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OFFICE OF THE VICE PRESIDENT  
WASHINGTON

May 20, 1976

MEMORANDUM FOR: Donna Blume  
Jane Orr  
Liz Haran  
(Kathleen Ley)  
Kathy Huldrum  
Nancy Towell  
Chris Zarkowsky

FROM: Susan Herter

SUBJECT: Use of Burn Bags for Classified  
Material

The last paragraph of my May 13, 1976 memorandum as it applied to the Secretariat is incorrect. Burn bags left in the Secretariat overnight are not considered secure.

This means that any classified material in burn bags must be locked in a safe after the daily pick up and at all times over weekends.

I have asked Jane to be our burn bag security officer to make sure that we all do what we are supposed to do.



*Current  
MK*

OFFICE OF THE VICE PRESIDENT  
WASHINGTON

May 18, 1976

MEMORANDUM FOR: The Vice Presidential Staff

FROM: Susan C. Herter *SCH*

SUBJECT: Use of Burn Bags for Classified Material

Burn bags are available from the Vice President's Supply Office and should be used for destruction of security ~~material~~ or classified and administratively confidential documents. In addition, all correspondence, as well as any material that could prove sensitive, should also be placed in burn bags.

These burn bags will be picked up by an EPS Officer daily -- except Saturday, Sunday and Holidays -- between the hours of 3pm - 6pm.

Any material contained in these burn bags and not picked up by the EPS Officer must be secured for the night. If there is such a quantity of material and secure retention is impossible or impractical, the Administrative Office should be notified and arrangements will be made for a special pick up.

All material discarded by the Vice President's Secretariat must be placed in burn bags, with the exception ~~of newspapers~~, empty cartons and the like. Burn bags left ~~in the Secretariat~~ overnight are considered secure, because ~~access to the Secretariat~~ is controlled at all times.





GRA

INFORMATION

Memo No. 365-76  
June 1, 1976

**FOR:** THE VICE PRESIDENT  
**VIA:** Captain Howe (S)  
**FROM:** Ralph Martin (S)  
**SUBJECT:** Minimum Ground Time Requirements

The Air Force desires a minimum of two hours "in position time" prior to each of your missions to allow time for emergency maintenance, refueling, and a hedge against bad weather.

- Any maintenance problems that may occur, and some have in the past, can be corrected or a replacement aircraft obtained in time.
- Due to limitations on the maximum gross weight for landing, sufficient fuel for a cross country trip cannot be taken on in Washington. For a shorter mission such as a pickup at New York and return to Andrews, no refueling problem is encountered.
- An allowance is made for weather delays. The East Coast in particular is subject to heavy early morning fogging conditions at this time of year.

For this mission, the Air Force agreed to lower their "in position time" requirement to 1:30 hours.

JTH:sc

517  
C. Martin  
MS

14

OFFICE OF THE VICE PRESIDENT  
WASHINGTON

June 22, 1976

MEMORANDUM FOR: BOB ARMAO  
SPOFFORD CANFIELD  
JOE CANZERI  
THADD GARRETT  
SUSAN HERTER  
JON HOWE  
HUGH MORROW  
FRANK PAGNOTTA  
JOE PERSICO  
GOVERNOR SHAFER  
JACK VENEMAN  
PETER WALLISON

FROM: DICK ALLISON *Dick*

SUBJECT: Thank-You Letters

Susan Herter established the following policy at the Secretariat meeting on June 16:

1. The Secretariat member accompanying the Vice President to an event is responsible for overseeing the preparation of thank-you letters both to principals and to those responsible for arrangements. Actual drafting will be done as follows:
  - a. For principals, the staff member who initiated the event;
  - b. For arrangements, the advance office, except for events in Washington, where arrangements thank-you's are not normally sent;
  - c. For gifts, to be determined by the Secretariat member in each case.
2. Thank-you letters should be ready for signature within 48 hours of the event.



3. All gifts and draft letters should be forwarded to Tish Maher, who is responsible for coordinating the actual preparation, clearance, and dispatch of letters within the 48-hour limit. Tish is also responsible for forwarding gifts to the Gift Unit for processing.

4. Thank-you letters for arrangements are normally autopenned.

5. For events where the Vice President is unaccompanied by a Secretariat member, the Secretariat will determine if and by whom thank-you letters are to be prepared.

6. Tish Maher will notify Susan Hexter directly in the case of failure to following procedures and meet deadlines in connection with the preparation of thank-you's.

cc: Secretariat  
Tish Maher



OFFICE OF THE VICE PRESIDENT  
WASHINGTON

July 23, 1976

MEMORANDUM FOR THE VICE PRESIDENT'S STAFF

FROM: Susan Herter SCH

SUBJECT: Vice Presidential Gifts Received on Trips

The Vice President's Office is obligated under the law to record and register all gifts received by the Vice President. It is therefore of utmost importance that any and all gifts received, either personally by the Vice President and Mrs. Rockefeller, or accepted by a member of the staff in their behalf, be recorded on our Gift Registration Form, sample attached.

Upon return to Washington after the completion of a Vice Presidential trip, it would be appreciated if a completed Gift Registration Form, along with the gift, could be immediately forwarded to Tish Maher who is responsible for sending gifts to the Administrative Office and Gift Unit for registration and processing.

After the gift has been recorded by the Gift Unit, it will be returned to Tish Maher who will coordinate the actual preparation, clearance and dispatch of thank-you letters within the 48-hour limit.

Your cooperation will be very much appreciated.



*correct*  
*MS*



OFFICE OF THE VICE PRESIDENT  
WASHINGTON

DATE \_\_\_\_\_

~~MEMORANDUM FOR THE VICE PRESIDENT~~

THROUGH: Susan C. Herter

SUBJECT: DOMESTIC GIFT FROM \_\_\_\_\_

Date Received \_\_\_\_\_

1. Manner of Receipt or Circumstance of Presentation

2. Estimated Value \_\_\_\_\_

Description

4. Remarks (Conflict of Interest) - Peter Wallison

5. Disposition

Official Residence    Foxhall Road    Pocantico Hills    812 Fifth Avenue

Executive Office Building    Capitol Office    Vice President's Gift Unit

GSA Archives    Other \_\_\_\_\_

Acknowledge by \_\_\_\_\_ Date \_\_\_\_\_

6. Remarks

urn to the undersigned for appropriate action.

Frank R. Pagnotta







GRA

OFFICE OF THE VICE PRESIDENT  
WASHINGTON

October 12, 1976

VICE PRESIDENT'S MILITARY OFFICE OPERATING PROCEDURE 1-76

To: Distribution

Subject: Service Academy Nominations by the Vice President

Reference: A. Title 10, U.S. Code

Enclosures: 1. Format for Nomination Application  
2. Sample Letters to Candidates for Nomination  
3. Sample Letter to Late Applicant  
4. Sample Letter to Early Applicant  
5. Nomination Form  
6. Sample Letter to Individual Selected to Compete for Nomination  
7. Sample Replies to Letters of Recommendation  
8. Form for Record of Vice Presidential Nomination

1. Purpose. To promulgate procedures for administration of the Vice President's Service Academy nomination program.

2. Policy. Vice Presidential nominations are made on a competitive basis using "whole-man" scores of the candidates. In responding to requests for nominations, an effort will be made to encourage the interests of applicants in service careers.

3. General.

a. Principal Nominees. The Vice President is authorized by Reference A to nominate individuals at large for admittance to the three Service Academies. The Vice President may have a maximum of five principal nominees in attendance at each Academy at any one time.



*current new*

b. Additional Nominees. Reference A allows the Service Secretaries to bring each class to its authorized capacity through identification of Additional Nominees. These nominations are charged to the Service Secretary's quota but must be sponsored by the Vice President or members of Congress.

(1) The nine of ten finalists who are unsuccessful in obtaining a principal Vice President nomination are usually selected as Additional Nominees.

(2) The Service Secretaries may also ask the Vice President to act as sponsor for other Additional Nominees. Such requests will be approved only after the Academy verifies that the Additional Nominee is the next ranking available candidate in order of merit.

#### 4. Procedures.

##### a. Processing Applications for Next Class.

(1) Applications. Applications from eligible U.S. citizens are accepted and processed between March 1 and October 31 in the year prior to class commencement. The recommended format is at Enclosure 1. However, individuals are permitted to submit applications in any format that includes the required information.

(2) Notification of Receipt of Applications. When an application is received, a 3x5 index card is prepared containing the name and address of the candidate and Academy for which the individual is applying. The individual is provided additional information on requirements and other possible avenues for seeking a nomination. These responses will be personalized to the maximum practical extent. A sample response is at Enclosure 2.

(3) Resumes, transcripts and letters of recommendation. Although candidates are instructed to forward letters of recommendation, transcripts and other correspondence relative to a nomination directly to the academies, some material pertaining to candidates is received in this office. Generally such correspondence is forwarded, without acknowledgment, directly to the Academy concerned. When an acknowledgment is appropriate, a reply along the lines of Enclosure 7 should be used.

b. Early Applicants. When an individual applies for a nomination prior to March 1 or for an upcoming class ahead of schedule, the sample letter at Enclosure 4 should be used to inform the individual of the timeframe in which to apply.



c. Late Applicants. Applications received after the established deadline will be acknowledged using the letter contained in Enclosure 3.

d. Selection of Nominees.

(1) Academies. In mid-December, the Academies will submit a list in order of merit of candidates they recommend for Vice Presidential nomination (Ten candidates per vacancy). Academies will also forward a breakdown of each candidate's "whole-man" score as determined by the selection board.

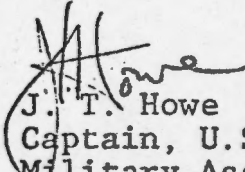
(2) Vice President's Military Office. Upon receipt of the list of recommended nominees, the form at Enclosure 5 and the congratulatory letter at Enclosure 6 will be forwarded to the Vice President for consideration. Vice Presidential letters of notification will be sent to each individual selected by the Vice President for a competitive nomination.

(a) The above actions should be completed by January 31 of the year in which the class convenes.

e. Special Procedures for Additional Nominees. As in the case of principal nominees, a nomination form will be prepared and submitted to the Vice President for all Additional Nominees. The Academies will provide the "whole-man" scores for each individual (unless previously provided) and sufficient data to enable preparation of the nomination forms. The Academies will also certify that the Additional Nominee has the highest competitive ranking among remaining candidates.

5. Records and Reports. A record of all principal and additional Vice Presidential nominees will be maintained (sample at Reference 8).

6. Action. The Military Aide(s) will administer this program under the supervision of the Military Assistant. The operation of this program will be a primary duty of the Administrative Assistant.

  
J. T. Howe  
Captain, U.S. Navy  
Military Assistant to the  
Vice President

Distribution:  
Vice President's Military Office  
→ Secretariat





**§4312. Cadets: appointment; numbers, territorial distribution.**

(a) The authorized strength of the Corps of Cadets of the Academy is as follows:

(1) 40 cadets selected in order of merit as established by competitive examinations from the sons of members of the armed forces who were killed in action or died of, or have a service-connected disability rated at not less than 100 per centum resulting from, wounds or injuries received or diseases contracted in, or preexisting injury or disease aggravated by, active service. The determination of the Veterans' Administration as to service connection of the cause of death or disability, and the percentage at which the disability is rated, is binding upon the Secretary of the Army.

(2) Five cadets nominated at large by the Vice President or, if there is no Vice President, by the President pro tempore of the Senate.

(3) Ten cadets from each State, five of whom are nominated by each Senator from that State.

(4) Five cadets from each congressional district, nominated by the Representative from the district.

(5) Five cadets from the District of Columbia, nominated by the Delegate to the House of Representatives from the District of Columbia.

(6) Five cadets from each Territory, nominated by the Delegate in Congress from the Territory.

(7) Six cadets from Puerto Rico, five of whom are nominated by the Resident Commissioner from Puerto Rico and one who is a native of Puerto Rico nominated by the Governor of Puerto Rico.

(8) One cadet nominated by the Governor of the Panama Canal from the sons of civilians residing in the Canal Zone or the sons of civilian personnel of the United States Government, or the Panama Canal Company, residing in the Republic of Panama.

(9) One cadet from American Samoa, Guam, or the Virgin Islands nominated by the Secretary of the Army upon recommendations of their respective Governors.

Each Senator, Representative, and Delegate in Congress, including the Resident Commissioner from Puerto Rico, is entitled to nominate a principal candidate and nine alternates for each vacancy that is available to him under this section.

