

HARRY WALTER STEPHENSON

JANUARY 23, 1926.—Committed to the Committee of the Whole House and ordered to be printed

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

REPORT

[To accompany H. R. 8502]

The Committee on Military Affairs, to whom was referred the bill (H. R. 8502) authorizing the President to reappoint Maj. Harry Walter Stephenson, United States Army, retired, to the position and rank of major, Coast Artillery Corps, in the United States Army, having considered the same, report it back to the House with the recommendation that it do pass.

This measure was fully considered by the Committee on Military Affairs of the House in the Sixty-eighth Congress, and was recommended for passage at that time in a report filed January 19, 1925, and numbered Report 1250 of the Sixty-eighth Congress, which report is herewith made a part of this report.

[House Report No. 1250, Sixty-eighth Congress, second session]

The Committee on Military Affairs, to whom was referred the bill (H. R. 5064) authorizing the President to reappoint Maj. Harry Walter Stephenson, United States Army, retired, to the position and rank of major, Coast Artillery Corps, in the United States Army, having had the same under consideration, report it back to the House with the recommendation that it do pass.

EFFICIENCY RECORD

The official efficiency record of Major Stephenson on file in the War Department seems to indicate that he was a faithful and efficient officer of the Army for 13 years, and that during this period his usefulness to the service was "above average." Following are some extracts from the efficiency record of this officer covering the period of his service from the time he was commissioned in the Army in 1909:

1910: Under my observation from September 15, 1909, to June 30, 1910. Attention to duty, professional zeal, general bearing, and military appearance, excellent.

Is qualified for his position and should be intrusted with important duties.

I consider this officer a very promising young man. He is earnest, conscientious, and quick to learn.

1911: From June 20 to December 31, 1911, general bearing and military appearance, excellent.

Is qualified in all respects for his position and should be intrusted with important duties. "Would like to have him under my command."

1913: In the event of war, he is suited for any duty appropriate to his rank—Coast Artillery, Field Artillery, or Infantry, including staff. Performance of his duty in the field, excellent, at the Mount Tamalpais forest fire, July 9 to 14, 1913.

1914: (1) Attention to duty, professional zeal, and general bearing and military appearance, excellent.

He has availed himself of his opportunities for improvement, and is qualified mentally and morally for all the duties of his position. Activity and marching ability, excellent. Aptitude for field service believed to be very good. "Would desire to have him under my immediate command in peace or in war. In the event of war, he is best suited for duty with Coast Artillery. He is an officer of fine intelligence; he should become a valuable officer."

(2) Is qualified mentally and morally for all the duties of his position. Activity, excellent. He should be intrusted with important duties.

"Would desire to have him under my immediate command, in peace or in war. In the event of war, he is best suited for duty with troops. Fitted for promotion to the next higher grade."

1915: (1) Activity, marching ability, and aptitude for field service, excellent. \* \* \*

(2) Efficiency as judged by the economy with which the unit equipment of his organization has been maintained, excellent. He is fitted for promotion to the next higher grade.

(3) Fitted physically for all the duties of his position; activity, marching, and aptitude for field service, excellent.

Is capable and has initiative. General bearing and military appearance, excellent.

In the event of war is best suited for duty with troops. He is fitted for promotion to the next higher grade.

1916: (1) Letter from adjutant general, State of California, dated April 24, 1916:

"The success of the two camps of the State high-school cadets, held during the past two weeks on the State rifle range at Manzanita was due in no small measure to the courteous, conscientious, and efficient assistance given by First Lieut. Harry W. Stephenson to the camp commander, Maj. John P. Ryan, United States Army, retired, on duty with the State of California.

"From Major Ryan's report and from my personal observation I was very much impressed with the work of Lieutenant Stephenson at these camps and I wish to express my appreciation and that of the military department of the State. Work of this sort is exacting, oftentimes annoying, and it requires an unlimited amount of patience and tact. Lieutenant Stephenson gave evidence of all these qualities."

