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AN ANALYSIS OF PUBLIC AND PRIVATE

VETERANS' AGENCIES IN THE

STATE OF MONTANA

by

WILLIAM R. BROCKLEY

B. A. St. Martin's College, 1950

Presented in partial fulfillment of the requirements for the

degree of

Master of Arts

MONTANA STATE UNIVERJITY

Approved by: of board -xaminers ean. e

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TABLE OF CONTENTS

CHAPTER	FAGE
INTRODUCTION	l
I. HISTORICAL DEVELOPMENT OF ASSISTANCE TO	
VETERANS	14
Roman Empire	15
Medieval period	16
Early Modern period	17
Colonial America to World War I	19
World War I to the present	24
II. THE IDEAL-TYPE VETERANS' AGENCY	29
Formal recognition of agencies	30
Common functions	32
Ideal-type structure	38
III. THE VETERANS ADMINISTRATION CONTACT SERVICE.	
The Veterans Administration in Montana	45
Analysis of Contact Service	47
IV. THE MONTANA STATE VETERANS' WELFARE	
COALISSION	54
Organization and function	55
V. PRIVATE VETERANS' AGENCIES	70
Service at Veterans' Administration	
Offices of the American National Red	
Cross	70

	The	Di	sa	ь1	ed	A	me	eri	ica	n	٧e	et€	era	ans	3 l	lat	;10	na	1				
	Sei	cvi	.ce	0	ff	ic	e	٠	٠	•	٠	٠	٠	٠	•.	٠	٠	•	٠		٠	٠	77
	The	Ve	ete	ra	ns	c	f	Fe	ore	ei(zn	Wa	ar	s]	Dej	pai	rtı	nei	nt				
	Se	rvi	ce	C)ff	'1 c	e	٠	٠	٠	•	٠	٠	٠	٠		٠	٠	٠	٠	٠	٠	81
CONCLU	ISIOI	NS	٠	۲	•	•	٠	٠	4	ii	•	٠	٠	•	•	٠	٠	٠	•	٠	٠	٠	87
BIBLIC	DGRAI	FHY	Ľ	٠	٠	•	•	٠	*		٠	٠	•	٠	٠	•	٠	٠	٠	٠	٠	•	89
APPENI	II	٠	•		•	•	•	٠	•	ę	•		•	٠	•			٠		٠	•	٠	94

TABLE OF ILLUSTRATIONS

FIGURE		PACE
I.	Distribution of Veterans Administration	
	Installations	52
II.	Organizational chart of the Veterans'	
	Welfare Commission	55
III.	Distribution of Veterens' Welfare Commission	
	Offices	64

In the universe of interhuman relationships, which in general constitutes the proper object of sociological investigation and reflection, the opposition and composition of dynamic human elements has given rise, among other things, to a unique social group which has confronted society with complex social problems. (Society, in an effort toward solution of these problems, has been forced to grant certain specialized boxefits and gratuities, and to institute an intricate network of satablishments to administer these boxefits and gratuitice,) and of equation to inform potential recipients of the existence of such tenefits, and to render assistance in properly claiming them.

An exemplification of the foregoing may be gained through a consideration of the secondary unitigated type of recial ormedition termed war. (By reason of the resurgent and) regrottable existence of this kind of human covary, in which the intofiate practical object of the opporing forces is the destruction or infliction of injuries upon each other, there was produced a new and unique social group. The unicaences or specific <u>differentia</u> of this group consisted in the fact that its perbone experies of defending receive springs on unjust apprender. The compare of defending receive springs on unjust apprender. This compare participation in eachlict.)

coupled with the rationalizations which made it necessary, and the conditions under which it was performed, resulted in the addition of a new element to the comprehension of the idea of the members of this group as members of society. Thereafter, they were not merely members of a particular society, but, also they were veterans; a fact which has waxed progressively more significant in society from the days of the Roman Empire to the present.¹

The legacy which organized warfare left to society ' was one which consisted not only of inestimable physical destruction and the dissipation of resources, but, of more lasting consequence as a social problem, it was a bequest comprising, especially since the advent of the citizen army in the modern era, an extremely large and heterogeneous group / of veterans and dependents of veterans.

The size in numbers and the makeup of the veteran element was not, of course, <u>per se</u> socially alarming. However, it must be realized that the members of this group, by and large, were faced with one or a combination of pressing domestic problems,² physical and mental disabilities,³ and

1 A. A. Freidrich, "Veterans", <u>Encyclopedia of the</u> <u>Social Sciences</u>, XV, pp. 243-247.

2 Ernest W. Burgess, Harvey J. Locke, The Family (New York: American Book Company, 1950), pp. 702-705.

3 George K. Pratt, <u>Soldier to Civilian</u> (New York: McGraw Hill Book Company, Inc., 1944). pp. 63-112.

serious economic reverses stemming directly or indirectly from their war service.⁴ All were potential claimants of possible special benefits from society.

Cognizance must also be taken of the fact that the presence of the veteran elements in society was not simply an ephemeral or transitory social phenomenon, but rather it was of the quality of permanence. Indeed, the ranks of the veteran group and the problems inherent therein were multiplied from time to time by media of the frequency, extent, and increasingly more devastating capacity of war. An additional factor contributing to the permanent quality of the veteran element in society was the demonstrated ability of medical technology to keep pace with the destructiveness of war and, thereby, to return to society participants who otherwise would not have survived.⁵

To demonstrate the fact that the veterans element in 7 the United States possesses the quality of permanence, one need only recall that there have been veterans in this country in a progressively increasing number from the foundation of our government to the present, When the Veterans Administration was created on July 21, 1930, the veteran

5 Frederic C. Howe, The Land And The Boldier (New York: Charles Scribner's Sons, 1919), p. 196.

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⁴ Ibid., pp. 148-171

population in the United States was 4,680,000.⁶ At the present time the veteran population in the United States is over 20,000,000.⁷ Ex-servicemen and their families constitute about one-third of the nation total population.⁸ Furthermore, the veteran population is being increased daily by discharged servicemen of the Korean "conflict". This quasi-war, which is now in its fourth year, has thus far provided the veteran group in the United States with an indeterminate number of wounded, potential members.

Furthermore, the veteran element, in the United States especially, has developed very efficacious instruments for making known its needs, and for furthering its demands for benefits; as well as for other purposes of social control. These instruments are the private veterans' organizations, of which the American Legion is the largest and most articulate. The other major veterans' organizations are the Veterans of Foreign Wars, and the

6 Carl R. Gray, Jr., "Veterans Administration", Encyclopedia Americana, XXVIII, 47.

7 News item in <u>The Disabled American Veterans</u>, June 16, 1953.

8 Gray, <u>loc</u>. <u>cit</u>.

9 Editorial in The Montana Legionnaire, March, 1953.

Disabled American Veterans respectively.

The presence, number, composition, problems of the individual members, permanence, and organizational strength of the veteran element in society, then, truly constitutes a grave social problem. The veteran element looms large on the social horizon both as an actual and further potential force for social control and social disorganization.¹⁰

Manifestations of society's recognition of the seriousness of the veterans problem, and of society's efforts to compose the problem, or at least to mitigate the ravages thereof, are myriad. Consider for example the proliferation, revision, and occasional recision of legislative enactments pertaining to veterans in the United States.¹¹ Such enactments and the benefits created thereby are the end result not only of continuous federal legislative activity, but of state and local efforts as well.¹²

10 Freidrich, loc. cit.

11 "Laws Relating to Veterans And Their Dependents", <u>House Committee Print No. 308, 82nd Congress, 2nd Session</u> (Washington, D. C.; United States Government Printing Office, 1952), pp. 1-54.

12 "State Veterans' Laws", <u>House Committee Print No. 253,</u> <u>81st Congress, 2nd Session</u>, (Washington, D. C.; United States Government Frinting Office, 1950), pp. 1-348.

An additional case in point is the existence, periodic reorganization, and proposed reorganization of the gargantuan public veterans' establishment known as the Veterans Administration¹³, and the state veterans' agency called the Montana Veterans' Welfare Commission. ¹⁴

Consider, further, the existence and activities of private veterans' agencies such as the Service at Veterans Administration Offices, a branch of the American Red Cross, the National Service Office of the Disabled American Veterans¹⁶, and the Department Service Office of the Veterans of Foreign 17 Wars.

Notwithstanding the great abundance of varied and informative publications concerning veterans' affairs which have been promulgated for the enlightenment of the veteran and his dependents, a perusal of the literature in this

15 Frank H. Grayson, "Service at Veterans Administration Offices", <u>SVAO Program Statement</u>, (Washington, D.C.; The American National Red Cross, 1952), p. 1.

16 News item in the <u>Disabled American Veterans</u>, March 10, 1953.

17 Kenneth P. Schriber, "Annual Department Service Officers Report 1951-52". (Unpublished report of Department Service Officer to Veterans of Foreign Wars National Rehabilitation Service, Washington, D.C., May 31, 1952),p. 1.

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¹³ News item in <u>The Army Times</u>, January 3, 1953. 14 Veterans' agency as used in this work is taken to mean an entity created to perform the specific functions of information and claims service. Veterans' agency, therefore, is to be distinguished from any entity created to grant public benefits to veterans, and to administer the veterans' program.

field reveals an astonishing dearth of information concerning the nature of agencies which, presumptively at least, are immanently qualified to assist veterans with their problems pertaining to veterans' affairs.

The information which has been made available to the veteran deals almost entirely with an enumeration and explanation of the benefits available under the law, and with the proper methods of applying for such benefits. Such publications make only covert mention of veterans' agencies as such. This treatment is, of course, brief, superficial and inadequate, if one would learn of the specific nature of veterans' agencies.

The above situation is particularly true of veterans' agencies, both public and private, as they exist in the <u>State of Montana</u>. For example, one national service officer of a major private veterans' agency in Montana stated, "The situation as pertains to veterans in Montana is pathetic. The people seem to be of the general impression that the DAV is a branch of the Veterans Administration, American Legion, the Veterans of Foreign Wars, or the Veterans Welfare Commission, which of course, is not true." ¹⁸

18 Personal correspondence of the author, letter from John E. Sloan, National Service Officer of the Disabled American Veterans, May 12, 1953.

It is true, however, that all veterans' agencies, both public and private, in montana or anywhere, perform common functions, or they are not veterans' agencies properly so called. Veterans' agencies, in common with any entity past, present or future, logically may be placed under a proximate genus. The proximate genus of veterans' agencies has its source and logical being in functional considerations, therefore, it is not improper to say that veterans' agencies, as such, are identical from a functional point of view.

If the proximate genus of veterans' agencies consists in a functional identity, then the "pathetic situation" referred to in the above quotation must stem from the fact that the people of Montana are wont to identify veterans' agencies from a structural standpoint, but since veterans' agencies by virtue of being veterans' agencies already are functionally identical, this results in a complete identification of veterans' agencies.

Yet, veterans' agencies in Montana are variously known as the Veterans' Welfare Commission, the VA Contact Service, the DAV National Service Office, and so forth. To assign different formal titles to such agencies is to predicate, or at least tacitly assume, that a structural distinction exists between such agencies, for if they are functionally identical, their distinction, if it exists,

must be structural.

Is, then, this distinction merely nominal or implied, and tantamount to a distinction without a difference, or are veterans' agencies really and essentially distinct in their structural aspects?

As stated above, the great mass of published material in the field of veterans' affairs, particularly of veterans' affairs in Montana, is either silent on the matter of the nature of veterans' agencies, or if agencies as such are mentioned, the treatment given to them is superficial and aspectual.

The general scope of this work, then, is an attempt to analyze the major public and private veterans' agencies in the State of Montana for the purpose of acquiring an adequate understanding of their nature.

The agencies which will be scrutinized in this work are the following:

> The Veterans Administration Contact Service The Montana State Veterans' Welfare Commission The American National Red Cross, Service At Veterans Administration Offices The Disabled American Veterans, National Service Office The Veterans of Foreign Wars, Department Service Office.