(b) In addition, there may be appointed each year at the Academy cadets as follows:

(1) one hundred selected by the President from the sons of members of an armed force who—

(A) are on active duty (other than for training) and who have served continuously on active duty for at least eight years;

(B) are, or who died while they were, retired with pay or granted retired or retainer pay, other than those granted retired pay under section 1331 of this title;

however, a person who is eligible for selection under clause (1) of subsection (a) may not be selected under this clause.

(2) 25 nominated by the Secretary of the Army from enlisted members of the Regular Army.

(3) 25 nominated by the Secretary of the Army from enlisted members of reserve components of the Army.

(4) 20 nominated by the Secretary of the Army, under regulations prescribed by him, from the honor graduates of schools designated as honor schools by the Department of the Army, the Department of the Navy, or the Department of the Air Force, and from members of the Reserve Officers' Training Corps.

(5) 150 selected by the Secretary of the Army in order of merit (prescribed pursuant to section 4343 of this title) from qualified alternates nominated by persons named in clauses (3) and (4) of subsection (a).

(c) The President may also appoint as cadets at the Academy sons of persons who have been awarded the Medal of Honor for acts performed while in the armed forces.

(d) All cadets are appointed by the President. An appointment is conditional until the cadet is admitted.

(e) If the annual quota of cadets under subsection (b), (1), (2), (3) is not filled, the Secretary may fill the vacancies by nominating for appointment other candidates from any of these sources who were found best qualified on examination for admission and not otherwise nominated.

(f) Each candidate for admission nominated under clauses (3)–(7) and (9) of subsection (a) must be domiciled in the State or Territory, or in the congressional district, from which he is nominated, or in the District of Columbia, Puerto Rico, American Samoa, Guam, or the Virgin Islands, if nominated from one of those places.

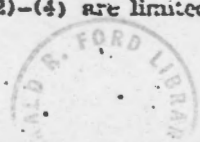
(g) The Secretary of the Army may limit the number of cadets authorized to be appointed under this section to the number that can be adequately accommodated at the Academy, as determined by the Secretary after consulting with the Committees on Armed Services of the Senate and House of Representatives, subject to the following:

(1) Cadets chargeable to each nominating authority named in subsection (a) (3) or (4) may not be limited to less than four.

(2) If the Secretary limits the number of appointments under subsection (a) (3) or (4), appointments under subsection (b) (1)–(4) are limited as follows:

- (A) 27 appointments under subsection (b) (1);
- (B) 27 appointments under subsection (b) (2);
- (C) 27 appointments under subsection (b) (3); and
- (D) 13 appointments under subsection (b) (4).

(3) If the Secretary limits the number of appointments under subsection (b) (5), appointments under subsection (b) (2)–(4) are limited as follows:



- (A) 27 appointments under subsection (b) (2);
- (B) 27 appointments under subsection (b) (3); and
- (C) 13 appointments under subsection (b) (4).

(4) The limitations provided for in this subsection do not affect the operation of subsection (e).

(b) Effective beginning with nominations for appointment to the Academy in the calendar year 1964, the Secretary of the Army shall furnish to any Member of Congress, upon the written request of such Member, the name of the Congressman or other nominating authority responsible for the nomination of any named or identified person for appointment to the Academy. (Aug. 10, 1938, ch. 3041, 70A Stat. 240; Sept. 2, 1958, Pub. L. 85-661, § 33(a)(26), 72 Stat. 1468; Sept. 14, 1962, Pub. L. 87-663, § 1(1), (2), 76 Stat. 547; Mar. 3, 1964, Pub. L. 88-276, § 1(1), 78 Stat. 148; Oct. 13, 1966, Pub. L. 89-650, § 1(1)-(4), 80 Stat. 896; July 6, 1967, Pub. L. 90-374, 82 Stat. 263; Oct. 22, 1968, Pub. L. 90-373, § 7(2), 82 Stat. 1316; Sept. 22, 1970, Pub. L. 91-405, title II, § 204(c), 84 Stat. 852.)

HISTORICAL AND REVISION NOTES.

Revised Section	Source (U. S. Code)	Source (Statutes at Large)
4312 (a)...	10: 1092a (1st proviso, less clause (a)(1) through (a)(3)), 10: 1092a (last par.) words after "and"; and less last 33 words; 10: 1092a (1st proviso) (1st clause (a)(1)); 10: 1092a (1st clause (a)(2)); 10: 1092a (1st clause (a)(3)); 10: 1092a (clause (c), less last 33 words).	R.S. 1317, page 30, 1940, ch. 421, §§ 1, 2, 3; June 3, 1934, ch. 251, § 2, 48 Stat. 169.
4312 (b)...	10: 1092a (last par.); 10: 1092a.	
4312 (c)...	10: 1092a (14th through 53d words after 4th semicolon of clause (a)); 10: 1092b (last proviso).	
4312 (d)...	10: 1092a (last 32 words of clause (a)).	
4312 (e)...	10: 1092a (clause (b), less last 13 words, and less 1st proviso).	
4312 (f)...	10: 1092a (1st proviso of clause (a)).	
4312 (g)...	10: 1092a (clause (c), less last 20 words).	
4312 (h)...	10: 1092a (last 33 words of clause (a)).	

In subsection (a), the words "the authorized strength . . . is as follows—" are substituted for the words "shall be authorized and consist of the following". The words "at large" and "which totals two thousand four hundred and ninety-six", and 10: 1092a (clause (d)) are omitted as surplusage.

In subsection (b), the words "from whatever source of commission", in 10: 1092a, are omitted as surplusage. 10: 1098 (words before last semicolon) is omitted as obsolete.

In subsection (c), the first 15 words are substituted for the words "all of which cadets shall be". The words "domiciled in" are substituted for the words "actual residents of" to conform to opinions of the Judge Advocate General of the Army (R. 29, 83; J. A. G. 351.11, Feb. 10, 1925).

In subsection (e) (4), the words "armed forces" are substituted for the description of the land or naval forces. The date February 1, 1955, fixed by Proclamation No. 3040 (Jan. 7, 1955; 20 P. R. 173), is substituted for the words "such date as shall hereafter be determined by Presi-

dential proclamation or concurrent resolution of the Congress under section 745 of title 38". The words "including male and female members of . . . and all components thereof" are omitted as surplusage.

In subsection (f), the words "whether a death is service-connected" are substituted for the words "as to the service connection of the cause of death".

In subsection (g), the words "(National Guard of the United States, the Air National Guard of the United States, the Army Reserve, and the Air Force Reserve)", "Regular components", "by members of the National Guard of the United States and the Air National Guard of the United States" and "established at the competitive entrance examination" are omitted as surplusage. The word "grades" is substituted for the words "proficiency averages".

In subsection (h), the words "or shall hereafter be" are omitted as surplusage.

AMENDMENTS

1970—Subsec. (a) (5). Pub. L. 91-405 substituted "Delegate to the House of Representatives from the District of Columbia" for "Commissioner of that District".

1968—Subsec. (a). Pub. L. 90-374 increased from five to nine the number of alternates for each vacancy each Senator, Representative, and Delegate in Congress, including the President Commissioner from Puerto Rico, is entitled to nominate.

Subsec. (a) (5). Pub. L. 90-623 substituted "Commissioner" for "Commissioners".

1966—Subsec. (a) (1). Pub. L. 89-650, § 1(1), provided for selection of cadets to the Military Academy from sons of members of the armed forces who have a 100 per centum service-connected disability and removed the limitation to active service during World War I or World War II or after June 28, 1950, and before Feb. 1, 1955.

Subsec. (a) (2). Pub. L. 89-650, § 1(2), provided for nominations to the Military Academy by the President pro tempore of the Senate if there is no Vice President.

Subsec. (b) (1). Pub. L. 89-650, § 1(3), increased the number of Presidential appointments to the Military Academy from 75 to 109, provided for selection of eligible persons as stated in items (A) and (B), previously chosen from sons of members of regular components, and declared persons eligible under subsec. (a) (1) ineligible under subsec. (b) (1) of this section.

Subsec. (b) (3). Pub. L. 89-650, § 1(4), substituted "reserve components of the Army" for "the Army Reserve".

1964—Pub. L. 88-276 amended section generally, and among other changes, in the noncompetitive appointments, increased the number of cadets nominated by the Vice President from three to five, each Senator, Representative, and Delegate from 4 to 5, and the Commissioner of Puerto Rico from 4 to 5, authorized the Governor of Puerto Rico to appoint one cadet, each Senator, Representative and Delegate to nominate a principal and five alternates for each vacancy, and, in the competitive appointments, permitted the President to appoint 75 cadets annually from the sons of members of the Regular components, instead of a cumulative total of 29, the Secretary of the Army to appoint 35 cadets annually from enlisted members of the Regular Army, instead of a cumulative total of 50, 85 annually from enlisted members of the Army Reserve, instead of a cumulative total of 90, 20 annually from honor graduates of designated honor schools and the R.O.T.C., instead of a cumulative total of 40 from honor schools only, 150 annually, in order of merit, from among the qualified alternates nominated by members of Congress, and when the quota of cadets selected under subsec. (b) (1), (2), (3) is not filled, to fill the vacancies by appointing those best qualified from any of the three sources, decreased the number of cadets nominated by the Commissioners of the District of Columbia from 6 to 5, and by the Governor of the Panama Canal from 2 to 1, limited appointments to the number that can be adequately accommodated at the Academy, within the limitation that congressional appointments cannot be limited to less than four, and if limited, a priority of selection is established for the other categories, and, beginning in 1964, the Secretary may upon request of a Member of Congress, furnish him the name of any nominating authority responsible



for the nomination of any identified person to the Academy.

1962—Subsec. (a). Pub. L. 87-663, § 1(1), added cl. (10).

Subsec. (c). Pub. L. 87-633, § 1(2), added references to American Samoa, Guam, and the Virgin Islands, and substituted "clauses (1)—(5) and (10)" for "clauses (1)—(5)."

1958—Subsec. (c). Pub. L. 85-881 inserted a comma after "district".

#### EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-405 effective Sept. 22, 1970, see section 209(b) of Pub. L. 91-405, summarized in a note set out under section 25 of Title 2, The Congress.

#### EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1958 AMENDMENT

Amendment of section by Pub. L. 85-881 effective Aug. 10, 1958, see section 33 (g) of Pub. L. 85-881, set out as a note under section 101 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 4343 of this title.

**4342. Cadets: appointment; to bring Corps to full strength.**

If it is determined that, upon the admission of a new class to the Academy, the number of cadets at the Academy will be below the authorized number, the Secretary of the Army may fill the vacancies by nominating additional cadets from qualified candidates designated as alternates and from other qualified candidates who competed for nomination and are recommended and found qualified by the Academic Board. At least three-fourths of those nominated under this section shall be selected from qualified alternates nominated by the persons named in clauses (2)—(8) of section 4342(a) of this title, and the remainder from qualified candidates holding competitive nominations under any other provision of law. An appointment under this section is an additional appointment and is not in place of an appointment otherwise authorized by law. (Aug. 10, 1956, ch. 1041, 70A Stat. 242; Mar. 3, 1964, Pub. L. 88-276, § 1(2), 78 Stat. 150.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
4342	10: 1-225.	June 20, 1944, ch. 423, § 4, 64 Stat. 333.

The words "If it is determined" are substituted for the words "When upon determination". The words "within his discretion" are omitted as covered by the word "may". The words "within the capacity of the Academy", "from the remaining sources of admission authorized by law", and "to be admitted in such class" are omitted as surplusage. The words "by the persons named in clauses (1)—(6) of section 4342 (a), and clause (2) of section 4342 (e), of this title" are substituted for the words "by the Vice President, Members of the Senate and House of Representatives of the United States, Delegates and Resident Commissioners, the Commissioners of the District of Columbia, and the Governor of the Canal Zone". The words "under any other provision of law" are substituted for the words "from sources authorized by law other than those holding such alternate appointments".

#### AMENDMENTS

1964—Pub. L. 88-276, among other changes, increased the percentage of nominees to be selected from two-thirds

to three-fourths, and deleted "as are necessary to meet the needs of the Army and Air Force, but not more than the authorized strength of the Corps of Cadets", following "Academic Board."

#### NUMBER OF ALTERNATE-APPOINTEES FROM CONGRESSIONAL SOURCES NOT TO BE REDUCED BECAUSE OF ADDITIONAL PRESIDENTIAL APPOINTMENTS

Pub. L. 89-650, § 2, Oct. 13, 1966, 80 Stat. 896, provided that: "Notwithstanding any other provision of law, none of the additional appointments authorized in sections 4342(b)(1), 6954(b)(1) and 9542(b)(1) of this title as provided by this Act shall serve to reduce or diminish the number of qualified alternates from congressional sources who would otherwise be appointed by the appropriate service Secretary under the authority contained in sections 4343, 6956, and 9543 of title 10, United States Code."