(2) He has shown peculiar fitness for detail on militia duty. He is fitted physically for all the duties of his position; activity, marching ability, and aptitude for field service, excellent.

"I would desire to have him under my immediate command in peace and in war. In the event of war, he is best suited for duty with troops. Efficiency as judged by the performance of his duty in the field, excellent. He is fitted for promotion to the next higher grade." (Report rendered while on Mexican border duty.)

(3) Attention to duty, professional zeal, general bearing, and military appearance, intelligence, and judgment shown in instructing, drilling, and handling enlisted men, excellent.

"I would desire to have him under my immediate command in peace and in war. In the event of war, he is best suited for duty with troops. He cooperates energetically and loyally with others. A faithful and conscientious officer."

(4) Attention to duty, professional zeal, general bearing, and military appearance, and intelligence and judgment shown in instructing, drilling, and handling enlisted men, excellent.

He has shown peculiar fitness for detail in The Adjutant General's and Judge Advocate General's Departments and on college and militia duty.

In the event of war, he is best fitted for duty with troops. Activity, marching ability, and aptitude for field service, excellent.

I would desire to have him under my immediate command in peace and in war.

He has recently been examined for promotion to the grade of captain. He cooperates energetically and loyally with others.

A faithful and conscientious officer; he has much ability, and will prove valuable in almost any line of duty as soon as he has had time to become familiar with the work at hand. He is very efficient in instruction work with cadets and young men undergoing military instruction.

(5) Report rendered while on Mexican border duty:

"Attention to duty, excellent. \* \* \*

"Aptitude for field service, excellent. I would desire to have him under my immediate command in peace and in war. Efficiency, as judged by the condition of his command, excellent.

"Efficiency, as judged by the performance of his duty in the field, excellent.

"In the field at \* \* \* Calexico, Calif., during entire period covered by this report. He cooperates energetically and loyally with others. An excellent company officer; willing and obedient and efficient.

"His performance of his duties at Camp John H. Beacom, Calexico, Calif., in the field, while in command of the Second Company, Fort Baker, has been satisfactory in every respect."

(6) He is qualified for brigade adjutant for volunteer or National Guard forces in time of war.

1917: (1) On Mexican border:

"Special knowledge, small arms.

"A steady, very satisfactory officer. I would desire to have him under my command in peace or in war. He cooperates energetically and loyally with others."

(2) On Mexican border:

"He has availed himself of his opportunities for improvement, is qualified mentally and morally for all the duties of his position, and should be intrusted with important duties.

"I would desire to have him under my immediate command in peace and in war. He cooperates energetically and loyally with others."

(3) Is a good rifle and pistol shot and a capable coach.

In event of war he is suited for duty with Coast or Heavy Field Artillery. Has initiative and force.

1918: (1) The following extract from report of the district commander on his recent inspection of the coast defenses of San Francisco is furnished for your information:

"It is believed that Maj. Harry W. Stephenson, C. A. N. A., Fort Baker, is entitled to commendation for the excellent condition of that post. He has been so informed."

(2) I consider him a valuable officer; he is capable and dependable.

Physical energy and endurance, judgment and common sense, attention to duty and capacity for command, above average.

(3) Graduate of the officers' department, Coast Artillery School, basic (8 weeks') course. (Before going overseas.)

Final average, 90. Specially qualified for field officer, Heavy Artillery.

(4) Physical energy and endurance and initiative, above average.

An officer above the average, with pleasing personality and making an excellent appearance.

(5) Report rendered by regimental commander of unit with which Major Stephenson went overseas, period from July 5, 1918, to December 15, 1918:

"Judgment and common sense, initiative, organizing ability, above average.

"General estimate: Good appearance, good address, well educated, well trained, well fitted to command a regiment.

"On duty with regiment as major; regimental commander of Sixty-seventh Artillery, Coast Artillery Corps, October 25 to November 8, 1918."