> The method employed in the production of the present

work is that of the heuristic or ideal type. "The special form of the ideal-type as a scientific method involves the identification, isolation, and accentuation of the logical extreme of the selected attribute." ¹⁹ The ideal-type method was developed in Sociology by Max Weber. Classic examples of its valid and effective use in this discipline may be seen in Tonnies'Gemeinschaft and Gesellschaft or in the work of Becker on sacred and secular societies. ²⁰ A more recent exemplification of its use is the work of Burgess and Locke, in which the family is studied from the ideal constructs of institutional and companionship families.²¹

Although the ideal-type method certainly is not the exclusive possession of the sociologist, it has proved to be of special value as a scientific instrument of investigation in this field. Unlike the proper objects of study in the so called natural sciences, the data with which the sociologist is concerned most frequently are not susceptible of experimental manipulation.²² Therefore, the sociologist is faced by

20 Harry Elmer Barnes, and Howard Becker, Editors, <u>Contemporary Social Theory</u> (New York: D. Appleton-Century Company, Inc., 1940), pp. 17-55.

> 21 Burgess and Locke, <u>loc. cit</u>. 22 Barnes and Becker, <u>loc. cit</u>.

¹⁹ Ernest W. Burgess, and Harvey J. Locke, The Family (New York: The American Book Company, 1950), p. viii.

the necessity of transforming his data to conform to the requirements of scientific investigation. This the sociologist is able to accomplish by means of the ideal-type method. It should be stated that the transformation of data thus accomplished is an ideal and not a substantial or a real transformation.

The ideal-type consists in the mental construction and logical amplification of characteristics extracted from empirically known phenomena. It is a mental fabrication with a foundation in reality, constructed in a planned manner for the purpose of analysis, comparison, measurement, and ultimately for prediction.

It can be seen that the ideal-type is not ideal in the sense of being an ultimate perfection in an ethical or in a romantic context. Neither is it ideal in the Flatonistic sense of possessing objective existence, as such, apart from the mind of the investigator.

Although the validity of the Berkeleyan principle of <u>esse est percipi</u> may be challenged when it is predicated of all reality, it very definitely applies with full force to the ideal-type. The ideal-type is a mental construct and its only being, as an ideal-type, is imparted to it by the person who constructs it.

Because the ideal-type is essentially a mental construct it is not possible to determine <u>a priori</u> what the particular

construction should be like, therefore, the purpose at hand must determine the construction of the type. Obviously, the ideal-type method possesses the adaptability demanded of a scientific instrument in the field of Sociology.

Finally, it must be appreciated that while phenomena may be analyzed, compared, and accurately measured by means of the ideal-type, there can never be a complete conformity of ideal-type with phenomena or <u>vice versa</u>. The ideal and the real cannot be identical in this approach, and therein lies the comparative value of the ideal-type.

In the present work the use of the ideal-type involves concluding from the known and common functions of veterans' agencies to the ideal-type structure for the most efficient possible performance of such functions. There is then constructed the ideal-type veterans' agency which becomes a scientific tool with which to analyze and compare veterans' agencies in Nontana, and to determine their probable effectiveness in light of the manner in which they are constituted.

The writer prefers to view the ideal-type construct to be used in this work as a continuum. The continuum is graduated from a pole containing all of the necessary structural elements of the ideal-type agency to the orposite or negative pole which is conceived of as possessing none of the elements of the ideal-type structure.

Applying this instrument to the individual agencies

it should be possible to determine their structural content and probable effectiveness according to their comparative positions on the continuum. If an agency falls on the positive side of the continuum, it is to that degree in possession of the elements of the ideal-type agency, and its ability to execute its functions is accordingly determined. The converse also is applicable.

Again, ideal or ideal-type as used in this work, or as understood in sociological theory, is not to be associated in any manner with ethical, romantic, or Platonistic idealism.

Out of recognition of the fact that an appreciation of the past is necessary to an adequate understanding of the present, the analytical portion of this work will be preceded by a brief consideration of the historical development of assistance to veterans.

The technique of participant observation was used extensively in the accuisition of material for this work. The writer used this technique in all of the major veterans' organizations in the State of Montana, and during two years of employment with the Montana State Veterans' welfare Commission as a district service officer.

Both primary and secondary sources have been used in this analysis.

HISTORICAL DEVELOPMENT OF ASS_STANCE TO VETERANS

Veterans have been granted special privileges and benefits from the beginnings of organized warfare to the present. Although the philosophical presuppositions conjured to justify the granting of particular benefits to veterans have varied from time to time, there has been but one real reason, which permeates the history of veterans affairs, why society has granted special benefits to veterans. This reason has been simply that the presence of the veteran element in society has actually constituted a threat to the social order. (Historically, such a threat has taken either the form of organized acts of brigandage and spoliation on the part of veterans. 1 of the refusal of military men to serve in the armed forces in times of social crises except that special benefits be granted them upon their discharge from service, ² or of the general disruption of an otherwise relatively well ordered society by reason of the widespread persistence of problems that are the lot of an appreciable number of organized veterans.3

1 A. A. Freidrich, "Veterans", <u>Encyclopedia of The</u> Social Sciences, XV, pp. 243-247.

2 "Historical Development of Benefits for Veterans", <u>Fact Sheet</u> (Fort Harrison, Montana. Veterans Administration Information Service, 1952) p. 2.

3 Freidrich, <u>loc</u>. <u>cit</u>.

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Where the veteran element has organized as a real and powerful pressure group, their restlessness and clamor has forced society to take immediate ameliorative action.

For example, in ancient Rome the breakdown of Latin agriculture as a result of the import of grain from the provinces and the continuous wars of expansion resulted in the creation of a large class of disbanded soldiers who at the end of the wars were thrown into the landless proletariat of Rome. . . . From this time on the veterans, ready to give their political loyalty to any military adventurer who promised them plunder from conquest, were a continuous threat to the established order.⁴

The principal benefit granted to placate the veterans of ancient Rome was land. At least three distinct methods to gain land for veteran distribution were attempted by various Roman Emperors and by the Gracchi. The first of these attempts, which proved abortive, occurred during the time of the Gracchi, and consisted in an effort to revise the Roman land laws for the purpose of subdividing the latifundia for grants to veterans. The second attempt to find land for the veterans of Rome took place under the Gaesars and met with some success. The method of the Gaesars was to distribute land in the colonial dependencies, instead of in Italy alone. The third method consisted in an "ambitious attempt of one of the Roman emperors to drain and clear the Italian swamps to secure land for veteran distribution".⁵

4 Ibid.

5 I<u>bid.</u>

The veterans problem, then, existed as early as the days of the Roman Empire and, in fact, "To placate this group by securing land for them became one of the congeries of problems which made the political history of dome a succession of internal social crises".⁶

During the Medieval period the veterans' problem was less pronounced and threatening to the established social order than it was in ancient Rome, or during the early Modern era. This seems to have been due mainly to two factors. First of all, during this period war was, for the most part, a vocational pursuit of the landed nobility. Inasmuch as the livelihood of the feudal lord was "the perquisite of hereditary status", ⁷ impairment of his productive ability resulting from participation in war did not seriously threaten his economic security, or the security of those who served him in his bellicose enterprises.

Secondly, the general structure of society in this period was such that the aid which the feudal lords and captains gave to the common soldiers who were pressed into their service was considerably augmented by the help of the regular institutions of relief, in Medieval times. These were the monastaries and various religious orders.⁸

> 6 <u>Ibid</u>. 7 Freidrich, <u>op</u>. <u>cit</u>., p. 245. 8 <u>Ibid</u>.

It appears that the system of feudal aid to veterans worked fairly efficiently in controlling the veterans problem until the end of the Medieval period when monarchs assumed the role of warlords. From this time on the size of the armies greatly increased, more and more common soldiers were used, and the extent and destructiveness of warfare became progressively greater. During this transitional period in the art of warfare, the system of feudal aid became quite inadequate, and the veterans' problem again commanded the attention and corrective activity of society.

The vast changes which occured in the Modern era and the attendant factors which contributed to the intensity of the veterans' problem throughout this era are succinctly stated by A. A. Freidrich in the following passage from his article on Veterans in the Encyclopedia of the Social Sciences:

Although the details vary, reflecting the differences in national traditions and in the tempo of the development of modern economic and political institutions, certain factors were operative in the new national states throughout the seventeenth, eighteenth, and nineteenth centuries creating a "veterans" problem and ways of dealing with it which in their larger aspects are similar. The nationalization of political life, the development of standing armies under the control of the central government, the inclusion of the propertyless masses to provide the manpower of military forces, the dependence of disbanded common soldiers and sailors upon the sale of their labor power for their livelihood, the frequency and growing scale of warfare, the destructiveness of military weapons and the skill of medical technique, which kept pace with the destructiveness;

9 Ibid.

of war, created in varying degrees and convergence a situation in which the pressure of demands by ex-soldiers and the inadequacy of local aid and self-help forced upon central governments the responsibility of taking financial care of disabled soldiers and of veterans generally . . . Although there were during these early centuries of the modern age no mass political groups of organized veterans such as are found in modern nations, the constituted authorities were not free from the irritations of sporadic violence and clamor.

While nearly all governments have developed elaborate systems for the care of veterans, it is from the English system that our own has developed and, therefore, the remainder of this historical consideration will be limited to the veterans program as it developed in England, and later in the United States.

In response to the "sporadic violence and clamor" caused by the veterans, the 1592-93 session of the English Parliament, which met during the reign of Elizabeth, passed what was known as the statute "for the reliefe of Souldiours."¹¹ The specific provision of this statute was to the effect that disabled veterans should be supported by their local communities. The local communities, however, were incapable of carrying out the mandate of this statute. Consequently, the veterans problem was improved very little until the enactment of additional statutes which provided governmental subsidies for

11 Veterans Administration Information Service, op. cit.,p.1.

¹⁰ Ibid.

the care of veterans.12

The passage of statutes relating to the care of veterans in England between the years 1592 to 1601 resulted in the development of a relatively comprehensive veterans program in that country.

Among the important provisions enacted in England, which foreshadowed the benefits to be granted and developed in the United States were the act of 1677 which provided for the retirement of British officers on half-pay, and which later resulted in the officers of the Revolutionary Army under the command of General Washington demanding the same benefits as rewards for their service; and the act of 1681 which provided for the creation of the Chelsea Hospital, which was the prototype of present day Veterans Administration domiciliary homes, and of state Soldiers' Homes. The term "hospital" as applied to Chelsea was taken to mean a home for the 13

The Chelsea Hospital was not only the prototype of today's domiciliary homes and state soldiers' homes, but it also resulted in the establishment of a precedent for the granting of disability pensions. When it was finally opened in 1692 the Chelsea Hospital proved too small and inadequate

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12 Ibid.
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13 Ibid.

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in space to care for the numerous disabled veterans who sought admission there. Consequently, a system was devised whereby those veterans who were eligible for care at Chelsea, but who could not be accomodated due to inadequate space, were given cash payments. Such veterans became known as "out Fensioners" of the Chelsea Hospital.¹⁴

From the year 1624 to 1775, the date of the passage of the first national pension law for veterans in the United States, innumerable acts providing benefits for colonial veterans were passed in the various colonies. Suffice it to say that these acts and the benefits which they provided followed the general pattern of, and were the result of the influence of, the above described English laws providing benefits for veterans. There were but two exceptions to the above statement. In 1661 Maryland passed a law which provided the disabled veteran with "mayntenance from the country according to his disability for mayntayning himselfe."15 This seems to have been the forerunner of our present system of compensation payments to disabled veterans in amounts determined according to the degree of their individual disabilities. Following this act, in 1678, Maryland again passed an act which contributed to the provisions of our present veterans'

14 Ibid.

15 <u>Ibid</u>.

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program. This act provided for the payment of pensions to widows and children of soldiers killed in service. "This is one of the earliest mentions of compensation for dependents of deceased soldiers, and is a forerunner of the present Veterans Administration death benefits."¹⁶

It is interesting to note that:

All_of the acts passed in favor of Revolutionary veterans, with exception of one, were for death or disa-bility resulting from service. In 1776 the first national pension law was passed, providing half-pay for life to every officer, soldier and sailor who lost a limb in an engagement or was disabled in the service to such an extent that he could not earn a livelihood. Proportional compensation for partial disability was provided, and the funds were to come from the various states. . . . The exception to the rule that Revolutionary benefits were for death or disability only was an important logistic issue of the day. Officiers in the Revolutionary Army were not generally enthusiastic about serving their country in the face of tremendous odds and great danger and discomfort. They showed an alarming tendency to abandon military service and go home to take care of their farms or businesses. As a <u>guid pro guo</u> for fighting to the end of the war, they demanded that they receive half-pay for life on the termination of the war, in accordince with the British precedent of 1677.