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 4342 of this title.

**4344. Selection of persons from Canada and American Republics.**

(a) Upon designation by the President, the Secretary of the Army may permit not more than 20 persons at any one time from Canada and the American Republics, other than the United States, to receive instruction at the Academy. However, not more than three persons from any one of those republics or from Canada may receive instruction under this section at any one time.

(b) A person receiving instruction under this section is entitled to the pay, allowances, and emoluments of a cadet appointed from the United States, and from the same appropriations. However, the mileage allowance payable to that person for travel to the Academy for initial admission is not limited to mileage for travel within the United States.

(c) Except as the Secretary determines, a person receiving instruction under this section is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as a cadet at the Academy appointed from the United States. However, a person receiving instruction under this section is not entitled to an appointment in the United States Army by reason of his graduation from the Academy.

(d) A person receiving instruction under this section is not subject to section 4345 (d) of this title. (Aug. 10, 1956, ch. 1041, 70A Stat. 242.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
4344 (a)....	10: 1093c (less 3d and last sentences).	June 20, 1944, ch. 423, § 1, 64 Stat. 333; June 1, 1945, ch. 357, § 2, 62 Stat. 284.
4344 (b)....	10: 1093c (3d sentence).	
4344 (c)....	10: 1093c (last sentence, less phrase).	
4344 (d)....	10: 1093c (proviso of last sentence).	

In subsection (a), the words "at West Point, New York" are omitted as surplusage.

In subsection (b), the words "is entitled to" are substituted for the words "shall receive". The words "performed in proceeding" are omitted as surplusage. The words "continental limits" are omitted, since section 137 (1) of this title defines the United States to include only the States and the District of Columbia.

In subsection (c), the words "to any office or position" are omitted as surplusage.

In subsection (d), the words "and 1101" are omitted, since section 1321 of the Revised Statutes, previously codified in 10: 1101, was repealed by section 6 (b) of the



Act of June 30, 1950, ch. 421, 64 Stat. 303.

**PERSONS FROM COUNTRIES ASSISTING U.S. IN VIETNAM: SERVICE ACADEMY INSTRUCTION; BENEFITS; LIMITATIONS, RESTRICTIONS, AND REGULATIONS; OATH OF TRAINEES**

Pub. L. 89-802, Nov. 9, 1966, 80 Stat. 1518, provided that:

"(a) Notwithstanding any other provision of law, upon designation by the President, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, may permit persons from foreign countries to receive instruction at the Military Academy, the Naval Academy, and the Air Force Academy.

"(b) A person may not be admitted to an Academy for instruction under this Act unless his country at the time of his admission is assisting the United States in Vietnam by the provision of manpower or bases.

"(c) Not more than four persons may receive instruction under this Act at any one Academy at any one time.

"(d) No person may be admitted to an Academy under this Act after October 1, 1970.

"(e) A person receiving instruction under this Act is entitled to the pay, allowances, and emoluments of a cadet or midshipman appointed from the United States and from the same appropriations.

"(f) Except as the Secretary determines, a person receiving instruction under this Act is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as a cadet or midshipman appointed from the United States.

"(g) A person receiving instruction under this Act is not entitled to an appointment in the Armed Forces of the United States by reason of his graduation from an Academy.

"(h) A person receiving instruction under this Act is not subject to section 4346, title 10, United States Code."

**DELEGATION OF FUNCTIONS**

The delegation to the Secretary of Defense of authority under this Act is amended, see Ex. Ord. No. 10661, Feb. 27, 1958, 22 FR 1333, set out as a note under section 301 of Title 3, The President.

**§ 4345. Selection of Filipinos.**

(a) The Secretary of the Army may permit not more than four Filipinos at any one time to receive instruction at the Academy. Of these, one may be designated by the President of the Republic of the Philippines for each entering class.

(b) A Filipino receiving instruction under this section is entitled to the pay, allowances, and emoluments of a cadet appointed from the United States, and from the same appropriations. (Aug. 19, 1958, ch. 1041, 70A Stat. 242.)

**HISTORICAL AND REVISION NOTES**

Revised section	Source (U. S. Code)	Source (Statutes at Large)
4345 (a)....	10: 1093 (less 1st proviso of 1st sentence).	May 28, 1904, ch. 214 (234 par. under "Buildings and Grounds"), 33 Stat. 441; Aug. 11, 1916, ch. 214 (225 proviso under "Permanent Establishment"), 39 Stat. 493.
4345 (b)....	10: 1093 (1st proviso of 1st sentence).	

In subsection (a), the words, "at any one time" and "entering" are inserted for clarity. The words "President of the Republic of the Philippines" are substituted for the words "Governor General of the Philippine Islands", since the office of Governor General of the Philippine Islands has not existed since the independence of the Philippines was established. Designation of Filipino cadets is now made by the President of the Republic. 10: 1093 (second proviso of first sentence, and last sentence) is omitted, since the Philippine Scouts are no longer a part of the Army.

**§ 4346. Cadets: requirements for admission.**

(a) To be eligible for admission to the Academy a candidate must be at least 17 years of age and must not have passed his twenty-second birthday on July 1 of the year in which he enters the Academy.

(b) To be admitted to the Academy, an appointee must show, by an examination held under regulations prescribed by the Secretary of the Army, that he is qualified in the subjects prescribed by the Secretary.

(c) A candidate designated as a principal or an alternate for appointment as a cadet shall appear for physical examination at a time and place designated by the Secretary.

(d) To be admitted to the Academy, an appointee must take and subscribe to the following oath—

"I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States, and bear true allegiance to the National Government; that I will maintain and defend the sovereignty of the United States, paramount to any and all allegiance, sovereignty, or fealty I may owe to any State or country whatsoever; and that I will at all times obey the legal orders of my superior officers, and the Uniform Code of Military Justice."

If a candidate for admission refuses to take this oath, his appointment is terminated. (Aug. 10, 1958, ch. 1041, 70A Stat. 242.)

**HISTORICAL AND REVISION NOTES**

Revised section	Source (U. S. Code)	Source (Statutes at Large)
4346 (a)....	10: 1027b (less proviso).	June 30, 1950, ch. 421, § 2 (less proviso), 64 Stat. 304.
4346 (b)....	10: 1027a.	R. S. 1319; reprinted Mar. 2, 1904, ch. 504 (1st proviso under "Permanent Establishment"), 31 Stat. 541.
4346 (c)....	10: 1053.	Aug. 9, 1912, ch. 272 (2d proviso under "Permanent Establishment"), 37 Stat. 222.
4346 (d)....	10: 1027.	R. S. 1320.

In subsection (a), the words "Effective January 1, 1951" are omitted as executed. The word "Calendar" is omitted as surplusage. The words "must not have passed his twenty-second birthday" are substituted for the words "not more than twenty-two years of age", to make it clear that a person whose twenty-second birthday falls on July 1 of the year of admission is eligible (see opinion of the Judge Advocate General of the Army (JAGA 1952/7083, 2 Sept. 1952)).

In subsection (b), the words "To be" are substituted for the words "before they shall be". The words "must show . . . that he is qualified" are substituted for the words "shall be required to be well versed". The words "from time to time" are omitted as surplusage.

In subsection (c), the word "shall" is substituted for the word "may", since the nominee is required to appear for the examination. The word "appear" is substituted for the words "present himself". The words "at a place" are substituted for the words "at West Point, New York, or other prescribed places".

In subsection (d), the word "country" is omitted as surplusage. The words "Uniform Code of Military Justice" are substituted for the words "rules and articles governing the armies of the United States", since the Articles of War have been superseded by the Uniform Code of Military Justice. The words "his appointment is terminated" are substituted for the words "shall be dismissed from the service", since a cadet who has not taken the oath is not yet a member.



**COUNTRIES ASSISTING U.S. IN VIETNAM;  
SERVICE ACADEMY INSTRUCTION: OATH OF TRAINEES**

Exemption from oath requirement of subsec. (d) of this section of appointees to the Military Academy, the Naval Academy, and the Air Force Academy from countries assisting U.S. in Vietnam, see Pub. L. 89-302, § 1(g), Nov. 9, 1965, 80 Stat. 1519, set out as a note under section 4344 of this title.

**CROSS REFERENCES**

Persons not subject to subsec. (d) of this section, see section 4344 (d) of this title.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 4344 of this title.

**4347. Cadets; nominees; effect of redistricting of States.**

If as a result of redistricting a State the domicile of a cadet, or a nominee, nominated by a Representative falls within a congressional district other than that from which he was nominated, he is charged to the district in which his domicile so falls.

For this purpose, the number of cadets otherwise authorized for that district is increased to include him. However, the number as so increased is reduced by one if he fails to become a cadet or when he is finally separated from the Academy. (Aug. 10, 1955, ch. 1041, 70A Stat. 243.)

**HISTORICAL AND REVISION NOTES**

Revised section	Source (U. S. Code)	Source (Statutes at Large)
4347.....	10: 1091-1.	July 7, 1943, ch. 133, 57 Stat. 353.

The word "domicile" is substituted for the words "place of residence" to conform to opinions of the Judge Advocate General of the Army (R. 29, 83; J. A. G. 351.11, Feb. 10, 1925). The words "a \* \* \* other than that from which he was nominated" are substituted for the word "another". The words "were appointed with respect to", "of the former district", "as additional numbers", "at such academy for the Representative", "temporarily", and "in attendance at such academy under an appointment from such formed district" are omitted as surplusage. The words "the district in which his domicile so falls" are substituted for the words "of the latter district". The words "to include him" are substituted for 10: 1091-1 (18 words before proviso). The words "However, the number as so increased" are substituted for 10: 1091-1 (last 13 words of proviso). The words "if he fails to become a cadet" are inserted for clarity.

**CROSS REFERENCES**

Distribution of appointments among Congressmen, Delegates, etc., see section 4342 of this title.



**§ 6953. Midshipmen: appointment.**

Midshipmen at the Naval Academy shall be appointed by the President alone. (Aug. 10, 1956, ch. 41, 70A Stat. 429.)

**HISTORICAL AND REVISION NOTES**

This section is included in this chapter without specific reference to statutory source to resolve the ambiguities and conflicts existing in the statutes relating to the appointment of midshipmen at the Naval Academy. The word "appoint" has been used in various statutes when the intent of Congress was to provide authority in the persons named to "elect," or "nominate" for the office of midshipman. These statutes have been collected and codified in § 6954 of this title, which reflects the various sources of nominees for "appointment" as midshipmen and the persons who may so "nominate" them. The actual appointing power resides in the President and this implied authority is herein expressed for clarity and for the purpose of uniformity of expression.

**§ 6954. Midshipmen: number.**

(a) There may be at the Naval Academy at any one time midshipmen as follows:

(1) 40 selected in order of merit as established by competitive examination from the sons of members of the armed forces who were killed in action, or who died, or have a service-connected disability at not less than 100 per centum resulting from wounds or injuries received or diseases contracted in, or preexisting injury or disease aggravated by, active service. The determination of the Veterans' Administration as to service connection of the cause of death or disability is rated, is binding upon the Secretary of the Navy.

(2) Five nominated at large by the Vice President or, if there is no Vice President, by the President pro tempore of the Senate.

(3) Ten from each State, five of whom are nominated by each Senator from that State.

(4) Five nominated by each Representative in Congress.

(5) Five from the District of Columbia, nominated by the Delegate to the House of Representatives from the District of Columbia.

(6) Five from each Territory, nominated by the Delegate in Congress from that Territory.

(7) Six from Puerto Rico, five of whom are nominated by the Resident Commissioner from Puerto Rico and one who is a native of Puerto Rico nominated by the Governor of Puerto Rico.

(8) One nominated by the Governor of the Panama Canal from the sons of civilians residing in the Canal Zone or the sons of civilian personnel of the United States Government, or the Panama Canal Company, residing in the Republic of Panama.

(9) One from American Samoa, Guam, or the Virgin Islands, nominated by the Secretary of the Navy upon recommendations of their respective Governors.

Each Senator, Representative, and Delegate in Congress, including the Resident Commissioner from Puerto Rico, is entitled to nominate a principal candidate and nine alternates for each vacancy that is available under this section.

(b) In addition there may be appointed each year at the Academy midshipmen as follows:

(1) one hundred selected by the President from the sons of members of an armed force who—

(A) are on active duty (other than for training) and who have served continuously on active duty for at least eight years;

(B) are, or who died while they were, retired with pay or granted retired or retainer pay, other than those granted retired pay under section 1231 of this title;

however, a person who is eligible for selection under clause (1) of subsection (a) may not be selected under this clause.

