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SENATE

{ REPORT
No. 376

RETIREMENT FOR MEMBERS OF NURSE CORPS OF THE ARMY AND NAVY

MARCH 11 (calendar day, MARCH 13), 1926.—Ordered to be printed

MR. WADSWORTH, from the Committee on Military Affairs, submitted the following

REPORT

[To accompany S. 3037]

The Committee on Military Affairs, to which was referred the bill (S. 3037) to provide retirement for the Nurse Corps of the Army and Navy, having considered the same, report thereon favorably with the recommendation that the bill do pass.

A bill similar to this measure passed the Senate during the Sixty-eighth Congress. The letter from the Secretary of War recommending this legislation is appended hereto and made a part of this report, together with the report submitted on the bill reported by your committee during the last Congress.

FEBRUARY 4, 1926.

HON. JAMES W. WADSWORTH, JR.,
Chairman Committee on Military Affairs,
United States Senate.

MY DEAR SENATOR WADSWORTH: On May 5, 1924, my predecessor, the Hon. John W. Weeks, addressed both yourself and the chairman of the House Military Affairs Committee on the subject of retirement for length of service for the Nurse Corps of the Army and Navy. He advocated the enactment of legislation that would provide for this, and in that communication submitted the draft of legislation that met with the hearty approval of both the War and Navy Departments. A copy of this letter is attached.

Thereafter S. 3285 was introduced. This was identical with the proposed draft referred to above. It passed the Senate of the Sixty-eighth Congress, January 31, 1925, but was not reported out by the Committee on Military Affairs of the House. Consequently, the bill failed of enactment.

I have given very careful consideration to this subject, and find myself in full accord with my predecessor both as to the desirability and equity of providing retirement for the Army Nurse Corps and the Navy Nurse Corps, and as to the appropriateness of the legislation carried in S. 3285 to effect such provision.

Accordingly, I earnestly recommend that favorable consideration be given by your committee to the introduction of a bill identical with S. 3285, and that the same be enacted into law.

A draft of the proposed bill (identical with S. 3285) is attached.

I have designated Maj. Gen. M. W. Ireland, the Surgeon General of the Army, Maj. Julia C. Stimson, Superintendent of the Army Nurse Corps, and Maj. O. C. Aleshire, General Staff, to represent the department in case your committee should want to have a hearing on this proposed legislation.

This proposed legislation has been submitted to the Director of the Bureau of the Budget who advises that the same is not in conflict with the financial program of the President.

A similar letter is being addressed to the chairman, Committee on Military Affairs of the House of Representatives.

Sincerely yours,

DWIGHT F. DAVIS, *Secretary of War.*

[Senate Report No. 556, Sixty-eighth Congress]

This legislation is recommended by the War Department, and a full explanation of the measure is contained in a letter submitted by the Secretary of War to your committee. The letter of the Secretary is therefore appended hereto and made a part of this report, as follows:

MAY 5, 1924.

HON. JAMES W. WADSWORTH, JR.,
Chairman Committee on Military Affairs,
United States Senate.

MY DEAR SENATOR WADSWORTH: Retirement for length of service is now provided by law for all classes of permanent military personnel except Army nurses and field clerks. Legislation for the retirement of field clerks has been recommended by me to the Congress, such recommendation now being before your committee as section 7 of S. 1974.

The Army Nurse Corps has been an integral and continuing part of the permanent Military Establishment since February 2, 1901. During that time there have been no provisions for retirement for length of service, age, or physical disability.

Under the present retirement system officers may apply for retirement after 30 years of service. If they have more than 40 years of service the approval of such applications is mandatory, but if they have between 30 and 40 years of service the approval of applications is discretionary with the President. Also, officers are required to retire at the age of 64, and are subject to retirement for physical disability in line of duty. Warrant officers are entitled to retirement under the same conditions as officers. Enlisted men may apply for retirement if they have more than 30 years' service, and the approval of such application is mandatory. Enlisted men disabled in line of duty can not be retired, but are entitled to the benefits of the general pension laws. Nurses, although they have relative rank, are neither officers nor enlisted men, and do not have a status the same as that of any other class of military personnel. Their sex and kind of duty establish a limiting age of usefulness differing from that of other personnel.

The salient facts with respect to the Army Nurse Corps are as follows: It is a part of the Medical Department, and therefore of the Regular Army. Its strength is not fixed by law, but is to be ordered from time to time by the Secretary of War. The strength is governed, however, by appropriations made for pay of nurses. The actual strength at the present time is 493. In time of war the Army Nurse Corps may be expected to undergo great expansion. Nurses are appointed as such by the Surgeon General, with the approval of the Secretary of War. The age limits for admission to the Army Nurse Corps are fixed by regulation, and not by law, and are at present from 22 to 35. They are neither commissioned nor enlisted for any fixed period. They must agree to serve at least three years, and must periodically continue such agreement to be held in service. They may be discharged at any time.

The grades authorized and annual rates of pay, including money allowance for grades above the lowest, are as follows:

Grade	Relative rank	0-3 years' service	3-6 years' service	6-9 years' service	Over 9 years' service
Nurse.....	Second lieutenant.....	\$840	\$1,080	\$1,380	\$1,560
Chief nurse.....	First lieutenant.....	1,440	1,680	1,980	2,160
Assistant superintendent, director, and assistant director.....	Captain.....	2,340	2,580	2,880	3,060
Superintendent.....	Major.....	3,340	3,580	3,880	4,060

Members of the Nurse Corps receive subsistence allowance and receive rental allowance, if not provided with quarters. Appointments to grades above the lowest may legally be made by selection without regard to seniority, length of service, or other legal restrictions, the appointments being made by the Surgeon General, with the approval of the Secretary of War.