It is evident from the foregoing quotation that at least one of the acts passed in behalf of veterans in this country was passed as an inducement for military men to serve their country. It is of further interest to note that General Washington went on record as opposing the

> 16 <u>Ibid</u>. 17 <u>Ibid</u>.

inducement pay measure. However, he soon realized that such a measure was an indispensible condition to the successful continuation of the war effort. When the measure finally w nt before the Continental Congress for its approval, Washington went on record as supporting the measure. The measure as it passed the Continental Congress provided for half-pay for seven years rather than for life, ¹⁸

Another integral aspect in the development of the veterans program in the United States was the pension law of 1780 which provided for death benefit payments to the widows and orphans of officers killed in service. This act was enlarged from time to time to include the widows and orphans of veterans of other wars in which the United States was engaged.¹⁹

In addition to providing for death and disability pension. and inducement pay, another early form of benefit to the veteran was that of the bounty land warrant. Between 1776 and 1855, numerous laws differing materially in length of service required, amount granted, and other features, were passed by Congress concerning the granting of bounty land for military and naval service. Bounty lands totaling 65,444,002 acres were granted to veterans of the various wars

18 <u>Ibid.</u> 19 Ibid.

from the foundation of the government to 1855. Among the recipients of bounty land warrants were the following men who figured prominently in the history of our country:

Abraham Lincoln, for service in the Black Hawk Indian War in 1832.
Jefferson Davis, for service in the Mexican War. U. S. Grant, for service in the Mexican War. Robert E. Lee, for service in the Mexican War. William T. Sherman, for service in the Seminole Indian and Mexican Wars. David G. Farragut, for service in the War of 1812 and the Mexican Wars.
Winfield Scott, for service in the Mexican War.
Philip H. Sheridan, for service in the Indian War in 1853.20

In 1808 an additional development in the field of veterans benefits occurred. This consisted in the removal of the veteran pensioners from the rolls of the various states, and the granting of pensions from federal funds. This, in effect, centralized into the hands of the federal government the financial responsibility for the care of veterans.²¹ Later, in the year 1813, another innovation was introduced and passed in Congress. This was the act which provided for the payment of pensions to the dependents of deceased veterans, or to disabled veterans without regard to whether the death or disability was due to service. ²² This provision remained as

20 "Veterans Legislation", <u>House Document No. 136</u>, <u>78th Congress, 1st Session</u> (Washington, D. C. 1945) pp. 9-10. 21 Veterans Administration Information Service, <u>loc. cit</u>. 22 <u>Ibid</u>.

an integral part of the general veterans' program, and at present such benefits are known as non-service pensions.

The present Veterans Administration domiciliary homes, which constitute another vital element of the veterans' program in the United States, are the outgrowth of a law passed by Congress in 1769. This law, which stemmed from a recognition of the need to make provision for the "aged and infirm veterans who had no means of support"²³ and which was undoubtedly influenced by such provisions made in England, provided for the acquisition of a home for old sailors. This home was to be paid for by a special assessment to be levied on naval personnel. Additional homes of this type were provided for by subsequent acts of Congress.²⁴

From the latter part of the nineteenth century to the beginning of World War I the great bulk of veterans legislation was concerned with the liberalization of existing veterans benefits. The important new additions to the veterans program in this country which were enacted from World War I to the Korean conflict had to do with the construction of hospitals and the granting of government insurance to individual servicemen, and with the granting of extensive

23 Ibid.

24 News item in the <u>Disabled American Veteran</u>. January 3, 1953.

medical, educational, and vocational rehabilitation benefits; the latter being the "great contribution of World War II 25 to our national thinking about veterans problems."

With respect to veterans' benefits and the veterans' program as it has developed in the United States, John E. Rankin, Chairman of the Congressional Committee on World War Veterans' Legislation, stated:

No nation on earth has provided for the veterans of its various wars as we have provided for ours. While there may be some inequalities yet to be straightened out, and some legislation w. ich we still hope to see enacted into law, the fact remains that, taken for all in all, our system of caring for our disabled veterans and their de- 20 pendents, has not an equal in any other country in the world./

The administration of federal benefits to veterans in the United States has been assigned to several bureaus from 1833 to the present. In 1833 the Bureau of Fensions was established by executive order for the purpose of handling exclusively pension benefits to veterans and their dependents. As the number and kind of benefits for veterans grew, it became necessary to supplement the administrative structure of the Bureau of Fensions. This was accomplished through the creation of other governmental establishments such as the Bureau of War Risk Insurance, which was established in 1914 under the Department of the Treasury, and the Federal Board for

25 Veterans Administration Information Service, op. cit., p. 4.

26 House Document No. 136, op. cit., p. v.

Vocational Education. 27

(In August of 1921 Congress passed a law which provided for the establishment of an independent bureau called the United States Veterans' Bureau.) This law consolidated into the new Veterans' Bureau all former Federal boards and bureaus which dispensed benefits to veterans.²⁸ (The world War Veterans' Act of 1924 provided for the codification of all Federal laws affecting veterans of world War I,) for the enlargement of the relief functions of the Veterans' Bureau, and the repeal of all former statutes pertaining to veterans which were not expressly retained on the statute books after codification was accomplished.²⁹

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The consolidation of bureaus and boards and couification of laws which resulted from the creation of the Veterans' Bureau and the passage of the world War Veterans' Act of 1924 paved the way for the creation in 1930 of the gigantic Veterans Administration, an independent governmental establishment for the administration of laws relating to 30 veterans.

Since 1930 the Veterans Administration has been the

27 <u>Ibid</u>. pp. 24-33. 28 <u>Ibid</u>. 29 <u>Ibid</u>. 30 <u>Ibid</u>.

only independent federal establishment specifically designated to administer the veterans' program as developed and provided by the United States government.

[In summation it may be said that the history of the granting of benefits to veterans covers a wide and sometimes turbulent span in time. Some benefits, such as the land grants in the days of the Roman Empire, were granted in a rather frenzied effort to forestall social disorder. Some veterans' benefits were given out of a sense of responsibil- $\sqrt{}$ ity of the noble for his subject, or of the church for her children, or simply of community solidarity, as the benefits provided in Medieval society. Others, as those provided by the Elizabethan statutes, were granted by the central government in the name of "reliefe". Still others were given as rewards to induce military men to continue their military service. The immediate justification of most benefits granted to the veterans of wars in which the United States has engaged has been that such benefits are to be considered tokens of appreciation given by a grateful government to the men who / served in time of war.

From the standpoint of the individual veteran of our time, veterans' benefits are nearly always looked upon as rewards for service rendered to the government, or simply

31 Ibid. p. 4.

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28

as gratuities. Some veterans, however, look upon the veterans' program and the benefits provided thereunder as the result of contractual agreement between the veteran and 32 his government.

While cash pension and compensation payments are still made to the veterans of the various wars, the emphasis in the United States today is being placed upon the desirability of giving benefits in the form of medical, emotional, and social rehabilitation of veterans in order that they might resume their productive roles in society, and not remain a permanent ward, as it were, of the government.33

/ Again, regardless of the immediate and specific rationalizations summoned to justify the granting of particular benefits to veterans, the basic reason for such benefits has been and still is the necessity of averting a serious social problem; the veterans problem.] Particularly, the problem was and is "to find a way to satisfy the demands of a largely propertyless but powerful pressure group without disturbing existing property rights or too greatly burdening the propertied classes with taxes and levies."34

32 Charles Hurd, "The Veterans Program (New York: McGraw-Hill book Company, Inc., 1940), p. 14.

> 33 Veterans Administration Information Service, loc. cit. 34 Freidrich, op. cit., p. 245.

yst there

CHAPTER II

THE IDEAL-TYPE VETERANS' AGENCY

Although Congress passes innumerable laws granting benefits to veterans and their dependents, none of the benefits so granted are given to the individual veteran or to his dependents automatically, or simply by virtue of the passage of the law which makes the benefit available. Formal claim must be submitted for these benefits in the manner prescribed by the government establishment charged with administering the particular veterans' benefit claimed.

The necessity of formally claiming benefits gave rise to a kind of corruption in the administration of veterans' affairs, particularly from the creation of the Bureau of Pensions in 1833 to the passage of Public Law 242 in 1924. Because many veterans were either unaware of their possible eligibility for veterans' benefits, or because they were incapable of or otherwise unfamiliar with the proper methods of preparing, submitting and representing formal claims for veterans' benefits, many lawyers and other private citizens, who became known as pension claim agents¹, took upon

1 "Historical bevelopment of Benefits for Veterans," Fact Sheet (Fort Harrison, Montana,: Veterans Administration Information Service, 1952), p. 4.

29

themselves the task of claiming benefits in behalf of veterans and their dependents. Under normal conditions theirs' was a recognized and legitimate pursuit; however, certain unscrupulous pension claim agents engaged in the practice of illegally retaining for their own use the greater share of the benefits granted to the veterans whom they represented.²

In an effort to remove some of the flaws and inadequacies in the administration of veterans' benefits, including the corrupt practices of the pension claim agents, the sixty-eighth Congress passed Public Law 242 in June of 1924.³

Section 19 of Public Law 242 provides that the "Director authorized to recognize as claim agents representatives of the American Red Cross, the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, and such other organizations as he shall approve."⁴ It was also by reason of this section of the law that certain state veterans' departments gained recognition as veterans' agencies before the Veterans' Bureau and later, of course, before the Veterans Administration. Such was the case with the Montana Veterans' Welfare Commission.

2 Ibid.

3 "Veterans' Legislation," <u>House Document No. 136</u> (Washington, D. C.: United States Government Printing Office, 1945), p. 33.

4 Ibid.

After their formal recognition by Congress, and following the decentralization of claims facilities by the federal government, which was accomplished under Section 7 of Fublic Law 242,⁵ the facilities and free services of recognized public and private veterans' agencies experienced a continuous development.⁶ It seems reasonable to assume that the illegal practices of the individual pension claim agents were correspondingly diminished with the development of recognized agencies, and that the quality of service to veterans and their dependents was immeasurably enhanced.

With this, albeit very cursory, review of the formal beginnings of veterans' agencies in general, it is now possible to construct an ideal-type veterans' agency by concluding from known and proper functions to the ideal-type structure.

It should be stated at the outset that the writer is not here concerned with the question of whether the idealtype agency should be supported or endowed by public or private sources. This is a consideration for the political and/or social philosopher and, therefore, has no necessary bearing upon the present analysis.

5 Ibid.

6 Frank H. Grayson, "SVAO Frogram Statement", (unpublished program statement of Service At Veterans Adminisstation Officer prepared for the Program Committee of the Board of Directors of The American Nation Red Cross, National Headquarters, Washington, C. C. November 12, 1952).

With reference to the veterans' program and its administration, one author has stated that: "With all the activity centered in Washington, it may seem absurd but it is absolutely true that the last place for a veteran to go for assistance is the main office in Washington."7 Actually the responsibility assumed by the federal government in relation to the veterans benefits and their administration, which collectively constitute the veterans' program, is that of providing the benefits, the necessary funds and the administrative structure for dispensing veterans' benefits.⁸ The final task of making the veterans' program a working reality falls, for the most part, upon the offices of recognized public and private veterans' agencies which are independent of the Veterans Administration, save for the administrative element of the Veterans Administration known as Contact service, which will be discussed later in this work.

The proper, specific functions of veterans' agencies may, for the purposes of this analysis, be logically resolved into a twofold division. The first part of the division is comprised of the substantive functional aspects which in veterans' agencies come under the general heading of

7 Charles Hurd, The Veterans' Frogram (New York: McGraw-Hill Book Company, Inc., 1946), pp. 12-13

8 Ibid., p. 1

information service. ^Y The second part of the division is constituted of the more dynamic, adjective functional aspects which, collectively, are known as claims service.