(c) The President may also appoint as midshipmen at the Academy sons of persons who have been awarded the medal of honor for acts performed while in the armed forces.

(d) The Secretary of the Navy may limit the number of midshipmen appointed under subsection (b) (5). When he does so, if the total number of midshipmen, upon admission of a new class at the Academy, will be more than 3,737, no appointments may be made under subsection (b) (2) or (3) of this section or section 6956 of this title.

(e) Effective beginning with the nominations for appointment to the Academy in the calendar year 1964, the Secretary of the Navy shall furnish to any Member of Congress, upon the written request of such Member, the name of the Congressman or other nominating authority responsible for the nomination of any named or identified person for appointment to the Academy. (Aug. 10, 1956, ch. 1041, 70A Stat. 429; Sept. 7, 1962, Pub. L. 87-631, title I, § 124, 76 Stat. 514; Sept. 14, 1962, Pub. L. 87-663, § 1(3), 76 Stat. 547; Mar. 3, 1964, Pub. L. 88-276, § 2, 78 Stat. 150; Oct. 13, 1966, Pub. L. 89-650, § 1(1)-(3), 80 Stat. 896; July 5, 1968, Pub. L. 90-374, 82 Stat. 283; Oct. 22, 1963, Pub. L. 90-623, § 2(a), 82 Stat. 1314; Sept. 22, 1970, Pub. L. 91-405, title II, § 204(c), 84 Stat. 852.)

**HISTORICAL AND REVISION NOTES**

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6954 (a)	34 U. S. C. 1033a.	June 8, 1956, ch. 429, 70A Stat. 429.
6954 (a) (1).	34 U. S. C. 1033.	44 Stat. 703; Dec. 11, 1925, ch. 634, 43 Stat. 1920; Nov. 24, 1943, ch. 485, 57 Stat. 584; June 30, 1954, ch. 411, § 6 (c), 64 Stat. 370; June 5, 1954, ch. 251, § 1, 64 Stat. 163.
6954 (a) (2).	34 U. S. C. 1033.	May 25, 1924, ch. 530, 41 Stat. 788.
6954 (a) (3).	34 U. S. C. 1033.	Dec. 20, 1917, ch. 3, § 1, 40 Stat. 31, words, 40 Stat. 47.
6954 (a) (4).	34 U. S. C. 1033.	Aug. 17, 1947, ch. 502, § 2, 60 Stat. 1069; Mar. 27, 1950, ch. 22, § 1 (c), 61 Stat. 1184 (2d par.).
6954 (a) (5).	34 U. S. C. 1033.	Mar. 3, 1951, ch. 10, § 2, 61 Stat. 1184 (2d par.).
6954 (a) (6).	34 U. S. C. 1033.	June 8, 1956, ch. 429, 70A Stat. 429.
6954 (a) (7).	34 U. S. C. 1033.	Aug. 13, 1954, ch. 411, § 6 (c), 64 Stat. 370; May 14, 1954, ch. 251, § 1, 64 Stat. 163.
6954 (a) (8).	34 U. S. C. 1033.	Dec. 24, 1951, ch. 4, § 1, 61 Stat. 1069; words, 61 Stat. 1069.
6954 (a) (9).	34 U. S. C. 1033.	Aug. 13, 1954, ch. 411, § 6 (c), 64 Stat. 370.
6954 (b).	34 U. S. C. 1032 (3d to 7th words).	Feb. 27, 1949, ch. 10, § 2, 61 Stat. 1184 (2d par.).
6954 (b) (1).	34 U. S. C. 1033a.	Nov. 24, 1943, ch. 485, 57 Stat. 584.
6954 (b) (2).	34 U. S. C. 1033a.	Nov. 24, 1943, ch. 485, 57 Stat. 584.
6954 (b) (3).	34 U. S. C. 1033a.	Nov. 24, 1943, ch. 485, 57 Stat. 584.
6954 (b) (4).	34 U. S. C. 1033a.	Nov. 24, 1943, ch. 485, 57 Stat. 584.
6954 (b) (5).	34 U. S. C. 1033a.	Nov. 24, 1943, ch. 485, 57 Stat. 584.
6954 (b) (6).	34 U. S. C. 1033a.	Nov. 24, 1943, ch. 485, 57 Stat. 584.
6954 (b) (7).	34 U. S. C. 1033a.	Nov. 24, 1943, ch. 485, 57 Stat. 584.
6954 (b) (8).	34 U. S. C. 1033a.	Nov. 24, 1943, ch. 485, 57 Stat. 584.
6954 (b) (9).	34 U. S. C. 1033a.	Nov. 24, 1943, ch. 485, 57 Stat. 584.



All provisions of law authorizing appointments to the Naval Academy from various sources are amended in this section. The language is amended to meet the needs of this organization of the Academy. In those provisions that now authorize appointments by other than the President, they are changed to indicate that the President is to select where the law requires selection by competitive examination, and to show that other types of selection are not. The manner of appointing the President and the manner in all cases, is covered in § 6958 (b) of this title. The manner of nominees from States, the District of Columbia, and from Puerto Rico, the qualification that the nominees must be from the political subdivisions from which nominated is indicated. The requirement that the nominees be actual residents of the political subdivisions is contained in § 6958 (b) of this title.

In subsection (a) (1) the words "armed forces" are substituted for the description of the land and naval forces. The words "including male and female members of" and "of all components thereof" are omitted as surplusage.

In subsection (a) (1) (B), the date February 1, 1955, is substituted for the words "such date as shall hereafter be determined by Presidential proclamation or concurrent resolution of the Congress under section 745 of title 38".

In subsection (b) (1) the qualification that appointees must be from the sons of members of the various "regular" components of the armed forces is added, as "Army, Navy, Air Force, Marine Corps, and Coast Guard" are so interpreted in this statute.

In subsection (c) the proviso "That all such appointees are otherwise qualified for admission" is omitted as covered by § 6958 of this title setting forth qualifications of all candidates.

The applicability to the United States Military Academy in the act of June 8, 1926, ch. 494, as amended (34 U. S. C. 1035a; 10 U. S. C. 1091a), was repealed by section (c) of the act of June 30, 1950, ch. 421, 64 Stat. 305.

#### AMENDMENTS

1970—Subsec. (a) (5). Pub. L. 91-405 substituted "Delegate to the House of Representatives from the District of Columbia" for "Commissioner of that District".

1953—Subsec. (a). Pub. L. 90-374 increased from five to nine the number of alternates for each vacancy each Senator, Representative, and Delegate in Congress, including the Resident Commissioner from Puerto Rico, is entitled to nominate.

Subsec. (a) (5). Pub. L. 90-623 substituted "Commissioner" for "Commissioners".

1956—Subsec. (a) (1). Pub. L. 89-650, § 1(1), provided for selection of cadets to the Naval Academy from sons of members of the armed forces who have a 100 per centum service-connected disability and removed the limitation to active service during World War I or World War II or after June 26, 1950, and before Feb. 1, 1955.

Subsec. (a) (2). Pub. L. 89-650, § 1(2), provided for nominations to the Naval Academy by the President pro tempore of the Senate if there is no Vice President.

Subsec. (b) (1). Pub. L. 89-650, § 1(3), increased the number of Presidential appointments to the Naval Academy from 75 to 100, provided for selection of eligible persons as stated in items (A) and (B), previously chosen from sons of members of regular components, and declared persons eligible under subsec. (a) (1) ineligible under subsec. (b) (1) of this section.

1954—Subsec. (a). Pub. L. 88-276, § 2(1), inserted "Each Senator, Representative, and Delegate in Congress, including the Resident Commissioner from Puerto Rico, is entitled to nominate a principal candidate and five alternates for each vacancy that is available to him under this section."

Subsec. (b) (2), (3), (5). Pub. L. 88-276, § 2(2), reduced the number of nominees in clauses (2) and (3) to 160 to 85 and added clause (5).

Subsecs. (d), (e). Pub. L. 88-276, § 2(3), added subsecs. (d) and (e).

1962—Subsec. (a). Pub. L. 87-663 added cl. (9). Pub. L. 87-651 substituted "Panama Canal Company" for "Panama Railroad Company" in cl. (8).

#### EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-405 effective Sept. 23, 1970, see section 206(b) of Pub. L. 91-405, summarized in a note set out under section 25 of Title 2, The Congress.

#### EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 23, 1958, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of Title 5, Government Organization and Employees.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6956, 6958 of this title.

#### § 6955. Midshipmen: allotment upon redistricting of Congressional districts

If as a result of redistricting a State the domicile of a midshipman, or a nominee, nominated by a Representative falls within a congressional district other than that from which he was nominated, he is charged to the district in which his domicile so falls. For this purpose, the number of midshipmen otherwise authorized for that district is increased to include him. However, the number as so increased is reduced by one if he fails to become a midshipman or when he is finally separated from the Naval Academy. (Aug. 10, 1956, ch. 1041, 70A Stat. 430.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
6955	34 U. S. C. 1035-1.	July 7, 1943, ch. 193, 57 Stat. 353.

The word "domicile" is substituted for the words "place of residence" to conform to the long-standing interpretation of this section (see also opinions of the Judge Advocate General of the Army R. 29, 23; J. A. G. 331.11, Feb. 10, 1925). The words "a congressional district other than that from which he was nominated" are substituted for the word "another". The words "were appointed with respect to", "of the former district", "as additional numbers", "at such academy for the Representative", "temporarily", and "in attendance at either academy under an appointment from such former district" are omitted as surplusage. The words "the district in which his domicile so falls" are substituted for the words "of the latter district". The words "to include him" are substituted for 34 U. S. C. 1032-1 (18 words before proviso). The words "However, the number as so increased" are substituted for 34 U. S. C. 1032-1 (1st 13 words of proviso). The words "if he fails to become a midshipman" are inserted for clarity.

#### § 6956. Midshipmen: nomination and selection to fill vacancies.

(a) The Secretary of the Navy shall, as soon as possible after the first of June of each year, notify in writing each Senator, Representative, and delegate in Congress of any vacancy that will exist at the Naval Academy because of graduation in the following year, or that may occur for other reasons, for which the member or delegate is entitled to nominate a candidate and nine alternates.

(b) A nomination following notification under subsection (a) shall be made by the fourth of March of the year following that in which notice of the



vacancy is given. However, if the candidate dies or declines the nomination, or if the nomination cannot be made by reason of a vacancy in the membership of the Senate or the House of Representatives, the nomination may be made, as determined by the Secretary, not later than the date of the final entrance examination for that year.

(c) Nomination of candidates to fill vacancies for the District of Columbia, and selection of all candidates at large, shall be made by the fourth of March of the year in which the candidates are to enter the Academy.

(d) If the annual quota of midshipmen from—

- (1) enlisted men of the Regular Navy and the Regular Marine Corps;
- (2) enlisted men of the Naval Reserve and the Marine Corps Reserve; or
- (3) at large by the President;

is not filled, the Secretary may fill the vacancies by nominating for appointment other candidates from any of these sources who were found best qualified on examination for admission and not otherwise nominated.

(e) If it is determined that, upon the admission of a new class to the Academy, the number of midshipmen at the Academy will be below the authorized number, the Secretary may fill the vacancies by nominating additional midshipmen from qualified candidates designated as alternates and from other qualified candidates who competed for nomination and are recommended and found qualified by the Academic Board. At least three-fourths of those nominated under this subsection shall be from qualified alternates under clauses (2)—(3) of section 6954(a) of this title, and the remainder shall be from qualified candidates who competed for appointment under any other provision of law. An appointment of a nominee under this subsection is an additional appointment and is not in place of an appointment otherwise authorized by law.

(f) The failure of a member of a graduating class to complete the course with his class does not delay the appointment of his successor. (Aug. 10, 1956, ch. 1041, 70A Stat. 430; Mar. 3, 1964, Pub. L. 88-276, § 3, 78 Stat. 151; July 5, 1968, Pub. L. 90-374, 82 Stat. 283.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
6954 (a), (b), and (c)	34 U. S. C. 1041.	June 29, 1906, ch. 3590, 34 Stat. 58 (last par.).
6954 (d)	34 U. S. C. 1040.	Aug. 13, 1946, ch. 962, § 14, 60 Stat. 1071.
6954 (e)	34 U. S. C. 1049.	June 30, 1950, ch. 421, § 4, 64 Stat. 305.
6954 (f)	34 U. S. C. 1047 (1st proviso).	June 30, 1950, ch. 421, § 2 (1st proviso), 64 Stat. 304.