1919: Duties since December 15, 1918, prison officer, general prison camp, St. Sulpice, and also in charge of the prisoner of war escort and prisoner of war labor companies at this camp.

Lieutenant Colonel Stephenson's promotion to this grade came only two days ago, 16th of April, as a result of recommendations by his regimental commander, Coast Artillery Corps. (Commanding officer Camp Port Foye, post of Brest, France; member of Haskell Mission to Armenia, winter of 1919-20; executive officer, American base, Antwerp, Belgium, 1920.)

1920: I have known Major Stephenson intimately for 15 years and regard him as a very able officer.

1921: (1) Judgment and common sense, attention to duty, intelligence, professional knowledge, above average.

This officer has much ability and knows his work well. Duties performed, battalion commander.

(2) Extract of letter from office of Chief of Coast Artillery, dated November 18, 1921, to Major Stephenson:

"The excellent record made by the Coast Artillery rifle team in the national rifle matches for 1921 at Camp Perry is a matter of gratification to the entire Coast Artillery Corps. \* \* \*

"It gives me great pleasure to extend to you my hearty congratulations on your accomplishment. This year's Coast Artillery rifle team has set a high record which is bound to serve as a greater incentive to succeeding teams to secure a higher place in the years to come." (Major Stephenson stood No. 2 on the team of 10 shooting members.)

1922: (1) Battalion commander, period from October 3, 1921, to February 12, 1922. Physical activity, physical endurance, military bearing, and neatness, tact, above average. Musketry, superior.

(2) Student officer, field officers' course. A conscientious, hard-working officer.

(3) Camp inspector, Camp Knox, Ky., during summer training camps of Organized Reserves and C. M. T. C. Manner of performance, above average.

In an indorsement made in November the camp commander stated: "Efficiency report rendered by me on this officer covering his services while under my command at the training camps the past summer at Camp Knox, Ky., gave him a rating above average, and he deserved it for the efficient services he rendered the Government, and that rating indicates, in my opinion, the value to the service. Major Stephenson is a gentleman; he showed ability, is loyalty itself to his superiors, and displayed great tact in dealing with officers, soldiers, and civilians."

Selected by the War Department to attend the Command and General Staff School for the year 1922-23. Selection based on professional record and special fitness.

Retired November 26, 1922.

Detailed on active duty April 1, 1923, as professor of military science and tactics, Knoxville public schools, Knoxville, Tenn. All reports rendered by the corps area R. O. T. C. officer and superior officers while at the summer training camps of 1923 and 1924 have been above average.

1923: (1) Manner of performance of duties, above average.

(2) A capable officer, painstaking and efficient. Performed his duties in a highly satisfactory manner. Any success that may have been accomplished by the recreation department of this camp was in a large measure due to his efforts.

1924: (1) A hard-working officer, well qualified for R. O. T. C. duty. Manner of performance of duty, above average. (Corps area R. O. T. C. officer.)

(2) Summer training camp of 1924:

"Manner of performance of duty, above average.

"Has a pleasing personality. Is industrious, zealous, and efficient in the performance of all duties. An exceptionally good officer. Any success that may be credited to this department was in a large measure due to his foresight and painstaking efforts."

#### BRIEF OF SERVICE OF MAJ. HARRY WALTER STEPHENSON

Born in Nebraska, December 25, 1887.

Appointed to United States Naval Academy; graduated "with credit," 1909; transferred to Coast Artillery Corps, United States Army, as second lieutenant, July 12, 1909; first lieutenant, 1911; captain, 1916; major, National Army, 1918; lieutenant colonel, Coast Artillery Corps (temporary), 1919; major, Coast Artillery Corps (regular), 1920.

While a midshipman, United States Naval Academy, was member of hop committee four years, on basket ball team, track team, rifle team, class German committee, won lightweight boxing championship, won Navy Department gold medal for excellence in small arms, was captain and a shooting member of the Naval Academy rifle team in the national matches in 1908.

An accident to eyes December 24, 1908, necessitated 13 weeks' treatment in Washington, 11 weeks under Doctor Wilmer and 2 weeks in naval hospital.

After missing that time during the academic year, graduated "with credit" in June, 1909, and arranged a transfer to the Army, effective July 12, 1909, when commissioned a second lieutenant of Coast Artillery.

#### ARMY SERVICE

1909-1913: Coast defenses of San Francisco.

1913-14: Student officer, Coast Artillery School, Fort Monroe, Va.

1915 (January-June): Fort Adams, Newport, R. I.

1915-16: Coast defenses of San Francisco.



Duty with troops: Special details with National Guard, California, and with high-school cadets of California. (Letter of commendation from General Thomas, adjutant general, State of California, now on file with efficiency record.)

Commended by California officials for work with troops during forest fires of Placer County in the autumn of 1910 and for saving Muir Woods during the fire of 1913.

July, 1916-July, 1917: Mexican border, Calexico, Calif.

July, 1917-April, 1918: Commanding officer Fort Baker, Calif. (Letter of commendation from Coast Artillery district commander for "excellent condition of that post" on file with efficiency record.)

May-June, 1918: Student, special course for Artillery officers, Fort Monroe, Va. Made highest mark of field officers. (Record card showing grades and statement, "specially fitted for duties of field officer, Heavy Artillery" on file with efficiency record.)

July-August, 1918: Assigned to Sixty-seventh Artillery as battalion commander; organization and training in San Francisco; movement overseas.

September-November, 1918: Battalion commander and regimental commander in training area in France. (Three times recommended for promotion to grade of lieutenant colonel before the armistice.) Efficiency record bears remark "well qualified to command a regiment of Artillery."

December, 1918-July, 1919: Camp prison officer and commandant of American prison for combat troops, St. Sulpice, France. (In charge of about 2,700 German prisoners of war, 1,300 American prisoners, 6 prisoners of war-escort companies, and 3 guard companies.)

Complimented officially by special inspector from general headquarters on efficient management of prison.

Promoted to grade of lieutenant colonel while commandant of American prison in April, 1919.

July, 1919-September, 1919: Commanding officer Camp Fort Foye, Brest, France, until post was turned over to the French.

September, 1919-May, 1920: Member of Haskell Mission to Armenia. (Relief work under War Department orders.)

June-November, 1920: Executive officer American base, Antwerp, Belgium.

July-September, 1921: Member of Coast Artillery rifle team, standing No. 2 on the team in the national match. During season won one gold medal, two silver medals, five bronze medals, and distinctive badge awarded to "President's hundred."

October, 1921-January, 1922: Duty with Railroad Artillery, Camp Eustis, Va.

February-June, 1922: Student officer Field Officers' School, Fort Monroe, Va.

July-August, 1922: Camp inspector, training camp for reserve officers' and civilians' military training corps of Fifth Corps Area, at Camp Knox, Ky.

September-December, 1922: Fort Leavenworth, Kans., having been detailed by War Department order of May 27 to attend the Command and General Staff School as a student officer for the school year 1922-23.

#### SUMMARY

Graduate of United States Naval Academy 1909; regular course Coast Artillery School, 1914; special course, 1918; field officers' course, 1922; selected on professional record and special fitness to attend the Command and General Staff School; qualified "expert rifleman," Navy and Army; qualified "pistol expert" 1911-12-1921. Shot on two national match rifle teams, being captain and shooting member of the Naval Academy team in 1908 and shooting member of Coast Artillery team in 1921.

Twenty-seven months overseas as member of American Expeditionary Force, American forces in France, Haskell Mission to Armenia, and American forces in Germany.

#### MEDICAL RECORD

Upon return from overseas in December, 1920, was treated for four months at the Letterman General Hospital, San Francisco, for after effects of typhus fever contracted while on duty in Armenia.

Medical record of one day on sick report in nine years before going overseas; this in line of duty. While overseas had Spanish influenza, diphtheria, and typhus fever, all in line of duty. Did not go on sick report with influenza, was isolated about a week with diphtheria, but was unconscious two weeks and nearly died with typhus.

Major Stephenson was notified by letter of August 17, 1922, from Adjutant General that upon the recommendation of the board of general officers con-

vened under the act of June 30, 1922, the President had selected him as one of the officers to be retired in accomplishing the reduction in members that he must make under the requirements of that act.

This in spite of the following facts:

(1) He was selected in May by the War Department to attend the Command and General Staff School. It is well understood that an officer is not selected for such detail unless his efficiency record is "average" or better.

(2) Efficiency report covering period from February to June, 1922, during which time he graduated from the Field Officers' School, was made out by Col. J. C. Johnson, Coast Artillery Corps. That officer, his commanding officer, rated him "above average" in "attention to duty" and "initiative" and "average" in the other qualifications. His "general estimate" described him as being "a conscientious and hard-working officer." This efficiency report was "concurrent in" by the training center commander, Brig. Gen. R. P. Davis, United States Army.

(3) From July 12 to August 5, 1922, he was on duty as camp inspector at the training camps of the Fifth Corps Area at Camp Knox, Ky. The special efficiency report rendered by the camp commander stated that the "method of performing duty was above average."

On September 26, 1923, when word was received by the superintendent of schools that Major Stephenson was to be relieved from duty at Knoxville, the school officials, the student body, various civic organizations, and prominent citizens made a special request to the War Department that he be permitted to remain on duty at Knoxville. The following are copies of some of the telegrams which were sent by interested parties:

KNOXVILLE, TENN., *September 27, 1923.*

THE ADJUTANT GENERAL OF THE ARMY,  
*Washington, D. C.:*

We are advised by Colonel Falls, R. O. T. C. office, Atlanta, that the War Department had directed relief of Maj. Harry W. Stephenson from further duty with our high schools. The students, principals, superintendent of schools, and board of education urgently insist that Major Stephenson be retained, as we feel it would be irreparable loss to our schools at this time for this transfer to be made and we earnestly plead that you please rescind this transfer. All city school authorities are joined in this request by the mayor and council of our city. Advise.

ROBT. L. CARDEN,  
*President Board Education.*

KNOXVILLE, TENN., *September 27, 1923.*

THE ADJUTANT GENERAL UNITED STATES ARMY,  
*Washington, D. C.*

SIR: We, the cadet officers and cadet noncommissioned officers of Knoxville Public School R. O. T. C., hearing of the intended transfer of Major Stephenson, speaking in behalf of the cadet corps, protest his removal for several reasons. These briefly stated, are:

1. The plans of the R. O. T. C. have already been made, and the corps is fully organized. It is earnestly requested that no change be made at this time.

2. Major Stephenson has become settled here in Knoxville. He has his home and his son is entered in the Knoxville schools.

3. The major is entirely efficient and wholly satisfactory in the fulfillment of his duties.

4. And last, but by no means least, the major has won the friendship of the entire corps and if he is transferred all the cadets will lose a friend and counsellor.

Therefore the R. O. T. C. officers and noncommissioned officers petition you not to transfer Major Stephenson from the R. O. T. C. post at Knoxville, Tenn.

Capt. R. H. DEMPSEY.  
Capt. C. L. BAILEY.  
Capt. JAMES ELMORE.  
Capt. C. H. HUFFMAN.

This is sent without the knowledge of Major Stephenson. Signed by entire 26 officers of the Battalion of R. O. T. C., Knoxville, Tenn., High School.

SEPTEMBER 27, 1923.

Gen. ROBERT C. DAVIS,  
*Adjutant General of the Army,*  
*Washington, D. C.:*

We earnestly hope that you will give serious consideration to Knoxville plea that Maj. Harry Stephenson be allowed to remain here.

LEONARD C. LAMB,  
*Secretary Rotary Club of Knoxville.*

SEPTEMBER 27, 1923.

THE ADJUTANT GENERAL, UNITED STATES ARMY,  
*Washington, D. C.:*

Have just learned that an order was received from Atlanta R. O. T. C. officer ordering the transfer of Major Stephenson from Knoxville city schools. Would be pleased if this order could be revoked and Major Stephenson retained in Knoxville, as I know he is very much needed and very popular and the schools would suffer with his transfer. Won't you please investigate this with a view of the retention of Major Stephenson?

JOHN K. SHIELDS.

SEPTEMBER 27, 1923.

Adjutant General DAVIS,  
*Washington, D. C.:*

Kiwanis Club of Knoxville earnestly insist that Major Stephenson be kept here, because his work is satisfactory and student body enter into work so very enthusiastically under him.

KNOXVILLE KIWANIS CLUB.

SEPTEMBER 27, 1923.

THE ADJUTANT GENERAL UNITED STATES ARMY,  
*Washington, D. C.:*

This organization has learned with regret that Major Stephenson has been ordered transferred from Knoxville. His work here is tremendously successful in every respect and is heartily approved by patrons of the schools. We earnestly urge he be retained.

KNOXVILLE BOARD OF COMMERCE.

SEPTEMBER 27, 1923.

Maj. R. E. B. MCKINNEY,  
*Secretary, O. R. C., c/o Cosmos Club, Washington, D. C.:*

Superintendent and directors of city schools request that Maj. H. W. Stephenson be allowed to remain on duty as P. M. S. and T. at Knoxville. We are all pleased with him. See Secretary of War. Rush.

CARY F. SPENCE,  
*Brigadier General, O. R. C.*

SEPTEMBER 27, 1923.

THE ADJUTANT GENERAL OF THE ARMY,  
*Washington, D. C.:*

The Y. M. C. A. earnestly request that Major Stephenson be retained here on duty as commandant in local high schools, as we believe he is rendering a real service to the young men of our community.

J. BARNETT NAPIER.

SEPTEMBER 27, 1923.

THE ADJUTANT GENERAL OF THE ARMY,  
*Washington, D. C.:*

Most cordial relations exist between athletic and military departments here. Major Stephenson is working in perfect harmony with every department in high school. It is earnestly requested that he be retained as P. M. S. and T.

JOHN R. BENDER,  
*Captain, O. R. C., Director of Physical Training.*

SEPTEMBER 27, 1923.

THE ADJUTANT GENERAL OF THE ARMY,  
Washington, D. C.

Understand movement is on foot to relieve Maj. Harry W. Stephenson, now on duty as commandant in local high schools. Knoxville Post No. 2, American Legion, 476 members, do not feel that any such change would be for the best interest of either high school or advancement of military education at this time. and earnestly request that matter be thoroughly considered before any action. This post is behind Stephenson 100 per cent, and believe he is the man for the job.

CHARLES D. WALTERS, *Post Commander.*

SEPTEMBER 27, 1923.

Gen. ROBERT C. DAVIS,  
*The Adjutant General, Washington, D. C.*

Am informed that War Department has ordered the transfer of Maj. H. E. Stephenson from Knoxville R. O. T. C. I am very desirous of Major Stephenson being retained here. Would be irreparable loss to our schools for him to be transferred at this time. The entire citizenship of Knoxville is very much interested in keeping Major Stephenson here. Earnestly hope you can accede to this request. Please advise.

J. WILL TAYLOR.

WAR DEPARTMENT,  
Washington, February 13, 1924.

Hon. JULIUS KAHN,  
*Chairman Committee on Military Affairs,  
House of Representatives.*

MY DEAR MR. KAHN: In accordance with your request of February 1, 1924, report is made upon H. R. 5064, a bill for the reappointment of Maj. Harry Walter Stephenson to the active list of the Army.

This is but one of many bills now pending for placing former officers or other individuals upon the active or retired list of the Army. This particular bill is for the restoration to the active list of a former major who was eliminated therefrom pursuant to law in accomplishing the reduction of the Army under the act approved June 30, 1922. The beneficiary of the bill is now on the retired list and receives as retired pay  $32\frac{1}{2}$  per cent of his active pay at the time of retirement. A record of his service is inclosed.

There are certain general considerations applying to this and similar bills. Less than two years ago Congress deemed a reduction of the commissioned personnel of the Army necessary and prescribed the means by which the reduction was to be accomplished. As specifically required by the law a board of general officers was convened to determine the number of officers to be recommissioned in a lower grade and to select from the entire Army the officers to be removed from the active list in making the required reduction.

The board of general officers considered the records of all officers with great care. By reason of amendatory legislation in the act of September 14, 1922, the board reconsidered the records of all officers previously selected by it for elimination from the active list. The board carefully compared the records of officers of the same grade and gave due consideration to relative efficiency, age, length of service, physical condition, and all other factors having a bearing upon relative usefulness and value to the government.

As a result of the prolonged deliberations of the board the reduction prescribed by law was accomplished, some officers being recommissioned in a lower grade, some being discharged with one year's pay, and some being placed upon the retired list with pay according to length of service. The beneficiary of the bill is in the last class.

The Army is still at the strength to which reduced. So long as the reduced strength is maintained former officers, or any other special appointees, are not needed and, in general, their reappointment would be contrary to good public policy.

It is manifest that good policy precludes the reversal, by special legislation in the interest of individuals, of the findings of legally constituted boards, courts, or other administrative agencies. The Army has a full complement of officers in all grades above the lowest. The reduction necessitated many efficient



officers who were retained on the active list being recommissioned in lower grades. Officers who have remained in service would be further adversely affected by the filling of vacancies in the reduced Army by the reappointment of individuals who were removed in making the reduction. This prejudice to the interest of officers who have remained in service is a further reason for not reappointing individuals who, from the manner of their elimination, are more apt to be a liability rather than an asset if returned to active service.

In this particular bill reappointment in the grade of major is proposed. It is true the bill provides that its beneficiary be an additional number in the Coast Artillery Corps. It does not, however, provide for any increase in the total number of officers or in the total number of majors in the Army and would operate, therefore, to fill by reappointment a vacancy in the grade of major that would otherwise be filled by promotion. The Army has a full complement of majors. The few vacancies occurring are being utilized for the repromotion of former majors who have been continued in active service and who were demoted to the grade of captain. Each such repromotion advances a former captain and a former first lieutenant from the next lower rank accepted in the accomplishment of the reduction. The use of a vacancy for the contemplated reappointment would thus be prejudicial to the interests of efficient officers in all grades below that of major.

Adherence to a general policy should not, of course, be carried to the point of failure to rectify manifest mistakes. In this case the records of the War Department do not indicate any mistake to have been made. The matter before the board of general officers was one of the relative effectiveness and value to the Government of all officers under consideration. The conclusion as to the relative value of various officers is evidenced only by the recommendations made by the board. In the case of Major Stephenson the board recommended and, upon reconsideration, adhered to its recommendation that he be eliminated from the active list by reason of relative efficiency ratings, relative usefulness, and relative value to the service. An examination of this officer's record discloses much upon which the board may have found him less effective and of less value to the Government than other majors.

In view of all the circumstances the War Department does not recommend favorable consideration or passage of H. R. 5064.

The War Department will gladly furnish further information or details of the record of the beneficiary of this bill should your committee so desire.

Sincerely yours,

JOHN W. WEEKS, *Secretary of War.*

As will be seen above, the records of the War Department show that Major Stephenson's efficiency record was almost continually rated as "above average." The rating, "above average," is defined officially as being "markedly better than could reasonably be expected under the circumstances; qualified to a marked degree."

The committee feels that an injustice was done in the forced retirement of Maj. Harry Walter Stephenson, and that his reappointment will be to the interest of the Military Establishment, and that the bill, H. R. 5064, should pass.