.. . .

The informational function of veterans' agencies is that function whereby the complex maze of voluminous and wordy public laws, state statutes, and local enactments; administrative decisions concerning the meaning of the law; technical bulletins concerning the nature of the benefits created by the law; and the written regulations and procedures of the Veterans Administration, which are calculated to facilitate the proper articulation, submission, and representation of claims, become specific answers to the incessant questions of individual veterans, their dependents, and other interested citizens.

The informational function lends itself to a subdivision consisting of two parts. The first part consists in the necessity of perusing, analyzing, and understanding the myriad laws, regulations, and special bulletins pertaining to veterans' benefits. The second part is related to the duty of disseminating such information to the veterans and their dependents throughout the area which the agency

<u>9 Annual Report of the Lontana State Veterans'</u> Welfare Commission, 1951 (Helena, Hontana, 1951), p. 1. 10 Ibid.

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purports to service.

Information service, in the opinion of the writer, is the most vital functional element of veterans' agencies. In the absence of the proper fulfillment of this function, the entire veterans' program is subverted. It is in the final analysis the availability, correctness, and timeliness of information that determines whether the veteran or his dependents will receive the benefits for which they may be eligible, or whether they will suffer total or partial loss of such benefits.¹¹ If potential recipients of a veterans' benefit are not correctly informed of the pertinent facts about the benefit in advance of the expiration date for claiming it, the benefit becomes nothing more than excess verbiage in an obsolete statute book, the problems which it was intended to obviate or ameliorate persist, and perhaps mount in intensity, and the veterans' agency has not justified its existence.

The second part of the main functional division has to do with claims service. This service was termed the adjective function because it involves the actual application of the principles, regulations, and procedures learned and disseminated through the tedious effort expended in the

11 Leo V. Lanning, "Veterans' Time Table," <u>New York</u> Division of Veterans' Affairs Pamphlet, foreward, 1952, p.1

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informational function. The claim service function may be sub-divided into four main aspects.

First, this function involves the collection and development of evidence which must accompany all claims for benefits. This aspect usually requires long and frequent personal interviews over a protracted period with the claimant. In many cases this duty also demands interviews with and securing affidavits from the relatives, friends, and doctors of the claimant, and oft times with judges, police officials, superintendents of custodial institutions, and employers. It is further necessary to carry on a voluminous amount of correspondence for the purpose of obtaining records of births, marriages, divorces, deaths, and to establish facts of residency and other pertinent case history data 12 under this functional aspect.

Once the requisite evidence has been collected and developed, the necessary claim forms must be completed in strict accordance with the regulations of the administrative element to which the claim is addressed. The claim with all appendages is then submitted to proper departments for adjudicative consideration.

^{12 &}quot;Veterans' Claims", <u>Guide for Home Service Workers</u> (Washington, D. C. : The American National Red Cross, 1952), pp. 5-17.

The next function of the agency is to present and argue the claim before the department which adjudicates it, grants and specifies the amount of, or denies the benefit claimed. If such department is outside the area comprising the purview of the agency, the agency sees to it that the claim is represented by another agency. For example, in insurance claims against the Veterans Administration, which claims are adjudicated either in Washington, D. C. or in a Veterans Administration District Office outside the State of Montana, the Montana Veterans' Welfare Commission designates a veterans' agency in that area to represent the claim, The agency usually chosen in such cases is the American Legion Rehabilitation Service.

Finally, complete records must be kept of the claim and the action taken on the claim. Follow up studies must be made to determine whether the claim should be appealed, re-opened at a later more favorable date, or whether there are other benefits to be claimed which were neglected in the first case. In addition frequent contact with the claimant 13 must be maintained to accomplish the foregoing duties.

There are indeed innumerable types of claims and

13 The Montana State Veterans' Welfare Commission, loc. cit.

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benefits with which the veterans' agency must contend that have not been mentioned here. There are also many different federal, state and local departments and administrative elements other than the Veterans Administration which grant special benefits to veterans and their dependents, such as the Bureau of Employees Compensation of the U. S. Department of Labor, the various branches of the armed forces, State bonus boards, Social Security Administration and State and Federal employment agencies. ¹⁴ Notwithstanding these facts, the same general procedure as outlined above must be followed by veterans' agencies in claiming any benefit in behalf of a veteran or his dependents. This functional outline, then, is valid in relation to the overall claims service function of veterans' agencies.

In addition to the main functions of veterans' agencies, most agencies also engage in an adjunct function which does not necessarily emanate from the nature of a veterans' agency. This function pertains to the counseling of veterans and their dependents on personal problems not specifically related to veterans benefits. The counseling service assumes a greater, more integral functional importance in agencies which extend services to veterans or

14 Veterans Claims, op. cit., pp. 18-19.

5

their dependents who are confined in custodial institutions or hospitals which are not maintained solely for the care or detention of veterans. In such institutions the veterans' representative frequently becomes the medium through which the veteran or his dependent is able to solve personal problems requiring frequent personal attention outside 15 of the institution.

If a veterans' agency were structured in a manner amenable to the most efficient possible performance of the foregoing functions, such an agency should then be the idealtype agency. It is possible to adduce on the basis of those functional elements of veterans' agencies at least five necessary, constituent structural elements of the idealtype veterans' agency.

The most basic structural element of the ideal-type agency is, of course, that the agency be duly established and authorized by law as a representative of veterans and their dependents. This is an indispensable condition of the right to represent claimants before the Veterans Administration, and other administrative elements of the federal government, or political sub-division thereof, as well as a requirement for the acquisition and continued supply of the necessary informational source material and various claim

15 Montana State Veterans' Welfare Commission, op. cit., p. 3.

forms without which the agency could not function.

Second, the ideal-type agency would be independent. Independent is here taken to mean that the ideal-type agency would be a separate and distinct entity, and not an administrative element of an establishment which is charged with granting benefits to veterans, such as the Veterans Administration.¹⁶ The necessity of the structural element of independence is posited on the basis of the requirements of the claims service function of veterans' agencies. It is this function that distinguishes the veterans' agency from the administrative establishment which grants benefits under the law. To permit the agency, whose function it is to develop, submit, present and prosecute claims before the administrative establishment granting benefits, to be a part of that establishment would, indeed, create a paradoxical and untenable situation.¹⁷ Such a situation would be tantamount to one in which an employee who adequately carries out the duties which he was employed to perform, actually acts in a manner contrary to the best interests of his employer. Yet, if the situation is inverted, the employee does an injustice

IC Carl R. Gray, Jr., "Veterans Administration", Encyclopedia Americana, XXVIII, p. 47.

17 News item in the Army Times, January 3, 1953.

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to those whom he is required to assist. A structural condition which demands that establishment and element perform mutually exclusive and incompatible objectives clearly does not approximate the ideal-type in any manner whatever, and would produce nihilistic effects. The ideal-type veterans' agency, therefore, must be independent.

Third, the ideal-type agency would be structured in such fashion as to provide for continuous and responsible regulation and supervision of the policy and procedures of the agency by officials who are conversant with the functions, problems, and accomplishments of the agency.¹⁸ The need for continuity and responsibility in the regulatory and supervisory aspects is obvious and fundamental. As in any sphere of human relationships and endeavor, effects of the absence of continuous and proper regulation and supervision are anarchical and chaotic. In order, however, that regulation and supervision be effective, particularly in the specialized and technical field of veterans' affairs, those who regulate and supervise must be well informed of and vitally interested in the objects of their regulation and supervision. In the absence of this structural element, the veterans' ag nev cannot approach the ideal-type.

The fourth ideal structural element is universality. The ideal-type agency must be universal from the standpoint

^{18.} Responsibility is here taken to mean the responsibility of the officials of the agency to the entity supporting that agency.

the entire area which it is authorized to service. One simply cannot gainsay the fact that regardless of how perfectly an agency may function in individual cases, it is not functioning in an adequate manner if it does not reach at least the majority of potential recipients of benefits in the area which it alleges to cover. It should be recalled also that the proper functions of veterans' agencies require personal and frequent contact with veterans, their dependents, and in many instances, with numerous other individuals. Hence, the ideal-type agency must have universal coverage of the area that it alleges to service.

The last, although certainly not the least important, structural element of the ideal-type agency concerns the employment of intelligent, full-time, specially trained personnel, who are themselves veterans.

Since the informational function of veterans' agencies, in effect, determines the quality and quantity of the claims service function, the information service in reality constitutes the warp and woof of the veterans' agency. The personnel employed to carry out this function would of necessity be intelligent individuals who are specially trained, constantly and competently advised, and capable of reading, analyzing, understanding and effectively disseminating the continuous flow of material pertaining to veterans'

and their dependents. In the veterans' agency there is a daily affluence of such material from the legislative hoppers of the federal, state and local governments, and from the offices and branches of federal, state and local departments.

Due to the tremendous amount of old but applicable informational source material, to the constant, abundant supply of new material, to the abstruse quality of all of this material to be digested and disseminated by the personnel of the agency, and in light of their other timeconsuming function, ¹⁹ it is necessary that such personnel be full-time employees.

Furthermore, the personnel of veterons' agencies are required, in the proper fulfillment of the informational function, to appear from time to time before veterans' organizations, and various meetings and conventions of other civic and fraternal groups to discuss veterans' benefits. If their affiliation with the agency is merely an avocational pursuit, or a part-time affair, their regular employment usually precludes the fulfillment of this function.

In addition, there are the inevitable emergency cases of various kinds. Such cases must be attended to

19 Supra, pp. 33-39.

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immediately, for emergency situations are no respecters of office hours. Experience has shown that the functions of veterans' agencies simply are incompatible with part-time performance.

Finally, it is ideally desirable that the personnel of veterans' agencies, save perhaps the members of the stenographic and secretarial staff who do not prepare claims, themselves be veterans. This, obviously, would be conducive to the fullest appreciation of the problems with which such personnel are confronted.

In brief, the necessary structural elements of the ideal-type veterans' agency, arrived at through a consideration of the proper functions of a veterans' agency, are the following:

The agency must be duly established and authorized by law as a representative of veterans and their dependents.

The agency must be independent.

The agency must have continuous and responsible regulation and supervision by officials who are conversent with the functions, problems and accomplishments of the agency.

The agency must be universal in the sense of the dispersal of its offices and personnel throughout the area which it alleges to service.

The agency must provide intelligent, full-time, specially trained personnel, who are themselves veterans.

Do any of the major veterans' agencies in the State of Montana approximate the ideal-type agency? An examination of the structural aspects of such agencies, and a comparison with the foregoing ideal elements, should provide an adequate answer to this question, and, thereby, reveal the true nature of the individual agencies, which is the object of this work.

CHAPTER III

THE VETERAWS ADMINISTRATION CONTACT SERVICE

Prior to a consideration of the Veterans Administration Contact Service as a veterans' agency, it will not be amiss to consider briefly the Veterans Administration as it is organized in the State of Montana.

In Montana, the Veterans Administration maintains a VA Center at Fort Harrison, which is four miles west of Helena, and a VA Hospital at Miles City in eastern Montana. In addition there are six VA Contact Offices in Montana. These offices are located at Billings, Butte, Great Falls, Missoula, Miles City, which office is attached to the hospital, and at Fort Harrison.¹

The Administrator of Veterans Affairs approved the following definition of a VA Center as: an organizational element consisting of a combination of activities of two or more of the following VA field stations under the jurisdiction of one manager: regional office, hospital, or domiciliary.

The VA Center at Fort Harrison consists of a regional office and a general medical and surgical hospital. The regional office is defined in the following manner:

1 Fersonal Correspondence of author, letter from Claude Meredith, Manager, Veterans Administration Center, Fort Harrison, Montana, December 8, 1952.

2 United States Government Organization Manual, 1952-53 (Washington, D. C. :United States Government Frinting Office, 1953), p. 518.

