

# Calendar No. 377

72D CONGRESS }  
1st Session }

SENATE

} REPORT  
No. 358

## STEPHEN SAWYER

FEBRUARY 24 (calendar day, MARCH 1), 1932.—Ordered to be printed

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

### REPORT

[To accompany S. 1883]

The Committee on Finance, to whom was referred the bill (S. 1883) for the relief of Stephen Sawyer, having considered the same report it back to the Senate and recommend that the bill do not pass.

The purpose of the bill is to authorize and direct the Administrator of Veterans' Affairs to place the name of Stephen Sawyer, late of the Twenty-ninth Company, United States Coast Artillery Corps, on the compensation rolls and to pay him compensation at the rate of \$100 per month. The evidence submitted by the veteran tends to show that he is totally disabled. The diagnosis made by a physician outside of the bureau is chronic pulmonary tuberculosis; advanced slightly active; fibrosis of both lungs. The veteran is the owner of a house and lot in the city of Santa Monica, Calif. The property is encumbered by mortgage in the principal sum of \$2,850. The personal property of the veteran and his wife is valued at \$150.

The claimant is receiving compensation in the amount of \$50 per month for arrested (apparently cured) tuberculosis under section 202 (7), World War veterans' act, 1924, as amended.

The veteran failed to report to the diagnostic center at Palo Alto, Calif., for hospitalization and observation as requested in connection with his claim. The Los Angeles regional office reported that the veteran advised that he was not free to accept hospitalization.

The report of the Administrator of Veterans' Affairs is as follows:

VETERANS' ADMINISTRATION,  
Washington, January 16, 1932.

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

MY DEAR SENATOR SMOOT: Reference is made to your letter of December 29, 1931, transmitting a copy of S. 1883, a bill for the relief of Stephen Sawyer, requesting a report thereon.

This bill is identical with S. 4430, Seventy-first Congress, second session, which was the subject of my letters to you of November 15, 1930, and February 10, 1931.

It appears from the records of the administration that this veteran did not report to the diagnostic center at Palo Alto, Calif., for hospitalization and observation as requested in connection with his claim. The regional office at Los Angeles has reported that the veteran advised that he was not free to accept hospitalization. Due to the veteran's failure to report for hospitalization the reconsideration of his claim as referred to in my letter of February 10, 1931, has not been given.

It further appears that the claimant is receiving compensation in the amount of \$50 per month for arrested (apparently cured) tuberculosis under section 202 (7), World War veterans' act, 1924, as amended, and that this amount of compensation is in excess of the maximum amount that could be granted as disability allowance.

No material change has occurred in the status of this case since my letter of February 10, 1931. It is, as you probably know, against the policy of the Veterans' Administration to recommend special legislation, except where administrative error or legal technicality has worked detriment or disadvantage to the person in whose favor legislation is suggested.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Administrator.*