The section is worded to indicate that all appointments are made by the President, and that, before appointment, prospective midshipmen are "nominees" or "candidates," as appropriate.

In subsection (b) the provision authorizing the Secretary of the Navy to nominate candidates in the event nominations to fill vacancies under subsection (a) are not made by March fourth is omitted as covered by subsection (e), the purpose of which was to assure the entrance of a full class each year.

Reference in subsection (e) to the strength of the "brigade of midshipmen" is dropped, since there is no statutory requirement that the midshipmen at the Academy be so organized, and the term is a recognition of current organization only. The language authorizing the Secretary, in his discretion, to nominate additional midshipmen to meet the needs of the armed services but not to exceed the authorized strength of the Academy is changed to authorize the Secretary to "fill the vacancies by nominating additional midshipmen". In exercising his discretion under this subsection, these factors are necessarily considered by the Secretary, irrespective of a specific provision so instructing him.

In subsection (f) the word "admission" is changed to the word "appointment", since the admission of a person is a consequence of, and follows automatically from, his appointment. The statement of reasons for failure to complete the course is omitted as unnecessary.

#### AMENDMENTS

1968—Subsec. (a), Pub. L. 90-374 substituted "nine alternates" for "five alternates".

1964—Subsec. (a), Pub. L. 88-276, § 3(1), substituted "five alternates" for "one or more alternates."

Subsec. (e), Pub. L. 88-276, § 3(2), substituted "three-fourths of those nominated" for "two-thirds of those nominated."

#### NUMBER OF ALTERNATE-APPOINTEES FROM CONGRESSIONAL SOURCES NOT TO BE REDUCED BECAUSE OF ADDITIONAL PRESIDENTIAL APPOINTMENTS

Nonreduction of number of appointees from congressional sources under this section because of additional presidential appointments under section 6954(b)(1) of this title, see note set out under section 4343 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6554 of this title.

§ 6957. Admission of foreigners for instruction: restrictions; conditions.

(a) No person from a foreign country may be permitted to receive instruction at the Naval Academy except as authorized by this section.

(b) The Secretary of the Navy may permit persons designated by the President to receive instruction at the Academy as follows:

(1) Not more than 20 at a time from Canada and the American Republics other than the United States.

(2) Not more than four at a time from the Republic of the Philippines.

Of the 20 persons permitted under clause (1) to receive instruction at the Academy at any one time, not more than three may be from the same country.

(c) A person receiving instruction under this section is entitled to the same pay and allowances, to be paid from the same appropriations, as midshipmen.

(d) Except as the Secretary determines, a person receiving instruction under this section is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as a midshipman. However, a person receiving instruction under this section is not entitled to an appointment in the Navy or the Marine Corps by reason of his graduation from the Academy. (Aug. 10, 1956, ch. 1041, 70A Stat. 431.)





HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
6957 (a)	31 U. S. C. 1036.	June 29, 1906, ch. 3524, § 1
6957 (b), (c), and (d).	31 U. S. C. 1036-1; 31 U. S. C. 1036-2.	Stat. 577 (1st par.); July 14, 1910, ch. 202, § 1; Stat. 583; June 1, 1919, ch. 207, § 1, 62 Stat. 279; June 24, 1918, ch. 436, § 2; Stat. 584.

In subsections (a) and (b) the location of the Academy is omitted as surplusage.

In subsection (b) the words "from the Republic of the Philippines" are substituted for the word "Filipino" to indicate the proper designation of that country.

In subsection (c) reference to "enlistments" is omitted, as that term has no present significance with reference to midshipmen.

In subsection (d) the words "rules and" and "any office or position" are omitted as surplusage and the provision is extended to cover specifically the Marine Corps, since "Navy" in this context is so interpreted.

DELEGATION OF FUNCTIONS

For delegation to the Secretary of Defense of authority vested in the President, see Ex. Ord. No. 12661, Feb. 27, 1955, 51 F. R. 1315, set out as a note under section 301 of Title 3, The President.

PERSONS FROM COUNTRIES ASSISTING U.S. IN VIETNAM: NAVAL ACADEMY INSTRUCTION; EXEMPTS, LIMITATIONS, RESTRICTIONS, AND REGULATIONS; OATH OF TRAINING

Naval Academy instruction of persons from countries assisting U.S. in Vietnam, numerical limitation, prohibition against appointment of graduates to the Armed Forces, exemption from oath, etc., see Pub. L. 89-802, Nov. 9, 1956, 60 Stat. 1518, set out as a note under section 434 of this title.

6558. Midshipmen: qualifications for admission.

(a) Each candidate for admission to the Naval Academy—

(1) must be at least 17 years of age and must not have passed his twenty-second birthday on July 1 of the calendar year in which he enters the Academy; and

(2) shall be examined according to such regulations as the Secretary of the Navy prescribes, and if rejected at one examination may not be examined again for admission to the same class unless recommended by the Academic Board.

(b) Each candidate for admission nominated under clauses (3)—(7) and (9) of section 6954(a) of this title must be domiciled in the State or Territory, or in the congressional district, from which he is nominated, or in the District of Columbia, Puerto Rico, American Samoa, Guam, or the Virgin Islands, if nominated from one of those places.

(c) Each candidate nominated under clause (2) or (3) of section 6954 (b) of this title—

- (1) must be a citizen of the United States;
- (2) must have served at least one year as an enlisted member on the date of entrance;
- (3) must have passed the required physical examination; and
- (4) shall be appointed in the order of merit from candidates who have, in competition with each other, passed the required mental examination.

Jg. 10, 1956, ch. 1041, 70A Stat. 431; Sept. 14, 1962, Pub. L. 87-663, § 1(4), 76 Stat. 547.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
6558 (3) (1)	31 U. S. C. 1047 (less 1st proviso).	June 20, 1930, ch. 421, § 2 (less 1st proviso), 64 Stat. 304.
6558 (3) (2)	31 U. S. C. 1043.	R. S. 1515.
6558 (3) (3)	31 U. S. C. 1047 (2d proviso).	June 20, 1930, ch. 421, § 2 (2d proviso), 64 Stat. 304.
6558 (3) (4)	31 U. S. C. 1042; 31 U. S. C. 1032 (less 1st 70 words).	Mar. 4, 1917, ch. 159, 39 Stat. 1152 (1st par.); Dec. 20, 1917, ch. 8, § 1 (less 1st 70 words), 40 Stat. 433; Aug. 13, 1946, ch. 592, § 16, 60 Stat. 1041; May 10, 1947, ch. 77, § 1 (c), 61 Stat. 100.

In subsection (a) the effective date is omitted as executed. The words "at least 17 years of age and must not have passed his twenty-second birthday" are substituted for the words "not less than seventeen years of age and not more than twenty-two years of age" to remove ambiguity, and for uniformity of treatment of provisions of this type. The reference to time of examination is omitted as being included within the Secretary's authority to prescribe the regulations which is stated in the subsection. The words "Academic Board" are substituted for the words "board of examiners".

In subsection (b) the words "domiciled in" are substituted for the words "actual resident of" since this term has been so interpreted.

AMENDMENTS

1953--Subsec. (3). Pub. L. 87-653 added references to American Samoa, Guam, and the Virgin Islands, and substituted "clauses (3)—(7) and (9)" for "clauses (3)—(7)".

CROSS REFERENCES

Effect upon enlisted status of acceptance of appointment as midshipman, see section 516 of this title.



§ 9342. Cadets: appointment; numbers, territorial distribution.

1) The authorized strength of Air Force Cadets at the Academy is as follows:

(1) 40 cadets selected in order of merit as established by competitive examination from the sons of members of the armed forces who were killed in action or died of, or have a service-connected disability rated at not less than 100 per centum resulting from wounds or injuries received or diseases contracted in the preexisting injury or disease aggravated by active service. The determination of the Veterans' Administration as to service connection of the cause of death or disability, and the percentage at which the disability is rated, is binding upon the Secretary of the Air Force.

(2) Five cadets nominated at large by the Vice President or, if there is no Vice President, by the President pro tempore of the Senate.

(3) Ten cadets from each State, five of whom are nominated by each Senator from that State.

(4) Five cadets from each congressional district, nominated by the Representative from the district.

(5) Five cadets from the District of Columbia, nominated by the Delegate to the House of Representatives from the District of Columbia.

(6) Five cadets from each Territory, nominated by the Delegate in Congress from that Territory.

(7) Six cadets from Puerto Rico, five of whom are nominated by the Resident Commissioner from Puerto Rico and one who is a native of Puerto Rico nominated by the Governor of Puerto Rico.

(8) One cadet nominated by the Governor of the Panama Canal from the sons of civilians residing in the Canal Zone or the sons of civilian personnel of the United States Government, or the Panama Canal Company, residing in the Republic of Panama.

(9) One cadet from American Samoa, Guam, or the Virgin Islands nominated by the Secretary of the Air Force upon recommendations of their respective Governors.

Each Senator, Representative, and Delegate in Congress, including the Resident Commissioner from Puerto Rico, is entitled to nominate a principal candidate and nine alternates for each vacancy that is available to him under this section.

(b) In addition, there may be appointed each year at the Academy cadets as follows:

(1) one hundred selected by the President from the sons of members of an armed force who—

(A) are on active duty (other than for training) and who have served continuously on active duty for at least eight years;

(B) are, or who died while they were, retired with pay or granted retired or retained pay, other than those granted retired pay under section 1351 of this title;

however, a person who is eligible for selection under clause (1) of subsection (a) may not be selected under this clause.

(2) 85 nominated by the Secretary of the Air Force from enlisted members of the Regular Air Force.

(3) 85 nominated by the Secretary of the Air Force from enlisted members of reserve components of the Air Force.

(4) 20 nominated by the Secretary of the Air Force, under regulations prescribed by him, from the honor graduates of schools designated as honor schools by the Department of the Army, the Department of the Navy, or the Department of the Air Force, and from members of the Air Force Reserve Officers' Training Corps.

(5) 150 selected by the Secretary of the Air Force in order of merit (prescribed pursuant to section 9343 of this title) from qualified alternates nominated by persons named in clauses (3) and (4) of subsection (a).

(c) The President may also appoint as cadets at the Academy sons of persons who have been awarded the Medal of Honor for acts performed while in the armed forces.

(d) All cadets are appointed by the President. An appointment is conditional until the cadet is admitted.

(e) If the annual quota of cadets under subsection (b) (1), (2), or (3) is not filled, the Secretary may fill the vacancies by nominating for appointment other candidates from any of these sources who were found best qualified on examination for admission and not otherwise nominated.

(f) Each candidate for admission nominated under clauses (3)-(7) and (9) of subsection (a) must be domiciled in the State or Territory, or in the congressional district, from which he is nominated, or in the District of Columbia, Puerto Rico, American Samoa, Guam, or the Virgin Islands, if nominated from one of those places.

(g) The Secretary of the Air Force may limit the number of cadets authorized to be appointed under this section to the number that can be adequately accommodated at the Academy as determined by the Secretary after consulting with the Committees on Armed Services of the Senate and House of Representatives, subject to the following:

(1) Cadets chargeable to each nominating authority named in subsection (a) (3) or (4) may not be limited to less than four.

(2) If the Secretary limits the number of appointments under subsection (a) (3) or (4), appointments under subsection (b) (1)-(4) are limited as follows:

(A) 27 appointments under subsection (b) (1);

(B) 27 appointments under subsection (b) (2);

(C) 27 appointments under subsection (b) (3);

and

(D) 13 appointments under subsection (b) (4).

(3) If the Secretary limits the number of appointments under subsection (b) (5), appointments under subsection (b) (2)-(4) are limited as follows:

(A) 27 appointments under subsection (b) (2);

(B) 27 appointments under subsection (b) (3);

and

(C) 13 appointments under subsection (b) (4).

(4) The limitations provided for in this subsection do not affect the operation of subsection (e).