A Veterans Administration regional office is an organizational element which under properly constituted authority grants benefits and services provided by law for veterans, their dependents and beneficiaries within an assigned territory, furnishes information as to all Veterans Administration benefits and services; procures data regarding applications and claims; rates and adjudicates claims and makes awards for disability compensation and pension; conducts physical and mental examinations for claims purposes; establishes eligibility and need for hospitalization in other Government and private institutions and State-home care; renders out-patient treatment and social service; handles guardianship and fiduciary matters and authorized legal proceedings; aids, guides, and prescribes vocational rehabilitation training and administers educational benefits for world War II veterans; guarantees loans for purchase or construction of homes, farms, or business property; aids and otherwise assists the veteran in exercising his rights to benefits and services; conducts administrative, finance, supply, files, and records activities; and supervises Veterans' Administration affairs under its jurisdiction.3

The Veterans Administration Contact Service, which is the primary concern here, has been defined in the follow-

ing manner:

To the individual veteran, his dependent, beneficiary, representative, and all other persons, who visit or otherwise call upon the Veterans Administration for personal assistance regarding any phase of veterans benefits, the Contact Service provides information and assistance in regard to the preparation, submission and presentation of claims for benefits under laws administered by the Veterans Administration. The Contact Service also furnishes information and assistance concerning veterans' activities of all Federal, State,

3 Carl A. Gray Jr., <u>Annual Report of the Administra-</u> tor of <u>Veterans' Affairs</u>, 1951, (Washington, D. C. :United States Government Frinting Office, 1952), p. 132. county, and local agencies.4

From this definition it can be seen that the functions of Contact Services are identical with those of Veterans' agencies as described in this work, and are distinct from those of the Veterans Administration proper, Contact Service then falls under the proximate genus of a veterans' agency, and it is ostensibly to be distinguished from administrative establishments which grant benefits under the law to veterans.

The basic structural constituent of the Contact Service

is the VA office. The VA Office is: an organizational element under either a manager or an officer-in-charge established to provide contact service and such other services as cannot be conveniently provided to veterans, their dependents and beneficiaries, and others in a given locality by the parent regional office or center.⁵

With respect to the first criterion of an ideal-type agency, it may be said that although Contact Service is established and authorized by law to perform the functions common to veterans' agencies, there is a blatant contradiction involved in such authorization. Since the Veterans Administration is the establishment charged with the responsibility of officially recognizing or authorizing

5 United States Government Organization Manual, <u>loc. cit</u>.

⁴ Ibid.

veterans agencies, and inasmuch as Contact Service is an "organizational element" of the Veterans Administration, its authorization is tantamount to a self-authorization. This does not approach the ideal-type situation.

With respect to the second criterion of the idealtype agency, that of independence, Contact Service obviously is totally inadequate. In fact, it is on the basis of this lack of independence that the right of Contact Service to existence as a veterans agency has been challenged by one of the country's oldest management consultant firms, the Booz, Allen & Hamilton Company, and by the administrative official of the largest veterans' organization in the State of Montana, the Department Adjutant of the American Legion.

In the recent report of the \$605,000 management survey performed by the Booz, Allen & Hamilton firm on the Veterans Administration it was stated, with reference to the practice of Veterans Administration contact representatives in personally representing veterans before claims rating boards:

This creates the untenable situation of an employee of the agency promoting an interest which may be contrary to that of the agency and in direct conflict with its primary responsibilities.⁶

6 News item in The Army Times, January 3, 1953.

The report further stated that the primary function of contact representative should not be that of acting as protagonists of veterans, and that it should be established that contact employees are representatives of the Veterans Administration and not of veterans.⁷

As it is presently structured it is impossible for Contact Service to fulfill properly the claims service function of a veterans' agency. It was in the light of this fact that the Department Adjutant of the American Legion stated: "I have always personally felt that the VA contact offices in various cities of Montana could be done away with, as the only thing they can do is to help a veteran complete his case or application, advise him what his benefits might be".⁸ He further stated that Contact Bervice cannot, except by contradiction, fully complete the claims service function of a veterans' agency.⁹

Another structural element in which the Contact Service is lacking is that of universality. It was previously mentioned that there are six Contact Offices in Montana. An

9 Ibid.

⁷ An attempt was made by the writer to obtain copies of the Booz, Allen and Hamilton report, and to secure other printed material concerning this report. However, it was not possible to secure this information. To date, the report has not been published.

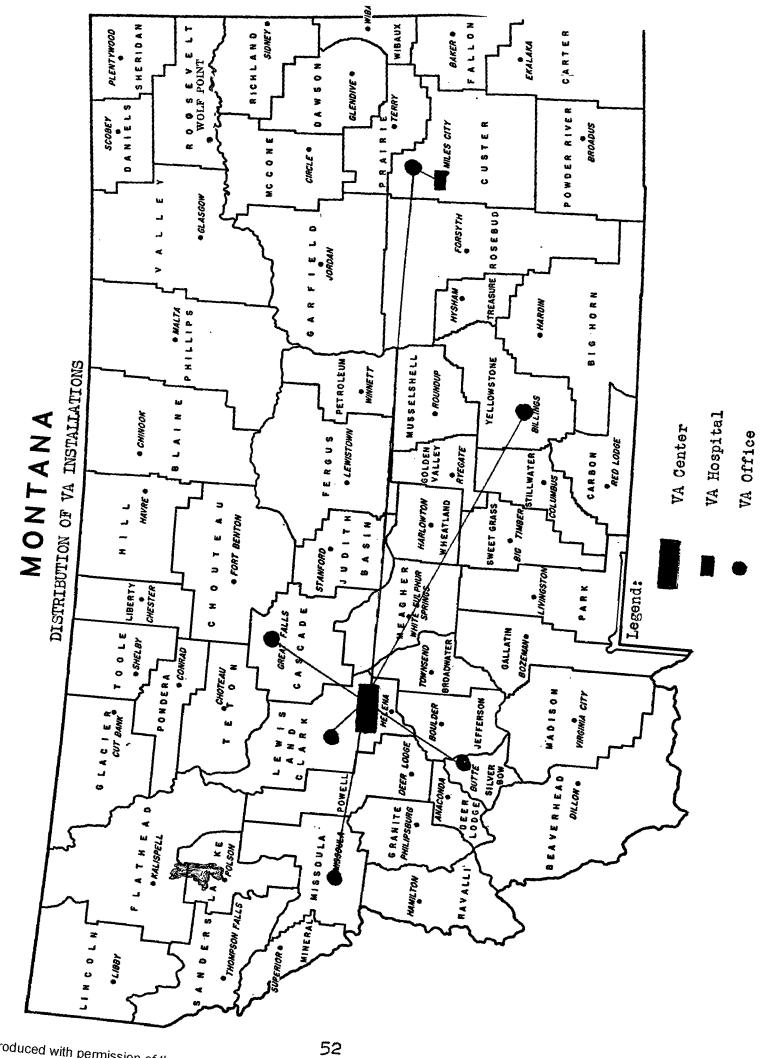
g Fersonal Correspondence of the author, letter from Herbert Kibler, Department Adjutant of the American Legion, February 13, 1953.

idea of the dispersal of these offices may be gained from the map on the following page. It is evident from the point of the location and number of VA Contact Offices in Montana that wast expanses of the state are left unserviced by Contact Service.

This situation could be corrected in some degree, if regularized andfrequent itinerant service to all communities was proved by Contact Service personnel. Such a situation, however, does not prevail. In the words of the Manager of the VA Hospital at Miles City, "The Contact Division does not perform itinerary service."¹⁰ While the contact representatives of this agency are authorized to travel in their area, such travel is not regularized, and it is made in response to the request of the veterans or his dependent.¹¹ Therefore, Contact Service possesses only incomplete aspects of the element of universality.

In the absence of any information to the contrary, and by virtue of the requirements of his office, it is reasonable to assume that the Manager of the Veterans Administration Center at Fort Harrison favorably compares with the type of officials who regulate and supervise the ideal-type veterans' agency. It is also conceded that the contact representatives of the Contact Service, who undergo the

10 Fersonal Correspondence of the author, letter from C. T. Jackson, Manager, Veterans Administration Hospital, Miles City, Montana, February, 1952. 11 Annual Report of Administrator of Veterans Affairs, loc. cit.



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requirements of Civil Service to obtain their positions, ¹² who hold the Civil Service grade of GS-9, and who also are veterans, compare in a positive manner to the personnel of the ideal-type agency. In spite of these facts it is necessary and valid to conclude that the first three negative and contradictory structural irregularities of the Contact Service place this agency at the very apex of the negative pole on the ideal-type continuum. Veterans' agency and Contact Service are mutually exclusive terms from the point of view of both structure and function.¹²

12 Meredith, loc. cit.

CHAPTER IV

THE MONTANA STATE VETERANS! WELFARE CONVISION

The Montana State Veterans' Welfare Commission is the only public, state veterans' agency in the State of Montana. This agency was created by the 1919 session of the Montana State Legislature under the Veterans' Welfare Act.¹

Under the present law the duties of this agency are as follows:

It shall be the duty of the commission and it shall have the power to establish a state wide service for discharged veterans and their families; to actively cooperate with state and federal agencies having to do with the affairs of veterans and their families; and to promote the general welfare of veterans and their families. . . .²

The Veterans' Welfare Commission as it was originally created consisted of a three man board of Commissioners, who serve without compensation, and a full-time secretary who was the administrative executive of the Commission. The organization of the Veterans' Welfare Commission has been changed from time to time upon request of the Commission in order to meet the demands placed upon it; however, the basic organization of the Veterans' Welfare Commission has not been substantially changed since 1945.

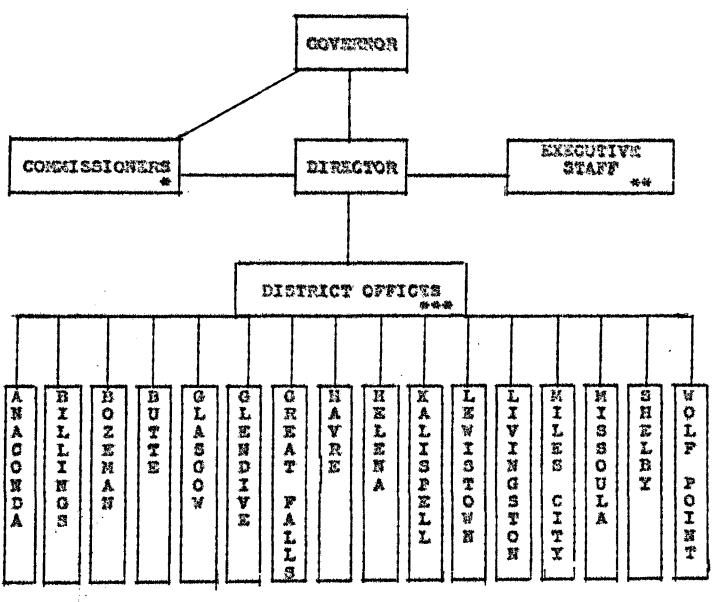
54

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¹ While it is possible to infer from the law pertaining to the duties of the Veterans' Welfare Commission that this agency could be a granting agency, the Veterans' welfare Commission has not been and is not now in fact a granting agency. 2 Revised Codes of Montana, 1947, 77-1002.

FIGURE II

ORGANIZATIONAL CHART OF THE VETERANS' WELFARE CONNISSION



* Five members.

** Assistant Director, Accounting & Supply Division, Stenographic.

*** One Service Officer and one stenographer in each office.

55

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As it is now organized the Veterans' Welfare Commission consists of a five man board of Commissioners, the members of which still serve without compensation, save for expenses incurred in traveling to and from required Commission meetings. The administrative executive of the Commission is now entitled the Director. The present organization structure of the Commission may be seen on page 55.

