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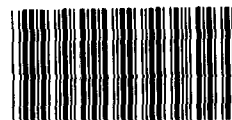
United States General Accounting Office

Fact Sheet for the Chairman,
Committee on the Judiciary,
House of Representatives

September 1990

VETERANS' BENEFITS

Information on Noncitizen Veterans Receiving VA Disability Compensation



142184

247

Human Resources Division

B-240486

September 12, 1990

The Honorable Jack Brooks
Chairman, Committee on the Judiciary
House of Representatives

Dear Mr. Chairman:

This fact sheet responds to your February 7, 1990, request for information about the number of noncitizen veterans who served less than 3 years in the military and are receiving disability compensation from the Department of Veterans Affairs (VA). Your office also requested information on the nature of the disabilities for which such veterans are being compensated.

Background

From time to time foreign citizens volunteer for and are inducted into the U.S. armed forces. Such people who have been discharged from the armed forces under conditions other than dishonorable are entitled to benefits administered by VA. Some became disabled and were discharged from military service before completing 3 years of service.

Under current law (8 U.S.C. 1439(a)) noncitizen veterans who have served at least 3 years of military service may petition for naturalization, without having to reside in the United States for the 5-year naturalization period otherwise required. The veteran must petition, however, while in the military service or within 6 months after terminating military service. Legislation (S. 1186) has been introduced to eliminate the 3-year requirement for veterans who were discharged because they had become disabled.

The proposed legislation would allow veterans who served for any period and were separated for a service-connected disability to qualify for naturalization. Such veterans would still need to petition while in the military service or within 6 months after separation.

**Scope and
Methodology**

We used VA's October 1989 automated benefit payment file to estimate the number of noncitizen veterans with less than 3 years' military service who are receiving VA disability compensation. From this file, we extracted all veterans who have less than 3 years' military service and whose payments are sent to foreign addresses. We extracted data on addresses because citizenship data are not in VA's automated records. This approach is limited in that it includes veterans, if any, who are U.S.

citizens but have their payments sent to foreign countries. Conversely, it does not include non-U.S. citizens residing in the United States who fit our criteria. Therefore, our estimates should be taken as general indicators of the numbers of noncitizens involved and not as exact figures. We obtained information from the payment file on the nature (type and extent) of the disabilities for veterans included in our total.

We also queried the Department of Defense (DOD) to obtain information on the number of noncitizens discharged from the armed forces because of a disability incurred before they completed 3 years' military service, as well as the number of noncitizens currently serving in the armed forces. DOD, however, does not maintain such data in a format that we could use for our estimates.

We reviewed the specific sections of the current law (8 U.S.C. 1439) to be affected by S. 1186.

Our audit work was performed from February through June 1990. We sought the views of VA and DOD officials during our work and incorporated their comments where appropriate.

Disabled Veterans by Country

Based on VA data, table 1 shows, by country, the number of disabled veterans with foreign addresses and less than 3 years of service.

Table 1: Disabled Veterans With Less Than 3 Years' Military Service Whose Payments Are Sent to Foreign Addresses

Country	Number of cases
Philippines	3,735
Canada	693
Germany	393
Great Britain	166
Mexico	146
Italy	132
Australia & New Guinea	80
Greece	71
Ireland	66
France	65
Israel (West of Jordan River)	50
Spain	48
Panama	46
Costa Rica	44
Japan, Okinawa, & Ryu Ryo Island	42
Switzerland	35
Israel	26
Dominican Republic	24
Norway	24
Sweden	20
Columbia	20
Countries with fewer than 20 cases	351
Total	6,277

Veterans in table 1 and many who will be discharged in the future may not be eligible for citizenship even if the proposed legislation is enacted. If veterans in table 1 have not already petitioned for naturalization, they would not be eligible because they have all been separated from the military for more than 6 months. Also, many Filipinos in table 1 may not be eligible for citizenship without living in the United States for 5 years because they served in the Philippines forces rather than the U.S. military.

Finally, the Director of VA's Compensation and Pension Service told us that in some cases, VA is unable to determine within 6 months whether a veteran's disability is service-connected—a requirement for citizenship under the proposed legislation. Thus, VA officials believe that in the future some veterans may not petition for citizenship within 6 months of their discharge.

DOD officials told us that the Department does not maintain data to estimate the number of noncitizens discharged because of a disability incurred before they completed 3 years' service or the number of noncitizens currently serving in the armed forces. DOD, however, estimated that about 7,500 noncitizens entered the military in fiscal year 1989.

Degrees of Disability for Veterans

Veterans are eligible for disability compensation if they are partially or totally disabled by injury or disease incurred or aggravated during military service. Eligible veterans are assigned disability ratings ranging from 0 to 100 percent, according to the severity of the disability when compared to VA's Schedule for Rating Disabilities. This rating establishes the amount of monthly compensation paid to disabled veterans (see table 2).

Table 2: Degree of Disability for Veterans With Less Than 3 Years' Military Service Whose Payments Are Sent to Foreign Addresses

Degree of disability (percent)	Number of cases	Percent of cases
0	175	2.8
10	1,906	30.4
20	962	15.3
30	970	15.4
40	570	9.1
50	474	7.6
60	317	5.0
70	215	3.4
80	88	1.4
90	33	0.5
100	567	9.0
Total	6,277	

Types of Disabilities

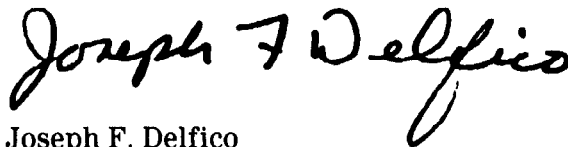
VA categorizes veterans' disabilities into 14 body systems. Table 3 shows the number of disabilities by body system for the 6,277 disabled veterans with less than 3 years of service and a foreign mailing address. Some veterans have more than one disability; thus the number of disabilities is much larger than the number of cases.

Table 3: Types of Disabilities of Veterans With Less Than 3 Years' Military Service Whose Payments Are Sent to Foreign Addresses

Type of disabilities	Number of disabilities
Musculoskeletal	5,875
Skin	1,959
Respiratory	1,206
Mental disorders	1,073
Eyes, ears, smell, and taste	948
Digestive	698
Neurological and convulsive	596
Cardiovascular	459
Systemic diseases	357
Genitourinary	265
Endocrine	74
Dental	58
Hemic and lymphatic	45
Gynecological	18

We are sending copies of this fact sheet to appropriate congressional committees; the Secretary of VA; the Secretary of Defense; the Director, Office of Management and Budget; and other interested parties. Please call me on (202) 275-6193 if you or your staff have any questions about it. Other major contributors to this fact sheet are listed in the appendix.

Sincerely yours,



Joseph F. Delfico
Director, Income Security Issues

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