(h) Effective beginning with the nomination for appointment to the Academy in the calendar year



1964, the Secretary of the Air Force shall furnish to any Member of Congress, upon the written request of such Member, the name of the Congressman or other nominating authority responsible for the nomination of any named or identified person for appointment to the Academy. (Aug. 10, 1956, ch. 1041, 70A Stat. 564; Sept. 14, 1962, Pub. L. 87-663, § 1(5), 76 Stat. 547; Mar. 3, 1964, Pub. L. 88-276, § 4(1), 78 Stat. 151; Oct. 13, 1966, Pub. L. 89-650, § 1(1)-(3), 80 Stat. 636; July 5, 1968, Pub. L. 90-374, 82 Stat. 283; Oct. 22, 1968, Pub. L. 90-623, § 2(8), 82 Stat. 1314; Sept. 22, 1970, Pub. L. 91-405, Title II, § 204(c), 84 Stat. 852.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U. S. Code)	Source (Statutes at Large)
5342 (a)....	10: 1092a (1st par., less clauses (a) through (e)); 10: 1092a (clauses (a), less 14th through 21st words after 4th semicolon; and less 1st 32 words); 10: 1092a (1st 13 words of clause (b)); 10: 1092a (1st 26 words of clause (c)); 10: 1092a (clause (d)); 10: 1092a (clause (e), less last 53 words).	R. S. 1311; June 30, 1930, ch. 421, § 1, 2 (last proviso), 44 Stat. 303, 204; June 3, 1934, ch. 231, § 2, 65 Stat. 149.
5342 (b)....	10: 1092a (last par.); 10: 1092a.	
5342 (c)....	10: 1092a (14th through 22 words after 4th semicolon of clause (a)); 10: 1092b (last proviso).	
5342 (d)....	10: 1092a (last 32 words of clause (a)).	
5342 (e)....	10: 1092a (clause (b), less 1st 13 words, and less 1st proviso).	
5342 (f)....	10: 1092a (1st proviso of clause (b)).	
5342 (g)....	10: 1092a (clause (c), less 1st 26 words).	
5342 (h)....	10: 1092a (last 53 words of clause (e)).	

In subsection (a), the words "the authorized strength . . . is as follows—" are substituted for the words "shall be authorized and consist of the following". The words "at large" and "which totals two thousand four hundred and ninety-six", and 10: 1092a (clause (d)) are omitted as surplusage.

In subsection (b), the words "from whatever source of admission", in 10: 1092a, are omitted as surplusage. 10: 1093 (words before last semicolon) is omitted as obsolete.

In subsection (c), the first 15 words are substituted for the words "all of which cadets shall be". The words "domiciled in" are substituted for the words "actual residents of" to conform to opinions of the Judge Advocate General of the Army (R. 29, 83; J. A. G. 351.11, Feb. 10, 1925).

In subsection (e) (4), the words "armed forces" are substituted for the description of the land or naval forces. The date February 1, 1955, fixed by Proclamation No. 3080 (Jan. 7, 1955; 20 P. R. 173), is substituted for the words "such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress under section 745 of title 38". The words "including male and female members of . . . and all components thereof" are omitted as surplusage.

In subsection (f), the words "whether a death is service-connected" are substituted for the words "as to the service connection of the cause of death".

In subsection (g), the words "(National Guard of the United States, the Air National Guard of the United States and Army Reserve, and the Air Force Reserve)", "Regular components", "by members of the National Guard of the United States, and the Air National Guard of the United States", and "established at the competitive entrance examination" are omitted as surplusage. The word "grades" is substituted for the words "proficiency averages".

In subsection (h), the words "or shall hereafter be" are omitted as surplusage.

#### AMENDMENTS

1977—Subsec. (a) (5). Pub. L. 91-405 substituted "Delegate to the House of Representatives from the District of Columbia" for "Commissioner of that District".

1971—Subsec. (a). Pub. L. 90-374 increased from five to ten the number of alternates for each vacancy each Senator, Representative, and Delegate in Congress, including the Resident Commissioner from Puerto Rico, is entitled to nominate.

Subsec. (a) (3). Pub. L. 90-623 substituted "Commissioner" for "Commissioners".

1955—Subsec. (A) (1). Pub. L. 89-650, § 1(1), provided for selection of cadets to the Air Force Academy from sons of members of the armed forces who have a 100 per centum service-connected disability and removed the limitation to active service during World War I or World War II or after June 26, 1950, and before Feb. 1, 1955.

Subsec. (a) (2). Pub. L. 89-650, § 1(2), provided for nominations to the Air Force Academy by the President pro tempore of the Senate if there is no Vice President.

Subsec. (b) (1). Pub. L. 89-650, § 1(3), increased the number of Presidential appointments to the Air Force Academy from 75 to 100, provided for selection of eligible persons as stated in items (A) and (B), previously chosen from sons of members of regular components, and declared persons eligible under subsec. (a) (1) ineligible under subsec. (b) (1) of this section.

Subsec. (b) (3). Pub. L. 89-650, § 1(5), substituted "reserve components of the Air Force" for "the Air Force Reserve".

1964—Pub. L. 88-276 amended section generally, and among other changes, in the noncompetitive appointments, increased the number of cadets nominated by the Vice President from three to five, each Senator, Representative and Delegate from 4 to 5, and the Commissioner of Puerto Rico from 4 to 5, authorized the Governor of Puerto Rico to appoint one cadet, each Senator, Representative and Delegate to nominate a principal and five alternates for each vacancy, and, in the competitive appointments, permitted the President to appoint 75 cadets annually from the sons of members of the Regular components, instead of a cumulative total of 89, the Secretary of the Air Force to appoint 85 cadets annually from enlisted members of the Regular Air Force, instead of a cumulative total of 90, 85 annually from enlisted members of the Air Force Reserve, instead of a cumulative total of 90, 20 annually from honor graduates of designated honor schools and the A.F.R.O.T.C., instead of a cumulative total of 40 from honor schools only, 150 annually, in order of merit, from among the qualified alternates nominated by Members of Congress, and when the quota of cadets selected under subsec. (b) (1), (2), (3) is not filled, to fill the vacancies by appointing those best qualified from any of the three sources, decreased the number of cadets nominated by the Commissioners of the District of Columbia from 6 to 5, and by the Governor of the Panama Canal from 2 to 1, limited appointments to the number that can be adequately accommodated at the Academy, within the limitation that congressional appointments cannot be limited to less than four, and if limited, a priority of selection is established for the other categories, and, beginning in 1964, the Secretary may upon request of a Member of Congress, furnish him the name of any nominating authority responsible for the nomination of any identified person to the Academy.

1952—Subsec. (a). Pub. L. 87-683, § 1(5), added cl. (10).

Subsec. (c). Pub. L. 87-683, § 1(6), added references to American Samoa, Guam, and the Virgin Islands, and substituted "Clauses (1)—(5) and (10)" for "clauses (1)—(5)".

#### EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-405 effective Sept. 22, 1970, see section 205(b) of Pub. L. 91-405, summarized in a note set out under section 24 of Title 2, The Congress.

#### EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 23, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of Title 5, Government Organization and Employees.



**EFFECTIVE DATE; INTERIM SYSTEM FOR APPOINTMENT OF CADETS**

Section 52 (b) of act Aug. 10, 1956, as amended by Pub. L. 85-182, Aug. 23, 1957, 71 Stat. 463, provided that:

"Section 9342 (a) of title 10, United States Code [this section], enacted by section 1 of this Act, takes effect four years after the entrance of the initial class at the United States Air Force Academy. However, for the four-year period beginning with the class of cadets entering in July 1959, not more than—

"(1) one quarter of the number of cadets authorized by clause (1), (2), (3), (4), (7), or (8) of that section may be appointed in any one academic year;

"(2) two of the number of cadets authorized by clause (5) of that section may be appointed in the first and third years of that four-year period, and not more than one of the number authorized by it may be appointed in the second and fourth years of that period; and

"(3) one cadet authorized by clause (6) of that section may be appointed in the first two years of that four-year period, and not more than one of the number authorized by it may be appointed in the second two years of that period.

In addition, during that four-year period, the nominating authority named in clauses (1)—(6) of that section may select for each cadet allocated to him for the year concerned a principal candidate and not more than ten alternate candidates, or he may nominate as many candidates as the Secretary may prescribe and authorize the Secretary to select the principal candidates in order of merit as determined by competitive examination. In carrying out section 9343 of title 10, United States Code, during that four-year period, only qualified alternates who are nominated by the authorities named in clauses (1)—(4) of section 9343 (a) may be nominated for appointment as cadets. Not more than one qualified alternate nominated by any one authority named in those clauses may be appointed as a cadet, after nomination under section 9343, during each year of that four-year period."

**CROSS REFERENCES**

Effect upon enlisted status of acceptance of appointment as cadet, see section 516 of this title.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 9343 of this title.

§ 9343. Cadets: appointment; to bring to full strength.

If it is determined that, upon the admission of a new class to the Academy, the number of cadets at the Academy will be below the authorized number, the Secretary of the Air Force may fill the vacancies by nominating additional cadets from qualified candidates designated as alternates and from other qualified candidates who competed for nomination and are recommended and found qualified by the Academy Board. At least three-fourths of those nominated under this section shall be selected from qualified alternates nominated by the persons named in clauses (2)—(4) of section 9342(a) of this title, and the remainder from qualified candidates holding competitive nominations under any other provision of law. An appointment under this section is an additional appointment and is not in place of an appointment otherwise authorized by law. (Aug. 10, 1956, ch. 1041, 70A Stat. 564; Mar. 3, 1964, Pub. L. 88-276, § 4(2), 78 Stat. 153; Nov. 2, 1966, Pub. L. 89-718, § 46, 80 Stat. 1121.)

**HISTORICAL AND REVISION NOTES**

Revised section	Source (U. S. Code)	Source (Statutes at Large)
9343.....	10: 10791.	June 30, 1950, ch. 471, § 4, 64 Stat. 305.

The words "If it is determined" are substituted for the words "When upon determination". The words "within his discretion" are omitted as covered by the word "may". The words "within the capacity of the Academy", "from the remaining sources of admission authorized by law", and "to be admitted in such class" are omitted as surplusage. The words "by the persons named in clauses (1)—(6) of section 9342 (a), and clause (2) of section 9342 (c), of this title" are substituted for the words "by the Vice President, Members of the Senate and House of Representatives of the United States, Delegates and Resident Commissioners, the Commissioners of the District of Columbia, and the Governor of the Canal Zone". The words "under any other provision of law" are substituted for the words "from sources authorized by law other than those holding such alternate appointments".

**AMENDMENTS**

1966—Pub. L. 89-718 substituted "Academy Board" for "Faculty".

1964—Pub. L. 88-276, among other changes, increased the percentage of nominees to be selected from two-thirds to three-fourths, and deleted "as are necessary to meet the needs of the Air Force, but not more than the authorized strength of Air Force cadets", following "the Faculty."

**NUMBER OF ALTERNATE APPOINTEES FROM CONGRESSIONAL SOURCES NOT TO BE REDUCED BECAUSE OF ADDITIONAL PRESIDENTIAL APPOINTMENTS.**

Nonreduction of number of appointees from congressional sources under this section because of additional Presidential appointments under section 9342(b)(1) of this title, see section 2 of Pub. L. 89-650, set out as a note under section 4343 of this title.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 9342 of this title.

§ 9344. Selection of persons from Canada and American Republics.

(a) Upon designation by the President, the Secretary of the Air Force may permit not more than 20 persons at any one time from Canada and the American Republics, other than the United States, to receive instruction at the Academy. However, not more than three persons from any one of these republics or from Canada may receive instruction under this section at any one time.

(b) A person receiving instruction under this section is entitled to the pay, allowances, and emoluments of a cadet appointed from the United States; and from the same appropriations. However, the mileage allowance payable to that person for travel to the Academy for initial admission is not limited to mileage for travel within the United States.

(c) Except as the Secretary determines, a person receiving instruction under this section is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as a cadet at the Academy appointed from the United States. However, a person receiving instruction under this section is not entitled to appointment in the Air Force by reason of his graduation from the Academy. (Aug. 10, 1956, ch. 1041, 70A Stat. 564.)

**HISTORICAL AND REVISION NOTES**

Revised section	Source (U. S. Code)	Source (Statutes at Large)
9344 (a)....	10: 10791 (new 2d and last)	June 30, 1950, ch. 471, § 4, 64 Stat. 305.
9344 (b)....	10: 10791 (new 2d)	June 30, 1950, ch. 471, § 4, 64 Stat. 305.
9344 (c)....	10: 10791 (last sentence).	June 30, 1950, ch. 471, § 4, 64 Stat. 305.



In subsection (a), the words "at West Point, New York" are omitted as inapplicable to the Air Force.

In subsection (b), the words "is entitled to" are substituted for the words "shall receive". The words "performed in proceeding" are omitted as surplusage. The words "continental limits" are omitted, since section 10: 1093 (1) of this title defines the United States to include the States and the District of Columbia.

In subsection (c), the words "to any office or position" are omitted as surplusage; 10: 1093c (proviso of last sentence) is omitted, since 10: 1093 is inapplicable to the Air Force and section 1321 of the Revised Statutes, presently codified in 10: 1101, was repealed by section 6 (b) of the act of June 20, 1930, ch. 421, 46 Stat. 305.