The necessary funds for carrying on the business of the Commission are obtained by legislative appropriation, and are placed in the Veterans' Welfare Fund. The appropriation granted to conduct the affairs of the Veterans' Welfare Commission from July 1, 1949 to July 1, 1951 was \$300,000.00. This will give the reader an idea of what it costs the State of Montana to maintain a veterans' agency.³

The functions of the Veterans' Welfare Commission are identical with those of all veterans' agencies as outlined in Chapter II of this work. However, there is one adjunct function performed by the Veterans' Welfare Commission which is not the function of any other veterans' agency in Montana. In the words of the Director of the Veterans' Welfare Commission:

The Veterans' Welfare Commission is the official State Approval Agency for on-the-job training below the

³ Annual Report of Veterans' Welfare Commission, State of Mont na, 1951 (Helena, Montana, Montana State Veterans' welfare Commission, 1952), p. 8.

apprenticeship level under the G.I. training program, and the General Fund of the State of Montana, under Contract with the Veterans Administration, receives reimbursement for certain sums of money under the Contract for services performed as the State Approval Agency.4

The services performed by the Veterans' Welfare Commission as the State Approval Agency involve the inspection of establishments requesting to be approved as training establishments for veterans' in non-apprenticeable trades under the provisions of the G. I. Bill. If the facilities and proposed trainors of the establishment are deemed adequate, a training program and schedule is drawn up, and the establishment is approved. Once a veteran commences training in such an establishment, frequent re-inspections are made of the training facilities by the personnel of the Veterans' Welfare Commission.

With respect to the criterion that an ideal-type agency be duly established and authorized as a representative of veter ns and their dependents, it can be seen from the above considerations that the Veterans' Welfare Commission possess such authorization. It is interesting to note that the Veterans' Welfare Commission was an authorized representative of veterans during the time the United States Veterans' Bureau was the principal administrative element of the Federal government. The Veterans' Welfare Commission,

4 Ibid.

authorization prior to the establishment of the Veterans Administration, through which its authorization now is granted.⁵

The criterion of independence also is adequately fulfilled by the Veterans' Welfare Commission. This agency is an independent, state agency, and it is directly responsible only to the Governor of the State of Montana.⁶ The Veterans' Welfare Commission as a veterans' agency is not an organizational element of the Veterans Administration or of any private veterans' organization.

The five Commissioners of the Veterans' Welfare Commission, in cooperation with the Director, provide for the continuous and responsible supervision and regulation of the policy and procedures of the agency. The Commissioners who, "shall be appointed by and removable at the pleasure of the Governor",⁷ meet frequently with the Director to discuss the problems of the agency, and to determine the specific policy and procedures thereof. In addition, members of the Commission periodically visit the District Offices of the Commission in an effort to maintain constant contact with the personnel and problems of such offices.

5 Interview with E. J. Callaghan

6 Ibid.

7 Digest of Laws of Montana Relating to Veterans (Helena, Montana : Naegele Frinting Company, 1938), p. 22. The Commission members are appointed to the Commission in recognition of their special knowledge of and interest in veterans' affairs in Montana. Furthermore, each of the members is a professional or business man possessing specialized knowledge which usually is of value in the regulation and supervision of the Veterans' Welfare Commission. For example, Charles N. Davidson of Great Falls, who has been on the Commission for several years, and who is one of the encumbent Commissioners, is a lawyer. The value of a knowledge of the law as brought to bear upon veterans' affairs is of inestimable value to the agency, particularly from the standpoint of the regulation and supervison of the agency.

Other members of the Commission have provided the agency with specialized knowledge which has been of great use to the agency and of special value to the veterins and dependents of veterans whom the agency serves. Albert V. McGee, for instance, brought to the Commission a specialized knowledge of insurance and real estate matters. Many of the problems of veterans and, therefore, of the agency are directly related to such matters. Furthermore, McGee was a former Department Commander of the VFW, and through that office he gained a special appreciation of the problems that confront veterans and their organizations in Montana.⁸

8 Interview with Albert V. McGee.

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While continuous and responsible regulation and supervision of the Veterans' Welfare Commission is provided by competent officials who possess specialized knowledge which is of particular benefit to the agency, it is appreciated that such officials, the Commissioners, are not fulltime employees. The members of the Commission, as stated above, are professional and business men, and their professions and businesses, of course, demand most of their time. However, this fact does not detract from the quality of continuity and responsibility in the regulatory and supervisory aspect, especially in view of the duties and special abilities of the Director of the Veterans' Welfare Commission.

The Director of the Commission, E. J. Callaghan, is a full-time administrative executive of the Veterans' Welfare Commission. It is the responsibility of the Director to see that the policies and procedures of the agency as determined by the Commission, in cooperation with the Director, become a workable, efficient, day-to-day program.

In accomplishing this duty it is necessary for the Director to maintain constant liaison with the personnel of the Commission, the officials of the Veterans Administration, and other federal, state, and local departments which grant benefits to veterans, or are otherwise interested in the administration of veterans' affairs. In addition, the

Director is an active member of all the major veterans' organizations in the State of Montana. These contacts and affiliations place the Director in the vortex, as it were, of veterans' affairs in Montana.

It is necessary for the Director to make frequent personal visits to the district offices of the Commission. The Director also is required to appear periodically before the legislative assemblies of the Legislature of the State of Montana; to attend frequent meetings of the members of the Commission, and to confer with officials of the Veterans Administration, and other establishments. In addition, the Director presides over occasional conferences of the personnel of the Commission. He is also faced by the ever present necessity of familiarizing himself with recent federal, state and local laws, regulations and procedures, and of conduting the daily routine affairs of the Commission, pertaining to veterans' benefits. The Director personally presents and prosecutes veterans' claims before claims rating boards of various veterans' establishments.

The Director is aided in these manifold and difficult duties by the Assistant Director. The Assistant Director is responsible for reviewing most of the claims files at the Veterans Administration Center, and for securing and disseminating the great amount of forms and supplies used by the State and District offices of the Commission. The Assistant Director also is in charge of the State Office of the

Commission in the absence of the Director.

The remainder of the staff of the Lirector at the State Office consists of the Accounting and Supply Division, and of the Stenographic Division.

The present Director of the Veterans' Melfare Commision has attained national recognition by all veterans' organizations for his encyclopedic knowledge of all phases of veterans' affairs, and for his skill and unusual achievements as a protagonist of Montana veterans and their dependents before the various veterans' administrative establishments.

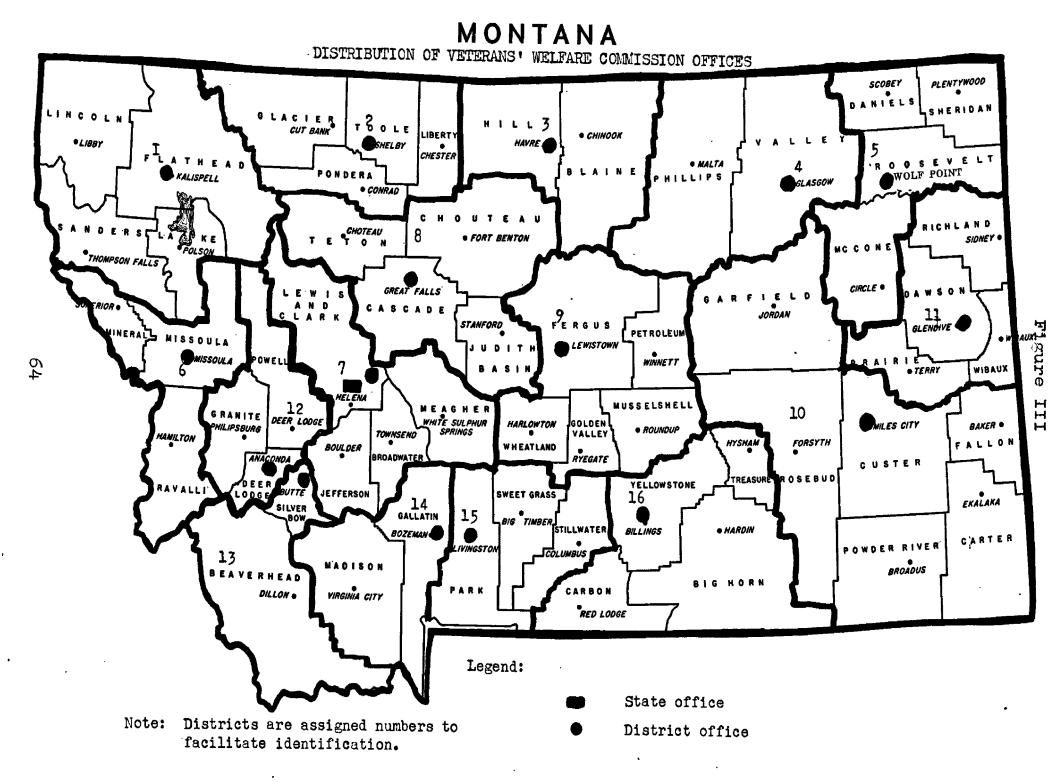
The Department Adjutant of the American Legion made the following comment concerning the Director, and the Veterans' Welfare Commission generally:

Even though we had a full time representative at the hospital for one year, we at no time discontinued carrying E. J. Callaghan, Director of the Veterans' Welfare Commission, as our State Service Officer, which we have done for the past twenty-six years, and we have never been sorry that we stuck to the Veterans' Welfare Commission in having them represent us on any claims before the Veterans Administration. They have done an outstanding job, and that is the reason that we of the Legion, every two years, do everything possible to continue the appropriation by the State for the carrying on of this valuable service to the veterans of Montana.?

9 Personal correspondence of the author, letter from Herbert Kibler, Department Adjutant of the American Legion, Helena, Montana, February 13, 1953. The above mentioned facts have led the writer to conclude that the requirement of continuous and responsible regulation and supervision by well informed interested officials is adequately met in the present structure of the Montana State Veterans' Welfare Commission. The fact that the Director has served continuously for twenty-six years; that many of the Commission members remain in office for several consecutive years; that the State Legislature sees fit each session to renew the appropriation of this agency; and the fact that there is expressed general setisfaction among the major veterans' organizations with the work of the Veterans' Welfare Commission also would seem to indicate that the regulatory and supervisory aspect has been and is being sufficiently fulfilled.

A glance at the map on the following page reveals that the district offices of the Veterans' Welfare Commission are strategically placed throughout the entire area of the State of Montana, the area which the Commission is authorized to service.

In addition to the liberal dispersal of Veterans' Welfare Commission district offices throughout the State of Montana, each district service officer, the head of the district office, performs frequent scheduled ltinerant visits to every community within his district. Itinerant service is a regular, required service of the district office.



With respect to the itinerant service performed by the district service offices, at least one of the service officers, stationed in eastern Montana, is of the opinion that the fulfillment of such service constitutes an inefficient procedure, and also constitutes a hardship upon the service offices due to the size of the Veterans' Welfare Commission districts in eastern Montana, the sparsity of and distance between communities, and the small veteran population within these districts.¹⁰

In spite of the inevitable difficulties, such as the above, which occur in carrying out its functions, it is necessary to admit the element of universality is present in the structure of the Veterans' Welfare Commission, although in an imperfect degree. A redistribution of the eastern districts for the purpose of reducing the distance which a service officer musttravel may improve upon this structural element. It would also reduce the time which the district officer must be absent from his office in fulfillment of the itinerant service duty.

The field personnel of the Commission, of which there are sixteen district service officers and fifteen district stenographers, must, ostensibly, meet the requirements of

10 Interview with John E. Herrion, District service officer, Veterans Welfare Commission, September, 1951.

general intelligence, formal training, and experience as set forth by the Montana Merit System Council, in order to obtain their positions.¹¹

Although the Veterins' Welfare Commission, in common with some other state agencies and departments, comes under the provisions of the Merit System Council, the writer did not undergo the usual test and procedure required by this system at any time prior to or after being hired by the Commission. Consequently, it must be admitted that while provisions are made to assure that capable personnel will be employed, such provisions are apparently not always stringently adhered to within the Veterans' Welfare Commission. This is not intended to imply that the personnel of the Commission are not capable, or that all present employees escaped the provisions of the Merit System, but is cited merely to point out that the presence of the ideal-type elements for personnel is within this agency apparently a matter of degree.