Nurses who become disabled, incident to their service as such, can now be cared for by compensation or pensions under the existing law, being in this respect in the same situation as enlisted men. In view of this fact and in view of the further fact that a great temporary expansion of the Nurse Corps may be expected in time of war, it is believed that there should be no retirement privilege for physical disability. There remains, however, for consideration the question of retirement for age or length of service.

Retirement of military personnel is necessary for the double purpose of rewarding individuals after long service, by providing for their maintenance, and for vitalizing the active list by removing therefrom persons who are no longer up to the full standard of efficiency. It does not appear reasonable that a retirement should be mandatory merely because the individual requests it, nor does it appear that a retirement that would be desirable in the interests of the service should be impossible merely because the individual does not see fit to apply for retirement. The best interests of the service will be served by permitting the action leading to retirement to be initiated either by the individual or by the Government, the decision to be discretionary in the former case. Retirement, at the option of the Government is especially necessary in the case of nurses, as they are not subject to classification and elimination through class B proceedings. It is believed, therefore, that in lieu of mandatory retirement, such retirement should be authorized in the discretion of the Secretary of War, with or without application, after completion of a requisite service.

The next question for determination is to fix the age or length of service, or both, to establish eligibility for retirement. The average age of entrance into the service may be assumed as 27 years, the extremes being 22 and 35. While it is believed many nurses will be capable of continuing to render efficient service well beyond the age of 50, it is also believed that this age will be about the limit of effective service in many cases.

So far as private nursing in civilian life is concerned, it is believed that the nervous strength and physical endurance falls materially below par between the ages of 45 and 50. However, many military nurses are on institutional or administrative duties, and are not subjected to the same strain of the long hours of private nursing. Also, the military service affords positions in which older nurses who can not stand the strain of general nursing, can be utilized. It is not administratively necessary to demand the same physical effort of all military nurses regardless of their age or length of service.

All of these factors are taken to indicate that nurses should be eligible for retirement, in the discretion of the Secretary of War, when over 50 years of age and having 20 years of service. But for those nurses capable of continuing to render efficient service, it is believed that the Government should reserve the authority to retain them until the completion of 30 years of service. No compulsory retirement at a fixed age will therefore be necessary.

All nurses receive certain base pay according to length of service but without regard to their rank. Similarly, they should receive certain base retired pay independent of their rank. While performing duties as chief nurse, or higher, nurses in active service receive a stated allowance in addition to their base pay. Similarly, retired nurses should receive, in addition to their base pay, an allowance computed, not on the circumstance of their rank when retired but upon the

number of years of their whole service in which they have performed the duties of chief nurse, or higher. Certainly a nurse who is appointed a chief nurse or director a few months before retirement can not equitably expect the same retired compensation as one who has spent half her service in such a capacity. Upon that basis retired pay would consist of two factors: First, a certain percentage of the base pay received at the time of retirement, and second, an allowance computed upon the basis of service rendered in a grade above that of nurse, without regard to grade held at time of retirement. So far as the base retired pay is concerned, it is believed that the maximum should be 75 per cent of active base pay. Furthermore, it is believed that for nurses not more than 25 years of service can on an average be expected from them. The base retired pay should, therefore, be 3 per cent of base active pay for each year of service not exceeding the maximum above indicated.

The maximum additional retired pay for service in a rank above the lowest, which rank has been held at any time during the nurse's service, should not exceed 75 per cent of the active allowance for such rank. Estimating that 25 years of service on an average may be expected from nurses, 25 years of service in such rank should be required to earn such maximum. Hence for each year of service that has been served in any rank above the lowest, additional retired pay should be 3 per cent of the active allowance authorized for such rank. The additional retired pay would then be as follows:

\$18 per year for each year served as chief nurse (maximum)-----	\$450
\$45 per year for each year served as director, assistant director, or assistant superintendent (maximum)-----	1, 125
\$75 per year for each year served as superintendent (maximum)-----	1, 875

It is believed such a system of retired pay, insuring compensation based upon length of service and the character of that service, is equitable both to the Government and to the individual. It will also make for efficiency, as it provides an incentive for striving to attain the higher grades during the period of service, rather than immediately preceding retirement.

Estimates based on retired pay being in all cases 75 per cent of the active pay indicate that immediately the bill would cost the Military Establishment about \$13,000 per year, and during the next 10 years there would be a yearly addition thereto of about \$6,500. At the end of 10 years the annual cost of retired nurses would therefore be about \$75,000. The cost would probably continue to increase at the same rate for about another 5 years, reaching about \$110,000 per year, at which point it would probably remain stationary. However, on account of the graduated system of retirement which is proposed, the cost would undoubtedly be materially less than stated.

The Army Nurse Corps has reached a stage of splendid efficiency. The individual members of this corps are highly capable and are daily performing very important and arduous work for the Army. I believe it is just and proper and in accordance with the spirit of the times to accord these nurses retirement for length of service.

In order to carry out the plan discussed above the following bill is proposed for your consideration, and it is urgently recommended that it be enacted into law:

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The details of this bill have been worked out and agreed upon by the War and Navy Departments, and the Secretary of the Navy is also recommending its passage to the Committees on Naval Affairs of the Senate and House of Representatives.

I have designated Maj. Gen. N. W. Ireland, the Surgeon General; Maj. Jay L. Benedict, General Staff; and Miss Julia Stimson, superintendent of the Army Nurse Corps, to represent the department in case your committee should want to have a hearing on this proposed legislation.

This proposed legislation has been submitted to the Director of the Bureau of the Budget, as required by Circular No. 49 of that bureau, who advises that the same is not in conflict with the financial program of the President.

A similar letter is being addressed to the acting chairman, Committee on Military Affairs, House of Representatives.

Sincerely yours,

JOHN W. WEEKS, *Secretary of War.*