

# Calendar No. 543

69TH CONGRESS }  
1st Session }

SENATE

{ REPORT  
No. 541

## RELATING TO THE RETIREMENT OF CERTAIN OFFICERS IN THE ARMY

APRIL 2, 1926.—Ordered to be printed

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

### REPORT

[To accompany S. 96]

The Committee on Military Affairs, to which was referred the bill (S. 96) to amend the national defense act approved June 3, 1916, as amended by act of June 4, 1920, relating to retirement, having considered the same, report thereon favorably with the recommendation that it do pass.

This measure has passed the Senate on two former occasions. The merits of the bill are set forth in a letter from the Secretary of War, under date of January 16, 1926, which is appended hereto and made a part of this report, as follows:

JANUARY 16, 1926.

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

MY DEAR SENATOR WADSWORTH: Pursuant to your request of December 23, 1925, I am pleased to state the views of the War Department relative to (S. 96) a bill to amend the national defense act approved June 3, 1916, as amended by the act of June 4, 1920, relating to retirement.

A similar bill (H. R. 5084) passed the House last year. My predecessor reported on that bill in letter to you under date of January 28, 1925, stating that the War Department had no objection to the first proviso thereof, which proviso provided for retirement under section 1251, Revised Statutes of the same category of officers covered by this bill (the rate of retired pay to be the same as provided in S. 96).

The War Department in 1923 (letter to you of January 30, 1923) recommended the enactment of legislation similar to this (S. 96).

It is noted that S. 96 meets the views and former recommendations of the War Department in that it includes in its provisions not only those officers retired under section 1261 Revised Statutes, but also those that might arise under 26 Stat. 562 (retirements for physical incapacitations for active service on examination for promotion).

At the present time there are on the retired list only eight of the class of officers involved (all having been retired for physical disability). These eight, and all

those now on the active list (about 250), would be included in the provisions of the bill. It is manifest, in view of the existing small retirement rate for disability for this class of officers, that the increased expense to the Government involved in enactment of S. 96 would not be appreciable.

It is therefore recommended that S. 96 be enacted into law.

The War Department will be glad to furnish any detailed information respecting the subject that may be desired.

Should War Department witnesses be desired to appear before your committee in hearings on this bill, the following are recommended as being familiar with the subject: Col. Fred W. Coleman, Finance Department, and Maj. O. C. Aleshire, General Staff.

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

Sincerely yours,

DWIGHT F. DAVIS, *Secretary of War.*

REPORT

The Committee on Military Affairs, to which it was referred the bill (S. 96) to amend the national defense act approved June 12, 1916, as amended by act of June 4, 1920, relating to retirement, having considered the same, reports thereon favorably with the recommendations which it has.

The measure has passed the Senate on two former occasions. The Senate on the first occasion passed the bill on the 15th day of March, 1916, under date of January 10, 1920, which is appended hereto and made a part of this report, as follows: