

CHAP. 735.—An Act Making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War.

May 24, 1928.

[S. 777.]

[Public, No. 506.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who have served as officers of the Army, Navy, or Marine Corps of the United States during the World War, other than as officers of the Regular Army, Navy, or Marine Corps who during such service have incurred physical disability in line of duty, and who have been, or may hereafter, within one year, be, rated in accordance with law at not less than 30 per centum permanent disability by the United States Veterans' Bureau for disability resulting directly from such war service, shall, from date of receipt of application by the Director of the United States Veterans' Bureau, be placed upon, and thereafter continued on, separate retired lists, hereby created as part of the Army, Navy, and Marine Corps of the United States, to be known as the emergency officers' retired list of the Army, Navy, or Marine Corps of the United States, respectively, with the rank held by them when discharged from their commissioned service, and shall be entitled to the same privileges as are now or may hereafter be provided for by law or regulations for officers of the Regular Army, Navy, or Marine Corps who have been retired for physical disability incurred in line of duty, and shall be entitled to all hospitalization privileges and medical treatment as are now or may hereafter be authorized by the United States Veterans' Bureau, and shall receive from date of receipt of their application retired pay at the rate of 75 per centum of the pay to which they were entitled at the time of their discharge from their commissioned service, except pay under the Act of May 18, 1920: *Provided*, That all pay and allowances to which such persons or officers may be entitled under the provisions of this law shall be paid solely out of the military and naval compensation appropriation fund of the United States Veterans' Bureau, and shall be in lieu of all disability compensation benefits to such officers or persons provided in the World War Veterans' Act, 1924, and amendments thereto, except as otherwise authorized herein, and except as provided by the Act of December 18, 1922: *Provided further*, That all persons who have served as officers of the Army, Navy, or Marine Corps of the United States during the World War, other than as officers of the Regular Army, Navy, or Marine Corps, who during such service have incurred physical disability in line of duty, and who have heretofore or may hereafter be rated less than 30 per centum and more than 10 per centum permanent disability by the United States Veterans' Bureau, for disability resulting directly from such war service, shall, from date of receipt of application by the Director of the United States Veterans' Bureau, be placed upon, and thereafter continued on, the appropriate emergency officers' retired list, created by this Act, with the rank held by them when discharged from their commissioned service, but without retired pay, and shall be entitled only to such compensation and other benefits as are now or may hereafter be provided by law or regulations of the United States Veterans' Bureau, together with all privileges as are now or may hereafter be provided by law or regulations for officers of the Regular Army, Navy, or Marine Corps who have been retired for physical disability incurred in line of duty: *And provided further*, That the retired list created by this Act of officers of the Army shall be published annually in the Army Register, and said retired lists of officers

Emergency officers, retired list of Army, Navy, and Marine Corps.

Created for officers serving in World War other than as of Regular Army, etc., having incurred disability, rated not less than 30 per cent permanent by Veterans' Bureau.

Given rank held when discharged, and privileges of Regular Army, etc., officers retired for physical disability.

To have hospitalization, etc., authorized by Veterans' Bureau, and retired pay at rate of 75 per cent of pay at time of discharge.

Exception.

Vol. 41, p. 601.

Provisos.

Payments solely from military and naval compensation fund of Veterans' Bureau, in lieu of all disability compensation benefits.

Vol. 43, pp. 607, 1302;

Vol. 44, p. 790.

Exception.

Vol. 42, p. 1064.

If disability rated at less than 30 and more than 10 per cent permanent, to be placed on the retired list with rank held when discharged, but without retired pay.

To have only compensation, etc., provided by Veterans' Bureau, etc.

Lists to be published annually in the Army and Navy Registers.

of the Navy and Marine Corps, respectively, shall be published annually in the Navy Register.

Applications must be made in 12 months.

Proviso.
Register to be kept in Veterans' Bureau in order of receipt.

Period of "World War" defined.

SEC. 2. No person shall be entitled to benefits under the provisions of this Act except he make application as hereinbefore provided and his application is received in the United States Veterans' Bureau within twelve months after the passage of this Act: *Provided*, That the said director shall establish a register, and applications made hereunder shall be entered therein as of the actual date of receipt, in the order of receipt in the Veterans' Bureau, and such register shall be conclusive as to date of receipt of any application filed under this Act. The term "World War," as used herein, is defined as including the period from April 6, 1917, to July 2, 1921.

NICHOLAS LONGWORTH
Speaker of the House of Representatives.

CHARLES G. DAWES
*Vice President of the United States and
President of the Senate.*

IN THE SENATE OF THE UNITED STATES

May 3 (calendar day May 24), 1928

Passage by Senate.

The Senate having proceeded, in pursuance of the Constitution, to reconsider the bill (S. 777) entitled "An Act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War," returned to the Senate by the President of the United States, with his objections thereto, with the message of the President returning the bill; and

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

Attest:

EDWIN P. THAYER
Secretary.

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES

May 24, 1928

Passage by the House of Representatives.

The House having proceeded, in pursuance of the Constitution, to reconsider the bill (S. 777) entitled "An Act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War," returned by the President of the United States to the Senate, in which it originated, with his objections, and passed by the Senate on a reconsideration of the same, it was

Resolved, That the bill pass, two-thirds of the Representatives present having voted in the affirmative.

Attest:

WM. TYLER PAGE
Clerk.