

Calendar No. 359

72D CONGRESS }
1st Session }

SENATE

{ REPORT
No. 340

DAN V. SMITH

FEBRUARY 24 (calendar day, FEBRUARY 26), 1932.—Ordered to be printed

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

REPORT

[To accompany S. 1884]

The Committee on Finance, to whom was referred the bill (S. 1884) granting disability allowance to Dan V. Smith, having considered the same, report it back to the Senate and recommend that the bill do not pass.

The report of the Administrator of Veterans' Affairs is as follows (no facts having been submitted by claimant):

VETERANS' ADMINISTRATION,
Washington, January 15, 1932.

Hon. REED SMOOT,
Chairman Committee on Finance,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMOOT: Receipt is acknowledged of your letter of December 29, 1931, forwarding for report a copy of S. 1884, Seventy-second Congress, a bill granting disability allowance to Dan V. Smith. This bill seems identical in substance with S. 4924, Seventy-first Congress, on which a report was made to your committee on February 17, 1931.

This bill would authorize the Administrator of Veterans' Affairs to pay to Dan V. Smith disability allowance in the amount of \$40 per month as provided in section 200 of the World War veterans' act, as amended, for total permanent disability.

The records in the case show that the veteran was inducted into service on October 31, 1917, and was discharged on service-connected disability December 8, 1917, by reason of defective mental development. Pertaining to his condition at induction, there is the following notation on the report of the Adjutant General's Office: "Can hear ordinary conversation very plainly, but seems to be below par when trying to hear whispering." This report also shows that both feet were slightly flat at induction.

Claim for compensation was filed December 11, 1929, based on "Left arm rendered useless." In his application, the veteran stated that he had been treated for the arm condition in July, 1919, by a Doctor Mundy, who is deceased. He further stated that he had never been hospitalized since discharge and had never been confined to his home.

On April 22, 1931, the Veterans' Administration made a rating of the disability diagnosed as cerebellar syndrome, severe, and held that it was incurred in or aggravated by service under the terms of the first proviso of section 300, war

DAN V. SMITH

risk insurance act, as amended March 4, 1923. In accordance with that rating, an award has been approved and is now in effect granting \$80 per month beginning December 11, 1928, and ending January 6, 1930, and \$100 per month beginning January 7, 1930.

In view of the adjudication of this claim favorable to the claimant and the award of compensation in excess of the rate proposed by the bill, it is presumed that the committee will wish to give no further consideration to this bill.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Administrator.*