#### DELEGATION OF FUNCTIONS

The delegation to the Secretary of Defense of authority vested in the President, see Ex. Ord. No. 10561, Feb. 27, 1956, 21 P. R. 1315, set out as a note under section 301 of Title 3, The President.

#### PERSONS FROM COUNTRIES ASSISTING U.S. IN VIETNAM; AIR FORCE ACADEMY INSTRUCTION; BENEFITS, LIMITATIONS, RESTRICTIONS, AND REGULATIONS; OATH OF TRAINEES

Air Force Academy instruction of persons from countries assisting U.S. in Vietnam, numerical limitation, prohibition against appointment of graduates to the Armed Forces, exemption from oath, etc., see Pub. L. 89-802, Nov. 9, 1956, 80 Stat. 1513, set out as a note under section 4344 of this title.

#### § 9315. Selection of Filipinos.

(a) The Secretary of the Air Force may permit not more than four Filipinos at any one time to receive instruction at the Academy. Of these, one may be designated by the President of the Republic of the Philippines for each entering class.

(b) A Filipino receiving instruction under this section is entitled to the pay, allowances, and emoluments of a cadet appointed from the United States, and from the same appropriations. (Aug. 10, 1956, ch. 1041, 70A Stat. 565.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
9315 (a)...	10: 1093 (less 1st proviso of 1st sentence).	May 23, 1904, ch. 211 (334 par. under "Buildings and Grounds"), 33 Stat. 111; Aug. 11, 1918, ch. 311 (712 proviso under "Permanent Establishment"), 37 Stat. 493.
9315 (b)...	10: 1093 (1st proviso of 1st sentence).	

In subsection (a), the words "at any one time" and "entering" are inserted for clarity. The words "President of the Republic of the Philippines" are substituted for the words "Governor General of the Philippine Islands", since the office of Governor General of the Philippine Islands has not existed since the independence of the Philippines was established. Designation of Filipino cadets is now made by the President of the Republic. 10: 1093 (second proviso of first sentence, and last sentence) is omitted as inapplicable to the Air Force.

#### § 9315. Cadets: requirements for admission.

(a) To be eligible for admission to the Academy a candidate must be at least 17 years of age and must not have passed his twenty-second birthday on July 1 of the year in which he enters the Academy.

(b) To be admitted to the Academy, an appointee must show, by an examination held under regulations prescribed by the Secretary of the Air Force, that he is qualified in the subjects prescribed by the Secretary.

(c) A candidate designated as a principal or an alternate for appointment as a cadet shall appear

for physical examination at a time and place designated by the Secretary.

(d) To be admitted to the Academy, an appointee must take and subscribe to an oath prescribed by the Secretary of the Air Force. If a candidate for admission refuses to take and subscribe to the prescribed oath, his appointment is terminated. (Aug. 10, 1956, ch. 1041, 70A Stat. 565; Nov. 2, 1966, Pub. L. 89-718, § 47, 80 Stat. 1121.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
9315 (a)...	10: 1-92b (less provisos).	June 20, 1924, ch. 421, § 2 (less provisos), 61 Stat. 304.
9315 (b)...	10: 1093.	R. S. 1319, enacted Mar. 2, 1891, ch. 694 (1st proviso under "Permanent Establishment"), 31 Stat. 911.
9315 (c)...	10: 1093.	Aug. 9, 1912, ch. 273 (2d proviso under "Permanent Establishment"), 37 Stat. 772.

In subsection (a), the words "Effective January 1, 1951" are omitted as executed. The word "Calendar" is omitted as surplusage. The words "must not have passed his twenty-second birthday" are substituted for the words "not more than twenty-two years of age", to make it clear that a person whose twenty-second birthday falls on July 1 of the year of admission is eligible (see opinion of the Judge Advocate General of the Army (JAGA 1932/7093, 2 Sept. 1932)).

In subsection (b), the words "is qualified in" are substituted for the words "to be well versed in". The words "To be" are substituted for the words "before they shall be". The words "an appointee must show that he is qualified" are substituted for the words "shall be required to be well versed". The words "from time to time" are omitted as surplusage.

In subsection (c), the word "shall" is substituted for the word "may", since the nominee is required to appear for the examination. The word "appear" is substituted for the words "present himself". The words "at a place" are substituted for the words "at West Point, New York, or other prescribed places".

#### AMENDMENTS

1966—Subsec. (d). Pub. L. 89-718 added subsec. (d).

#### § 9317. Cadets; nominees: effect of redistricting of States.

If as a result of redistricting a State the domicile of a cadet, or a nominee, nominated by a Representative falls within a congressional district other than that from which he was nominated, he is charged to the district in which his domicile so falls. For this purpose, the number of cadets otherwise authorized for that district is increased to include him. However, the number as so increased is reduced by one if he fails to become a cadet or when he is finally separated from the Academy. (Aug. 10, 1956, ch. 1041, 70A Stat. 565.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
9317.....	10: 1091-4.	July 7, 1943, ch. 193, 57 Stat. 368, 7.

The word "domicile" is substituted for the words "place of residence" and "residence" to conform to opinions of the Judge Advocate General of the Army (7. 23, 83; J. A. G. 351, 11, Feb. 10, 1923). The words "a . . . other than that from which he was nominated" are substituted for the word "another". The words "were appointed with respect to", "of the former district", "as additional



numbers", "at such academy for the Representative", "temporarily", and "in attendance at such academy under an appointment from such former district" are omitted as surplusage. The words "the district in which his domicile so falls" are substituted for the words "of the latter district". The words "to include him" are substituted for 10: 1091-1 (18 words before proviso). The words "but the number as so increased" are substituted for 10: 1091-1 (1st 13 words of proviso). The words "if he fails to become a cadet" are inserted for clarity.



\_\_\_\_\_  
(Date)

The Vice President  
United States Senate  
Washington, D.C. 20501

Dear Mr. Vice President:

It is my desire to attend a service academy of the United States. It is requested that I be considered as one of your nominees for the class that enters in July 19\_\_.

My choice for a service academy nomination is as indicated in numerical order in the appropriate boxes below:

- United States Air Force Academy  
 United States Military Academy  
 United States Naval Academy

The following personal data is submitted:

Name: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Mailing address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area code and phone number: \_\_\_\_\_

Name of father: \_\_\_\_\_

Name of mother: \_\_\_\_\_

Date and place of birth: \_\_\_\_\_

High School attending: \_\_\_\_\_

Date of graduation: \_\_\_\_\_

Grade average: \_\_\_\_\_

Approximate class standing: \_\_\_\_\_

Extracurricular activities: \_\_\_\_\_  
\_\_\_\_\_









OFFICE OF THE VICE PRESIDENT  
WASHINGTON

June 1, 1976

Dear :

Thank you for your recent letter to the Vice President expressing your desire to attend the United States Naval Academy in 1977.

Please be assured that your application will be given every consideration based on the established competitive system for the Vice President's nominations. Additional information concerning nominations by the Vice President is enclosed. To further broaden your chances for selection, I recommend that you also apply to your United States Senators and Congressman who have nominations available to them.

Your request has been forwarded for processing to the Academy. In the near future, you will receive additional information directly from the Admissions Office concerning your application.

You are to be commended for your desire to attend a service academy and enter the service of our country.

Sincerely,

THOMAS W. WILLIAMS  
Major, U.S. Air Force  
Military Aide to the  
Vice President

Enclosure



INFORMATION ON  
VICE PRESIDENTIAL SERVICE ACADEMY NOMINATIONS

The Vice President is authorized to nominate individuals to the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy. He may have a maximum of five nominees in attendance at each of the academies at any time.

The Vice President nominates individuals who are U.S. citizens without geographical restrictions. He normally has one or two vacancies each year at each academy.

Due to the large number of applicants (usually several thousand), the Vice President has authorized the academies to evaluate all applicants and rank them according to qualification. In screening candidates, the academies evaluate an individual's high school or college academic record, performance in the ACT or SAT examinations, recommendations from officials who are in a position to judge the applicant's character and academic potential, and physical and medical qualifications.

Notification of those selected to compete for a nomination is normally made during January or February of the year in which the class convenes.

Correspondence relating to applications for nomination should be forwarded as follows:

- Letters of recommendation, high school and college transcripts and results of SAT and ACT should be forwarded directly to the academies at the addresses indicated below.
- Applicants for the Air Force Academy should complete and forward the attached card.

Inquiries concerning a candidate's status should be made directly to the following addresses:

The Director of Admissions (RRSG)  
United States Air Force Academy  
Colorado Springs, Colorado 80840

The Director of Admissions (MAAR)  
United States Military Academy  
West Point, New York 10996

Dean of Admissions (Code A)  
United States Naval Academy  
Annapolis, Maryland 21402





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

June 1, 1976

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The Director of Admissions (MAAR)  
United States Military Academy  
West Point, New York 10996

Dean of Admissions (Code A)  
United States Naval Academy  
Annapolis, Maryland 21402



Please  
Print

LAST NAME

FIRST NAME

MIDDLE NAME

I am interested in attending the Air Force Academy and would like to receive information about the Academy and a Precandidate Questionnaire.

**PRIVACY ACT OF 1974 STATEMENT:** The Air Force Academy needs this personal data to provide you information about the AF Academy. The data will be used for Air Force Academy Recruiting. (Authority 10 USC 503 and E.O. 9397)

NUMBER AND STREET

CITY

STATE

ZIP CODE

DATE OF BIRTH:

MONTH DAY YEAR

CONGRESSIONAL  
DISTRICT:

SOCIAL

SECURITY NUMBER:

YEAR OF HIGH  
SCHOOL GRADUATION:

USAF, USAF Academy CD/75-0296



USAFA/RR  
USAF ACADEMY CO 80840

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

POSTAGE AND FEES PAID  
DEPARTMENT OF THE AIR FORCE  
DOD-318



USAFA/RR  
USAF Academy, CO 80840





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

January 19, 1976

Dear \_\_\_\_\_:

Your letter of \_\_\_\_\_, to the Vice President requesting consideration of a nomination to the class entering the United States Air Force Academy in 1976 has been referred to me for reply.

Regrettably, your application was received too late to be considered. The deadline for submission of applications for Vice Presidential nomination to the service academies was established as December 1, 1975. A deadline is necessary in order that processing of all applications can be accomplished prior to the date established for selection of nominees.

Should you desire to apply for a nomination to the classes entering the academies in 1977, please submit your application prior to October 31, 1976, in the format indicated on the enclosed form. I recommend that you also apply to your United States Senators and Congressman who also have nominations available to them.

Let me say again that I regret that your application cannot be accepted. I wish you success in your future endeavors.

Sincerely,

Thomas W. Williams  
Major, U.S. Air Force  
Military Aide to the  
Vice President

Enclosure

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

March 1, 1976

Dear :

Thank you for your recent letter to the Vice President expressing your desire to attend the United States ~~Air Force~~ Academy in 1978.

At the present time, applications are being processed for the classes entering the academies in 1977 only. Therefore, I must ask you to resubmit your application during the spring of 1977. An appropriate form is enclosed.

You are to be commended for your desire to attend the Air Force Academy and to enter the service of our country. I look forward to hearing from you next year.

With best wishes,

Sincerely,

Thomas W. Williams  
Major, U.S. Air Force  
Military Aide to the  
Vice President

Enclosure





**NOMINATION FOR APPOINTMENT TO THE UNITED STATES**

MILITARY ACADEMY  NAVAL ACADEMY  AIR FORCE ACADEMY

Form approved  
OMB No. 21-RO 277  
Exp date: 30 Nov 77

NAME OF NOMINEE (Last, First, Middle) <b>DOE, John E.</b>	DOB (Day, Mo, Yr) <b>1 JAN 58</b>	SOCIAL SECURITY NO. <b>000-00-0000</b>	TELEPHONE NO.
	<input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE	CONGRESSIONAL DISTRICT AND/OR STATE	

DOMICILIARY CONSTITUENCY (Street, City, State and Zip Code) <b>1 Main Street New York, New York 15075</b>	NAME OF HIGH SCHOOL
TEMPORARY ADDRESS OR COMPLETE SERVICE ORGANIZATION, LOCATION AND ZIP CODE	

VACANCY	<input checked="" type="checkbox"/> 1ST	2D	3D	4TH	5TH
---------	---	----	----	-----	-----

TYPE OF NOMINATION		NAME OF PRINCIPAL
<input checked="" type="checkbox"/> COMPETITIVE		
<input type="checkbox"/> PRINCIPAL		
<input type="checkbox"/> COMPETITIVE ALTERNATE TO		
<input type="checkbox"/> ALTERNATE	NUMBER (1-9)	

REMARKS (See Instructions on Reverse for Completing Form and Explanation of Nominating Systems. Retain Copy No. 4 (Congressional) For Your File).

