

JOHN YOUNG
14TH DISTRICT, TEXAS

COMMITTEES:
RULES
JOINT COMMITTEE
ON ATOMIC ENERGY

Congress of the United States
House of Representatives

Washington, D.C. 20515
September 25, 1974

Hector P. Garcia, M.D.
1314 Bright Street
Corpus Christi, Texas 78405

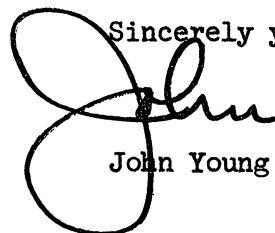
Dear Dr. Hector:

I am enclosing a copy of the report I have now received from the Office of the Secretary of the Army concerning the disability retirement of Sgt. Eliazar H. Beltran.

Dr. Hector, it would appear that no further action could be taken in behalf of Sgt. Beltran in view of his concurrence in writing with the findings of the Physical Evaluation Board which rated him at 60% disabled. After you have reviewed the enclosed and discussed this matter further with Sgt. Beltran, if you feel I can be helpful further or make any additional inquiry in his behalf, please do not hesitate to contact me again.

With kindest regards, I am

Sincerely yours,



John Young

Encl.



DEPARTMENT OF THE ARMY
OFFICE OF THE SECRETARY OF THE ARMY
WASHINGTON, D.C. 20310

OFFICE, CHIEF OF
LEGISLATIVE LIAISON

23 September 1974

Honorable John Young
House of Representatives

Dear Mr. Young:

This is in reply to your inquiry in behalf of Sergeant First Class Eliazar H. Beltran, SSN 464-50-2496, regarding his physical disability processing.

I have been informed that Sergeant Beltran was found unfit for military service by a Physical Evaluation Board (PEB) in June 1974 which recommended that he be placed on the Temporary Disability Retired List (TDRL) with a disability rating of 60 percent. Sergeant Beltran disagreed with the PEB and demanded a formal hearing. However, before the formal hearing was held, he was rehospitalized. The PEB reconsidered his case on 7 August based on a medical addendum of 29 July and adhered to its original finding and recommendation. Sergeant Beltran disagreed with the reconsideration and again demanded a formal hearing. On 26 August, however, he, after conferring with his counsels, withdrew his request for a formal hearing and requested reconsideration of his case. A letter was provided for this purpose.

On 26 August his case was reconsidered by the PEB which changed its earlier finding and recommendation to state that he be permanently retired with a disability rating of 60 percent. Sergeant Beltran concurred in writing with the PEB's finding and recommendation on 26 August, and the case was forwarded to the Army Physical Review Council which approved the finding and recommendation by the PEB on 30 August.

A review of the medical records in the case reveals that Sergeant Beltran's heart condition is appropriately rated in accordance with the Veterans Administration Schedule for Rating Disabilities (VASRD). He is entitled and encouraged to make application to the Veterans Administration (VA) to determine his VA entitlements. Although the Army uses the VASRD in rating disabilities, the ratings are based on ability to perform duty satisfactorily; whereas VA ratings are usually based on impairment of earning capacity. The VA may increase compensation because of family needs, e.g., wife and dependent children, something the Army may not do.

Sincerely,

Inclosure

P. T. SEAGO, JR.
Lieutenant Colonel, GS
Deputy, Congressional
Inquiry Division

Congress of the United States
House of Representatives
Washington, D.C. 20515
August 21, 1974

Hector P. Garcia, M.D.
1315 Bright
Corpus Christi, Texas 78405

Dear Dr. Hector:

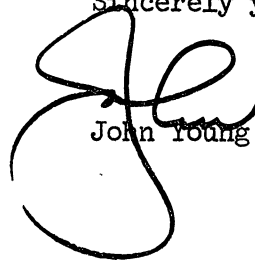
I want to acknowledge and thank you for your recent letter requesting my assistance in obtaining a number of publications from the Bureau of the Census.

In an effort to be of every possible assistance, I contacted the Bureau of the Census and have now received a number of the publications which you requested. These publications have now been forwarded to you under separate cover. I am still in contact with the Bureau in an effort to obtain the rest of the materials you require.

Please be assured that I will write you again as soon as I hear further from the Bureau of the Census.

With kindest regards, I am

Sincerely yours,



John Young