term insurance, and where this contingency is extended beyond the period during which said yearly renewable term insurance otherwise must be converted, there shall be given such insured an additional period of two years from the date on which he is required to renew payment of premiums in which to reinstate or convert said term insurance as hereinbefore provided: *Provided*, That where the time for conversion has been extended under the second paragraph of this section because of the mental condition or disappearance of the insured, there shall be allowed to the insured an additional period of two years from the date on which he recovers from his mental disability or reappears in which to convert.

Insurance matured by total disability.

Renewal authorized if no longer disabled.

Proviso.
Conversion of term insurance.

Additional time allowed for, if incompetent, etc.

"The insurance, except as provided herein, shall be payable in two hundred and forty equal monthly installments: *Provided*, That when the amount of an individual monthly payment is less than $5, such amount may in the discretion of the director be allowed to accumulate without interest and be disbursed annually. Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for refund of premiums, cash, loan, paid-up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per centum per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than two hundred and forty months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries without the consent of such beneficiary or beneficiaries, but only within the classes herein provided."

Payment of, by installments.
Proviso.
If monthly payment less than $5.

Provision for maturity at certain age; for refund of premiums, etc., may be provided for.

Calculations based upon American Experience Table of Mortality.

Change of beneficiary.

SEC. 23. That the last proviso of section 304 of the World War Veterans' Act, 1924, as amended (section 515, title 38, United States Code), be hereby amended to read as follows: "*And provided further*, That, except as provided in section 301 of the World War Veterans' Act, as amended, no yearly renewable term insurance shall be reinstated after July 2, 1927."

Vol. 43, p. 625, amended.
U. S. C., p. 1226; Supp. IV, p. 536.

Limitation on reinstatement of yearly renewable term insurance.

SEC. 24. That section 307 of the World War Veterans' Act, 1924, as amended (section 518, title 38, United States Code), be hereby amended to read as follows:

Vol. 43, p. 627, amended.
U. S. C., p. 1226.

"SEC. 307. All contracts or policies of insurance heretofore or hereafter issued, reinstated, or converted shall be incontestable from the date of issuance, reinstatement, or conversion, except for fraud, nonpayment of premiums, or on the ground that the applicant was not a member of the military or naval forces of the United States, and subject to the provisions of section 23: *Provided*, That the insured under such contract or policy may, without prejudicing his rights, elect to make claim to the bureau or to bring suit under section 19 of this Act on any prior contract or policy, and if found entitled thereto, shall, upon surrender of any subsequent contract or policy, be entitled to payments under the prior contract or policy:

Contracts of insurance incontestable.

Exceptions.

Provisos.
Election of rights, by insured.

Vol. 43, p. 612.

Effective date.

Provided further, That this section shall be deemed to be effective as of April 6, 1917, and applicable from that date to all contracts or policies of insurance."

Vol. 45, p. 970, amended.
U. S. C., Supp. IV, p. 536.

SEC. 25. That section 311 of the World War Veterans' Act, 1924, as amended (section 512b, title 38, United States Code), be hereby amended to read as follows:

Disability payments to insured if totally disabled four months, etc.

"SEC. 311. The director is hereby authorized and directed to include in United States Government life (converted) insurance policies provision whereby an insured, who is totally disabled as a result of disease or injury for a period of four consecutive months or more before attaining the age of sixty-five years and before default in payment of any premium, shall be paid disability benefits at the rate of $5.75 monthly for each $1,000 of converted insurance in force when total disability benefits become payable. The amount of such monthly payment under the provisions of this section shall not be reduced because of payment of permanent and total disability benefits under the United States Government life (converted) insurance policy. Such payments shall be effective as of the first day of the fifth consecutive month, and shall be made monthly during the continuance of such total disability. Such payments shall be concurrent with or independent of permanent total disability benefits under the United States Government life (converted) insurance policy. In addition to the monthly disability benefits the payment of premiums on the United States Government life (converted) insurance policy and for the total disability benefits authorized by this section shall be waived during the continuance of such total disability. Regulations shall provide for reexaminations of beneficiaries under this section; and, in the event that it is found that an insured is no longer totally disabled, the waiver of premiums and payment of benefits shall cease and the United States Government life (converted) insurance policy, including the total disability provision authorized by this section, may be continued by payment of premiums as provided in said policy and the total disability provision authorized by this section. Neither the dividends nor the amount payable in any settlement under any United States Government life (converted) insurance policy shall be decreased because of disability benefits granted under the provisions of this section. The payment of total disability benefits shall not prejudice the right of any insured, who is totally and permanently disabled, to total permanent disability benefits under his United States Government life (converted) insurance policy: *Provided*, That the provision authorized by this section shall not be included in any United States Government life (converted) insurance policy heretofore or hereafter issued, except upon application, payment of premium by the insured, and proof of good health satisfactory to the director. The benefit granted under this section shall be on the basis of multiples of $500, and not less than $1,000 or more than the amount of United States Government life (converted) insurance in force at time of application. The director shall determine the amount of the monthly premium to cover the benefits of this section, and in order to continue such benefits in force the monthly premiums shall be payable until the insured attains the age of sixty-five years or until the prior maturity of the policy. In all other respects such monthly premium shall be payable under the same terms and conditions as the regular monthly premium on the United States Government life (converted) insurance policy."

Rate of payment.

Payments not reduced.

Effective date.

Independent of other benefits.

Payments of premiums waived.

Regulations for reexaminations.

Resumption of premium payments, etc., if disability ceases.

Dividends, etc., not decreased if disability benefits granted.

Payment of benefits not to prejudice rights of insured, under policy.

Proviso.
Conditions required.

Benefits granted to be on basis of $500.

Monthly premiums determined by director, etc.

Payment of.

Approved, July 3, 1930.