Provision also is made for the training of personnel in the following manner:

On September 4, 5 and 6th, the field personnel of the Commission were in Conference in Helena, at which time Department Heads of the Veterans Administration, Retirement Board, Social Security Administration, Unemployment Compensation Commission and State Department

11 Interview with L. J. Callaghan, September 15, 1950.

of Public Welfare appeared on the program. After the discussion panel held by each Department, a question and answer program was conducted. It was felt by all concerned that the topics discussed during this Conference resulted in dissemination of information that was very beneficial, both to the Commission personnel and the Departments in attendance, and I am sure the personnel of the Commission returned to their respective stations better equipped to render service to the veterans and their dependents.¹²

While such training conference are indeed excellently planned and efficacious from the point of view of the personnel, ¹³they are held far too infrequently. During the two years the writer was employed by the Commission only one such training conference was held. No such conferences have been held in the last three years.¹⁴ Of course, the possibility of holding such training conferences is contingent upon the amount of the appropriation granted to the Commission by the State Legislature. These conferences involve a considerable expense to the Commission.¹⁵

There is, however, an indirect, perpetual form of training carried on within this agency for the benefit of all field personnel. This training consists in periodic "bulletins" which are prepared for distribution to all

12 Annual Report of Veterans welfare Commission, op. cit., p. 4 13 Interview with Thomas Daly, Veterans' welfare Commission Service Officer, September 5, 1951. 14 Interview with E. J. Callaghan. 15 Interview with John L. Aspholm, Service Officer, Veterans' Welfare Commission, March 15, 1953. district officers by the Director. These bulletins are designed to explain all phases of new and perplexing problems pertaining to veterans' legislature, administrative decisions, technical bulletins and so forth. In addition, the Director informs the field personnel of all new regulations and procedures of the Commission, and other problematic phases of the district officer's job.

These bulletins are filed by the service officer for easy reference. Such bulletins antedate world War II and contain, in effect, an authoritative history of the structure and function of the Veterans' Welfare Commission. The bulletins of the director are referred to as the "bible" in many district offices.

To supplement the forms of training just mentioned, the Director makes frequent, usually unscheduled, visits to the various district offices. During such visits unique cases and difficult claims problems are discussed with the Director, and any problems of policy or procedure are thoroughly considered.

The requirement that all male employees of the Veterans' Welfare Commission be veterans is very rigidly followed in that agency. All present Commissioners, the Director, Assistant Director, and Service Officers of this agency are veterans of either World War I or World War II. By wirtue of its present structure the Veterans

Welfare Commission seems to possess, in an adequate but imperfect degree, all the structural elements which are found in the ideal-type agency.

The writer is not unmindful of the fact that there can be no assurance that capable, responsible men will be appointed as commissioners of the Veterans' Welfare Commission. If an incapable commissioner were appointed, of course, the efficacy of the element of regulation and supervision would be diminished in proportion to the weakness of such commissioner or commissioners, and in proportion to their effect upon the rest of the Commission.

Notwithstanding this fact, in its present form the Veterans' Welfare Commission must be placed high on the positive side of the continuum of the ideal-type scheme.

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CHAPTER V

PRIVATE VETERANS' AGENCIES

Because of their structural similiarity and functional identity, the writer has deemed it desirable to analyse private veterans' agencies as they exist in the State of Montana <u>en bloc</u> under the above heading.

Since the Service at Veterans Administration Offices of the American Red Cross is the only private veterans' agency which is not an organizational element of a veterans' organization, priority of order will be given to that agency.

The following statement from the Assistant Director of Service at Veterans Administration Offices, which was prepared for the convenience of the members of the Program Committee of the Board of Governors of the American National Red Cross, tersely reviews the history and constituent elements of the agency under consideration:

The Service now known as Service at Veterans Administration Offices had its origin during World War I, when national headquarters began to receive inquiries from chapters concerning government benefits available to service men discharged because of disability or other such reasons. Inquiries were also received from chapters concerning benefits available for the dependents of military personnel who died in service. Both the national organization and the chapters accepted responsibility for serving these cases as a natural and logical extension of the services that were being provided to members of the armed forces and their families, and the national organization provided a staff in Washington to handle the chapter inquiries with the government departments concerned. Following World War I,

when the federal government recognized its administration of government benefits and decentralized the facilities for handling claims, the Red Cross assigned representatives to the decentralized offices to assist chapters with difficult and delayed claims. The Red Cross representatives also served to interpret to government officials in those offices the Red Cross program of service to veterans, as well as keeping Red Cross area and national headquarters informed of the developing policies and procedures of the decentralized government offices. Red Cross representation in those offices has been modified from time to time as laws and regulations governing the administration of veterans' benefits have changed and the need for this service to chapters has increased or decreased.

The above quotation reveals the fact that the functions of the veterans' agency maintained by the Red Cross are identical with those of all veterans' agencies, and that such functions can be resolved logically into information and claims service. It also makes evident the fact that this agency fulfills the requirement of being a duly established and authorized as a representative of veterans' and their dependents, and that it meets the requirement of independence.

Although the original structural elements of the Service at Veterans Administration Offices may be gleaned from the foregoing quotation, this agency is not presently so structured. At present the administrative executive of the veterans' agency maintained by the Red Cross in Montana

¹ Frank H. Grayson, "SVAO Program Statement", (unpublished program statement of Service At Veterans Administration Officer prepared for the Program Committee of the Board of Directors of The American National Red Cross, National Headquarters, Washington, D. C. November 12, 1952).

is the field director. The field director is stationed at Boise, Idaho, and performs itinerant service to the VA Center at Fort Harrison the first week of each month.²

The duties of the field director are:

To review claims folders and inform chapter Home Service workers what evidence is a matter of record and what evidence is needed;

To guide Home Service workers in the preparation and development of individual claims cases;

On behalf of chapters to represent veterans and, when necessary, appear in person on their behalf at personal hearings when it seems that the veteran cannot well represent himself; and

To assemble and prepare for presentation the evidence necessary to support an appeal from an adverse decision of a regional, district, or central office rating board.⁹

The field director of the Red Cross veterans' agency may be compared with the director of the Veterans' Welfare Commission. There is, however, one profound difference between these two offices. This difference is that the director of the Veterans' Welfare Commission is at all times in personal contact with the organization elements of his agency, with the Veterans Administration, and all the ramified aspects of his office. The field director, on the

² Personal Correspondence of Author, letter from Keith L. McCoy, Pacific Area Director, the American National Red Cross, November 19, 1952.

^{3 &}quot;Guide for Home Service Workers", <u>Veterans'</u> <u>Claims</u> (Washington, D. C. The American National Red Cross, 1952), p. 2.

other hand, must divide his attention between the Regional Offices of the Veterans Administration in two states, Montana and Idaho, and between the numerous Red Cross Chapters in these two states, which are the equivalent of Veterans' Welfare Commission district offices, and between the many and varied cases which he is expected to represent. In addition, the field director has no assistant to take charge in his absence.⁴

This situation, in effect, leaves the Red Cross veterans' agency as it exists in Montana with a part-time director. Such a situation clearly is not compatible with the criterion of continuous and responsible regulation and supervision. Proper regulation and supervision of a veterans' agency, adequately understood, simply does not conform to one week per month performance. Adequate regulation and supervision, therefore, are not present in the veterans' agency of the Red Cross as it exists in the State of Montana.

A case in point is the fact that four hundred and thirty-three veterans were represented in their claims before the Veterans Administration at Fort Harrison by memorandum of the Field Director, rather than by personal appearance.⁵ This is comparable to a situation wherein a litigant

4 McCoy, loc. cit. 5.Ibid.

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is represented before the court by memorandum from his attorney; of course, the litigant does not appear before the court either.

It is the opinion of the writer that the structural aspects of universality, and of the requirements for personnel of the agency under consideration can be adequately dispensed with through a consideration of Exhibit XX of the SVAO Program Statement of Frank H. Grayson, which was prepared at the National Headquarters of the Red Cross.⁶

In Exhibit XX it is stated that a comprehensive study of the Red Cross Service at Veterans Administration Offices was made by the Programming Committee of the National Board of Directors, and that as a result of this study it was decided that the Red Cross would continue the "Servicing of Veterans" Claims in an orderly fashion with the goal ultimately of discontinuing this service." ⁷ As a result of a further study of Service at Veterans Administration Offices, authorized by the 1951 National Convention of the American National Red Cross, the following statement was made in Resolution VII of Exhibit XX:

Out of this study came general agreement that a new policy statement should be developed and issued, and that more clearly defined limits would be set on each of the phases of the service offered to veterans

7 Ibid.

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⁶ Grayson, loc. cit.

and their dependents, and to the dependents of deceased servicemen, but that no phase of the service should be completely eliminated. . . .8

This placing of enforced limitations on the service of the agency definitely precludes the fulfillment of the aspect of universality. In fact it was contended by Chapter workers that the limitations placed upon the service of local Chapters by reason of the redefinition of the program of the Red Cross as stated above would undermine the entire service to veterans program of the Red Cross.⁹ The limitations, nonetheless, were enforced.

The redefinition of the Red Cross veterans' service not only greatly broadened the area which a field director must service, but it also restricted the local Chapter in the following manner:

Help with applications for government benefits to be provided only on the basis of the applicant's request and need for assistance and to be terminated when reasonable efforts have been made to establish eligibility for the benefits sought.¹⁰

Obviously, then, itinerant service is not to be performed by the Chapter worker. This does not permit universal coverage of the area of the agency, and it also explicitly restricts the information and claims service function.

6 <u>Ibid.</u> 9 <u>Ibid.</u> 10 <u>Ibid</u>.

It must also be borne in mind that the veterans! service of the Red Cross is carried on in addition to numerous other programs of that organization. For example. Chapter workers are also daily engaged in furthering the Red Cross first aid classes, water safety, home nursing, family counseling, blood program, service to members of the armed forces, emergency relief; and other traditional interests of the Red Cross.¹¹ These activities not only prevent full-time devotion to the functions of the veterans agency, but they stand opposed to the adequate fulfillment of such functions. Regardless of their special abilities or qualifications the Chapter workers are, in effect, merely part-time workers where veterans' affairs are concerned. Furthermore, it has been shown that such workers are inclined to refer veterans in their area to the district office of the Veterans' Welfare Commission.

It must be concluded that the Service at Veterans Administration Offices of the American Red Cross does not compare favorable with the ideal-type agency. By comparison with the criteria of an ideal-type veterans' agency, the Red Cross agency is at best a quasi-agency.

11 McCoy, loc. cit.

The Disabled American Veterans is a "nonpartisan, nonprofit organization, composed exclusively of those American citizens, of every race, color, and creed, who have been wounded, gassed, injured, or disabled by reason of active service in the Armed Forces of the United States, or of some country allied with it, during time of war."¹²

The DAV is officially recognized in "Several Federal laws^{#13} as an official representative of veterans and their dependents, and the functions of the National Service Office, which is the veterans' agency maintained by this organization in Montana, are one and the same as those of other veterans' agencies.¹⁴

The only office of the DAV veterans' agency in Montana is located at the Veterans Administration Center, Fort Harrison, Montana. The executive head of this office, and the only full-time official representative of the agency, is known as the National service officer. This office was established on a full-time basis at Fort Harrison in 1945. ¹⁵

- 13 <u>Ibid</u>, p. 3
- 14 Potter, op. cit., p. 4
- 15 Ibid.

¹² Charles E. Potter, DAV Services Available to Our Disabled Veteran, 1952, <u>Congressional Record</u> (Washington, D. C. : United States Government Printing Office, 1952)

All National Service Officers of the DAV are required to pursue two thirteen week semesters of special academic training at the American University in Washington, D. C. In addition, such officers under go eighteen months on-the-job training in their work under the direction of a seasoned National service officer. Such officers are, of course, full-time employees.¹⁶

While the structural aspects of authorization, independence and trained and capable personnel quite evidently are fulfilled by the veterans' agency known as the Disabled American Veterans National Service Office, an investigation into the structural aspects of continuous and responsible regulation and of universality, supervison and reveals certain inadequacies.

First of all:

The service activities of its staff of more than 200 full-time national service officers are coordinated through its national director of claims, Mr. Cicero F. Hogan. The DAV's national service headquarters is 17 maintained at 1701 Eighteenth Street NW, Washington, D.C.

This means that the Montana branch of the DAV agency is autonomous in its daily activities, except for probable written directives from national headquarters. It may be

16 <u>Ibid</u>. 17 <u>Ibid</u>.

that indirect regulation and supervision are continuously provided through the Department Commander of the Montana However, the Department Commander is an elected DAV. official who serves for one year, and his attention is divided not only between the daily demands of his business or profession, but also between the manifold duties of his office. Furthermore, the Department Commander is not, as a rule, acquainted with the ramifications of the agency. and his regulatory and supervisory acts would merely have suggestive power due to the structure of this agency. It is not the intention of the writer to be derisive of the element of autonomy, particularly when it is the possession of conscientious personnel. The point here is, however, that the agency under scrutiny does not approach the idealtype from the point of view of continuous and responsible regulation and supervision.

Then too, this agency offers its service to members of the DAV and to non-members alike. The agency also purports to service the entire State of Montana. But with only one full-time employee it is an obvious physical impossibility for this agency to execute properly the information and claims service functions of the agency over an area as large as the State of Montana, or at least no human known to the writer possesses the desirable quality of omnipresence.

Some may contend that the DAV is universal in the sense that its fifteen chapters, which are scattered throughout the state have service officers who perform the functions of several of the officers of the Veterans! Welfare Commission. The validity of this contention is challenged by the writer on the basis of the fact that such chapter service officers are not engaged in the fulfillment of their duties on a full-time basis; they have no regularly established office or office hours; they do not possess the necessary material wherewith to carry on their function; they are not regularly advised of the myriad and frequent changes in laws and regulations pertaining to veterans; they have little or no special training; and, finally, it has been the experience of the writer that such officers usually refer cases which come before them to the district office of the Veterans' Welfare Commission in their area. In fact, it has been the practice of the national service officer to refer cases to the various district offices of the Veterans' Welfare Commission; it is, accordingly, the practice of VWC service officers to insist upon the power of attorney of the claimant so referred, for only in this manner can the Veterans' Welfare Commission properly

18 News item, The Disabled American Veteran, January 16, 1953.

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execute its functions.

While the DAV veterans' agency in Montana admirably meets the requirements of authorization, independence, and of skilled, trained, full-time personnel in its only office in Montana, it does not favorably measure up to the elements of regulation and supervision, or of universality. These structural inadequacies serve to emasculate an otherwise structurally superior agency.

The last veterans' agency to be considered in this work is the Department Service Office of the Veterans of Foreign Wars. This, as the title indicates, is an organizational element of the Veterans of Foreign Wars, Department of Montana.

This agency is an independent establishment from the standpoint of the criterion set forth in the ideal contract. It also is an authorized representative of veterans and their dependents under the law.

The Department Service Office of the Veterans of Foreign Wars was established on a full-time basis in Montana in 1945.¹⁹ Its only established office is located at the Veterans Administration Center, Fort Harrison, Montana. The

¹⁹ Personal correspondence of author, letter from Herbert Kibler, January 13, 1953.

sole, full-time official of the agency is entitled the Department Service Officer.

The Department Service Officer is appointed by the Department Commanders of the Veterans of Foreign Wars with the confirmation of the Department executive staff.

Since the Veterans of Foreign Wars, Department of Montana, is organized along the same general lines as the Disabled American Veterans organization in Montana, the same structural aspects, and inadequacies, exist in both of the agencies maintained by these organizations. However, the lack of continuous and responsible regulation and supervision seems to be more flagrant in the Veterans of Foreign Wars agency.

For two years the writer served as service officer, authorized by the National Rehabilitation Service of the Veterans of Foreign Wars, for Post 1876 of this organization. This service enabled the writer to observe from a participant standpoint the deleterious effects, on the agency, the veteran, and the community, of the lack of continuous and responsible regulation and supervision of an agency.

When correspondence of the agency's chief executive remains unanswered; when information on case files is not promptly obtained and dispatched to the field officers of the agency; when the whereabouts of the administrative

official is not known from day to day, or when he cannot be contacted when necessary, the agency suffers the loss of the power-of-attorney of veteran claimants, the necessary good will of many veterans, and the veteran is forced to undergo hardships and inconveniences which are not necessary, and other agencies are required to assume additional, unwarranted responsibilities. Such conditions exist in the Department Service Office of the Veterans of Foreign Wars. The lack of regulation and supervision is causing this agency to die a lingering, albeit expensive death in the State of Montana. Such a situation results in the voicing of opinions like the following:

If you want my candid opinion, Bill, my only reaction to the two organizations having a full-time Service Officer at Fort Harrison is for publicity sake, and they also feel that they can add to their membership by that personal service. This may be true in one or two instances, but I can assure you that it is not the general opinion.²⁰

A further point supporting the indictment of the almost complete lack of regulation and supervision of the agency in question is the fact that the officials of only two permanently established department offices of the Veterans of Foreign Wars in Montana, The Department Quartermaster-Adjutant Office and the Department Service Office, are oblivious of the facts concerning the nature of the

20 Kibler, <u>loc</u>. cit. ~

Department Service Office. For example, in reply to a request made by the writer for information concerning the history, structure, and function of his office, the Department Service Officer stated:

I am sorry to say that a search of the files in this office fails to reveal the existence of any printed material relative to the history, structure and functions of my office.²¹

In response to the same request made of the Department Quartermaster-Adjutant, the following statement was offered:

In reply to your letter of October 31, I wish to state that this office has no material which would be authoritative regards the history, structure, and functions of my office.

We have contacted the Department Service Officer for the VFW and he cannot furnish us with any information regarding the above.²²

If, then, there is no information available concerning the structure and function of the agency maintained by the organization; and if the designated head of the organization, the Department Commander, holds office for only one year, while the administrative official of the agency remains in office indefinitely, how is it possible for such an agency to function according to an orderly, planned, regulated and supervised manner? It, very clearly, is not possible. It is little wonder that

21 Fersonal correspondence of Author, letter from Kenneth P. Schreiber, October 20, 1952.

22 Personal correspondence of Author, letter from Wayne G. Casman, November 6, 1952. there is a tendency to identify the agency of one organization with that of another in Montana.

While full recognition is here given to the special abilities, integrity, and other qualifications of the various officials of the VFW in the State of Montana, it is necessary to place the agency maintained by this organization near the negative pole of the ideal-type scheme.

23 Annual Report of the Montana State Veterans' Welfare Commission, 1951 (Helena, Montana, 1951), p. 1. 24 <u>Ibid</u>. 25 <u>Ibid</u>.

to the proper fulfillment of the functions of a veterans' agency.

In recognition of this situation, the American Legion has long since given into the care of the Veterans' Welfare Commission the duties once held by its own agency in Montana.²6 In the words of the Department Adjutant of the American Legion:

It is true we have various Post Service Officers who have a fair idea as to procedure in veterans claims. However, we ask them to submit it through one of the sixteen offices, if possible, of the Veterans' Welfare Commission throughout Montana, or send any claim direct to the State Office of the Veterans Welfare Commission here in Helena.

It is also true that by having the Veterans Welfare Commission represent us, it has been a monetary saving to the Department, and it is my honest opinion, should the other veterans' organizations, the VFW, and the DAV, discontinue their offices at Fort Harrison, the Veterans Welfare Commission could adequately and properly handle the rehabilitation and claim services coming before them from throughout the State."

An objective appraisal of private veterans' agencies as they exist in the State of Montana would seem to compel one to relegate such agencies toward the negative end of an ideal-type continuum.

26 Kibler, <u>loc</u>. <u>cit</u>.

27 <u>Ibid</u>.

CONCLUSIONS

Though it may appear to be paradoxical, war, in a relative sense, has been as productive as it has been destructive. War has been productive insofar as it has been instrumental in leaving to society the veteran, and the veterans problem. It has been an instrumental cause setting in motion a chain of causal activity that culminated, here in the United States, in the veterans' program.

The United States government has been and is the instrument by means of which society attempts to solve the veterans problem. This government stands as the originator and benefactor of the veterans' program. It also acts as the defendant, judge, and jury for all veterans' claims, It cannot, therefore, also properly act as attorney-in-fact for the claimant, nor can it, save through contradiction, prosecute claims against itself. Hence, the rise, recognition, and proper functions of veterans' agencies.

Through the use of the ideal-type method it was possible to analyze, compare, and measure the structural content of the major public and private veterans' agencies in Montana. It is now possible to conclude in addition to the specific conclusions reached in the body of the text that the distinction made between veterans' agencies in the State of Montana is indeed real and not merely nominal.

The agencies herein scrutinized are not structurally identical.

Furthermore, to predicate veterans' agency of the Veterans Administration Contact Service, or <u>vice versa</u>, as is commonly the practice, is to do a gross injustice to the true nature of both.

In addition, all private veterans' agencies in the State of Montana, in accordance with their present structure, are incapable of adequately executing their proper functions as veterans' agencies.

The Montana State Veterans' Welfare Commission is the only veterans' agency in this state possessing, in a manner of degree of course, all of the structural elements of the ideal-type agency as developed in this work; therefore, it is the only agency structured in a manner amenable to the adequate execution of its functions.

Again, it was not intended that any of the veterans' agencies analyzed in this work would exactly conform to the ideal-type agency and, obviously, none of them did.

The above conclusions are hereby given over to the social and the political philosophers whose work commences where this work ends.

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APPENDIX

THE MONTANA SOLDIERS' HOME

Although the Montana State Soldiers' Home does not properly come under the category of veterans' agencies, it is felt that some mention should be made of this state institution in a work of this type.

The Montana State Soldiers' Home, which is located at Columbia Falls, Montana, was created by an act of the State Legislature on March 18, 1895.¹ The cornerstone of the first building was laid by Governor J. E. Richards on May 30, 1896.² Since that date seven additional buildings have been constructed to accomodate a growing "membership".³

The affairs of the Home are governed by a Board of five members. Four of the members of the board are appointed by the Governor. The fifth board member is an <u>ex officio</u> member, by virtue of his office as State Commander of the Spanish American War Veterans. This board holds meetings three times each year to officially transact the business of the Home. The daily management of the Home is the

1 <u>Biennial Report of the Board of Managers of the</u> <u>Montana Soldiers' Home, 1917-18, (Butte, Montana, : McKee</u> Printing Co., 1918), p. 11.

2 Ibid.

3 Letter from William Wedgewood, Commandant of Montana Soldiers' Home, January 10, 1953.

responsibility of the Commandant, who submits quarterly reports to the Board of Managers.4

The administrative staff of the Montana Soldiers' Home consists of an assistant commandant, secretary-treasurer, and eighteen other employees, including a doctor and a chaplain.

Funds for the operation of the Home are appropriated by the State Legislature, and are supplemented by the federal government.⁵

The regulations governing admission to the Home are as follows:

Any soldier, sailor or marine who served in the army or navy of the United States during any of our wars including the present Korea conflict and has an honorable discharge is eligible for admission provided at the time of admission he is an invalid by reason of disease contracted, wounds received, or by reason of other disabilities shall be eligible for admission to the benefits of the Home under the rules and regulations prescribed by the Board of Managers thereof on certification of disability by his county commissioner and a county physician of the county from which the applicant may reside. Wives and widows of veterans who are or were eligible to membership are also admitted provided they are 50 years of age. 6

Members of the Home are provided board, room, and laundry service by the Home. Each member who is physically capable of doing so is responsible for the care and cleanliness of his own quarters. Members are permitted absences

4 <u>Ibid.</u> 5 <u>Ibid.</u> 6 Ibid.

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from the home without permission for periods not to exceed twenty-four hours. For absences in excess of twenty-four hours it is necessary for the member to obtain a "furlough".⁷

The Home has its own laundry, and heating plant. In addition, a farm is operated by the Home. Approximately ninety-five acres of land are under cultivation. The approximate annual value of food stuffs and animals produced on the Montana Soldiers' Home farm is \$26,000,000.⁸

The regular activities and recreational programs for members of the Home are supplemented in various ways by special programs of the various veterans' organizations in Montana.

At present the membership of the Montana Soldiers' Home, the capacity of which is eighty members, includes sixty-four male members and thirteen femalemembers. Among this membership there are five married couples and six widows. It is interesting to note that two of the female members of the House were admitted there by a special act of the State Legislature.⁹

Among the present membership there are twenty-one Spanish American War veterans, fifty-two World War I veterans, and two World War II veterans.

- 7 <u>Ibid</u>. 8 Ibid.
- 9 Ibid.
- 10 Ibid.