DATE <b>15 JAN 76</b>	TYPED FULL NAME OF NOMINATING AUTHORITY <b>Nelson A. Rockefeller, Vice Pres</b>	SIGNATURE
--------------------------	--	-----------

MAIL TO APPROPRIATE ACADEMY ADDRESS:

<b>Military Personnel Center Department of the Army ATTN: DAPC-PAP-M Alexandria, Va. 22332</b>	<b>Supt. U.S. Naval Academy ATTN: Candidate Guidance Office Annapolis, Md. 21402</b>	<b>Hq. USAF AF Academy Activities Group ATTN: DPPAB Washington, D.C. 20330</b>
--	--	--

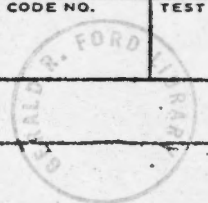
**DO NOT WRITE BELOW THIS LINE. FOR ACADEMY USE ONLY.**

VERIFICATION	STATE	DISTRICT	VACANCY	CONG	TYPE AND GRADE	ADDN SOURCE

ADDRESS																										

CANDIDATE NO.	NOMINATING CATEGORY												ADDN SOURCE	

NOMINEE	PREP SCHOOL	EX-CADET	POST TO CONG CAND	SCHEDULING	
				BASE CODE NO.	TEST DATE





THE VICE PRESIDENT  
WASHINGTON

February 9, 1976

Dear Robert:

It is my great pleasure to inform you that you have been selected to compete as one of twenty finalists for my nominations for the class entering the United States Naval Academy this summer.

Your selection was made on the basis of a composite score derived from your scholastic record, extracurricular activities and references. This does not mean you have met all entrance requirements. The Naval Academy will be contacting you directly concerning your status.

Congratulations on your progress in the competition and on your desire to embark on a challenging career of service to our nation.

With best regards,

Sincerely,

Mr. Robert M. Bangerter  
25 Colonial Drive  
Cocoa Beach, Florida 32931

NAR:JTH:TWW:hl

Mil Ofc Cy





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

April 12, 1976

Dear Mr. Wolfe:

Thank you for your letter to the Vice President recommending Mark R. Justice for a nomination to the United States Air Force Academy in 1977.

Before an individual can enter the competition for a Vice Presidential nomination, he must apply personally to the Vice President. Since Mark has not yet made such application, I have enclosed the appropriate forms for you to pass along to him.

As soon as we receive Mark's application, your letter of recommendation will be forwarded to the Air Force Academy for their use in evaluating his potential for a nomination. Your strong endorsement should be of great help to him in the competition.

Many thanks for bringing this impressive young man and his desire to serve our nation to the Vice President's attention. I hope that we will hear from Mark soon and that he will do well in the competition for a nomination.

With best regards,

Sincerely,

Thomas W. Williams  
Major, U.S. Air Force  
Military Aide to the  
Vice President

Enclosure

Mr. Bill Wolfe  
Counselor  
Upland High School  
565 West 11th Street  
Upland, California 91786





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

February 23, 1976

Dear \_\_\_\_\_:

You were most thoughtful to write concerning \_\_\_\_\_'s desire to attend the Air Force Academy. Because the Vice President has only one nomination for 1977 and several thousand applicants, the Academy does the screening and recommends the best candidates on a strictly merit basis.

\_\_\_\_\_ has been advised of the additional steps he should take to enhance his chances for a Vice Presidential nomination. He has been encouraged to seek Congressional nominations as well since Congressmen usually have fewer candidates and more flexibility in their selection process.

Your letter of recommendation has been forwarded to the Academy and should be of great help to \_\_\_\_\_ as he competes for a nomination.

Many thanks for bringing this impressive young man and his desire to serve our nation to the Vice President's attention.

With best regards,

Sincerely,

Thomas W. Williams  
Major, U.S. Air Force  
Military Aide to the  
Vice President

(or modified for VP signature)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

March 11, 1976

Dear \_\_\_\_\_:

Many thanks for your letter to the Vice President concerning \_\_\_\_\_'s desire to enter the United States Air Force Academy in 1977. \_\_\_\_\_ has been advised of the steps he needs to take to compete for a Vice Presidential appointment. In order to enhance his chances for selection, he has also been encouraged to seek nominations from his Congressmen since they usually have fewer applicants.

Because of the hundreds of applications received for the few Vice Presidential slots, the long established practice is for the Academy to screen the candidates and make recommendations on a relative merit basis.

However, letters of recommendations are a factor in the selection process and I have forwarded your letter to the Academy for use in their evaluation process. Your strong endorsement should be of great help to \_\_\_\_\_'s candidacy.

Thank you for bringing this impressive young man and his desire to serve our nation to the Vice President's attention.

With best regards,

Sincerely,

Thomas W. Williams  
Major, U.S. Air Force  
Military Aide to the  
Vice President

(or modified vor VP signature)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

February 24, 1976

Dear \_\_\_\_\_:

You were most thoughtful to write concerning \_\_\_\_\_'s desire to attend the Naval Academy.

Because the Vice President has only one nomination for 1977 and several thousand applicants, the Academy does the screening and recommends the best candidates on a strictly merit basis.

\_\_\_\_\_ has been advised of the additional steps he should take to enhance his chances for a Vice Presidential nomination. He has been encouraged to seek Congressional nominations as well since Congressmen usually have fewer candidates and more flexibility in their selection process.

Letters of recommendation are a factor in the selection process and I have forwarded your letter to the Academy for use in their evaluation process. Your strong endorsement should be of great help to \_\_\_\_\_'s candidacy.

Many thanks for bringing this impressive young man and his desire to serve our nation to the Vice President's attention.

With best regards,

Sincerely,

Thomas W. Williams  
Major, U.S. Air Force  
Military Aide to the  
Vice President

(or modified for VP signature)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

February 23, 1976

Dear \_\_\_\_\_:

Thank you for your letter to the Vice President concerning \_\_\_\_\_'s desire to enter the United States Naval Academy at Annapolis next summer. Because of the hundreds of applications received for the few Vice Presidential slots, the long established practice is for the Academy to screen the candidates and make recommendations on a relative merit basis.

\_\_\_\_\_ has been advised of the steps he needs to take to compete for a Vice Presidential appointment. He has also been encouraged to seek nominations from his Congressmen since they usually have few applicants.

Letters of recommendation are a factor in the selection process and I have forwarded your letter to the Academy for use in their evaluation process. Your strong endorsement should be of great help to \_\_\_\_\_'s candidacy.

Many thanks for bringing this impressive young man to the Vice President's attention.

With best regards,

Sincerely,

Thomas W. Williams  
Major, U.S. Air Force  
Military Aide to the  
Vice President

(or modified for VP signature)





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

April 7, 1976

Dear \_\_\_\_\_:

Many thanks for your letter concerning \_\_\_\_\_'s desire to enter the United States Air Force Academy at Colorado Springs next summer.

Because of the hundreds of applications received for the few Vice Presidential slots, the long established practice is for the Air Force Academy to screen the candidates and make recommendations on a relative merit basis.

Letters of recommendation are a factor in the selection process, and I have forwarded your letter to the Academy. Your strong endorsement should be of great help to \_\_\_\_\_'s candidacy.

\_\_\_\_\_ has been advised of the steps he needs to take to compete for a Vice Presidential appointment. He has also been encouraged to seek nominations from his Congressmen since they usually have fewer applicants.

Many thanks for bringing this impressive young man and his desire to serve our nation to the Vice President's attention.

With best regards,

Sincerely,

Thomas W. Williams  
Major, U.S. Air Force  
Military Aide to the  
Vice President

(or modified for VP signature)







OFFICE OF THE VICE PRESIDENT  
WASHINGTON

March 12, 1976

Dear Mr. Banks:

Thank you for your letter concerning you son's desire to attend a service academy. His qualifications are very impressive and I am confident that the academies will regard him as a most promising candidate.

As you probably know, letters of recommendation play an important part in the selection process administered by the academies. I have therefore taken the liberty of forwarding your letter to each of the academies to be included in Mitch's file.

With many thanks for writing and very best wishes.

Sincerely,

Thomas W. Williams  
Major, U.S. Air Force  
Military Aide to the  
Vice President

Mr. Harvey D. Banks  
Route 2, Box 334A  
Wauchula, Florida 33873



VICE PRESIDENTIAL NOMINATIONS TO \_\_\_\_\_ ACADEMY

CLASS OF \_\_\_\_\_

NAME	ADDRESS	WHOLE-MAN SCORE	STATUS	TYPE OF NOM *

\* P - Principal; A1 - Additional (one of original group of nominees); A2 - Additional (sponsorship requested by Academy)



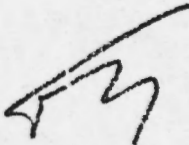
17





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

August 2, 1976

MEMORANDUM FOR: Susan C. Herter  
FROM: Frank R. Pagnotta   
SUBJECT: Daily Correspondence Traffic Analysis  
July 22, 1975 - July 31, 1976

Attached is a computation of the Daily Correspondence Traffic Analysis for the period 22 July 1975 through 31 July 1976.

I think you might find the following information of interest:

MAIL RECEIVED

Of the total amount of first class, registered and certified mail (71,769) the Vice President received 61%, Mrs. Rockefeller received 2% and the Staff 37%;

MAIL DISPATCHED

Of the total amount of correspondence dispatched (33,414) 52% was correspondence signed by the Vice President and 48% by Staff personnel (35% Staff located in OEOP and 13% Senate correspondence);

MAIL ANALYZED

Of the total amount of mail analyzed (48,209) 43.2% was Action Mail and 56.8% General Mail;

REPLIES PREPARED IN CORRESPONDENCE SECTION

Of the total amount of correspondence dispatched 37% was prepared in the Correspondence Section (41% of correspondence dispatched under the Vice President's signature was prepared in the Correspondence Section and 35% of all Staff letters were typed in the Correspondence Section).



Susan C. Herter  
Page Two

During this year period the Vice President's Office received 80,199 pieces of correspondence -- or approximately 6683 pieces each month or 334 pieces of mail daily. Mail addressed to the Vice President alone averages approximately 3627 pieces per month or 181 per day. The Staff receives approximately 2223 pieces of correspondence per month or 111 pieces per day.

In addition to the 48,209 pieces of correspondence analyzed -- in both Action and General categories -- it should be noted that not all of this correspondence warrants a response because of the nature of the material itself -- ie. Christmas cards, Mrs. Rockefeller's mail, thank you notes, Central File material, No Answer correspondence, Secret Service letters, requests for financial assistance or other matters of a personal nature which are handled by 5600 and, of course, special issues such as the "closing of Fort Monmouth." Correspondence falling within these categories runs approximately 15,750 for the year. Therefore, approximately 32,459 pieces of correspondence were for the Vice President's attention or a member of his staff.

Should you have any questions, I will be happy to answer them for you.

Attachment





OFFICE OF THE VICE PRESIDENT  
WASHINGTON

DAILY CORRESPONDENCE TRAFFIC ANALYSIS  
July 1975 - July 1976

RECEIVED

80,199

A. First Class, Registered and Certified 71,769

1. The Vice President 43,528
2. Mrs. Rockefeller 1,565
3. Staff 26,676

B. Second and Third Class Mail 8,430

I. DISPATCHED

33,414

1. The Vice President 11,649
2. Staff 17,308
3. Senate Office 4,457

II. ANALYZED

48,209

1. Action Mail 20,848
2. General Mail 27,361

V. REPLIES PREPARED IN CORRESPONDENCE SECTION

12,405

1. The Vice President 4,792
2. Staff 7,613

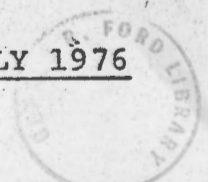


MAIL ANALYZED IN CORRESPONDENCE SECTION - JULY 1975 - JULY 1976

<u>ACTION</u>		<u>GENERAL</u>	
ADMINISTRATIVE	<u>2028</u>	ACADEMY	<u>4942</u>
CHRISTMAS CARDS	<u>571</u>	AUTOGRAPH/PHOTOGRAPH	<u>2308</u>
ENDORSEMENT	<u>80</u>	BEST WISHES	<u>293</u>
GOVERNMENT, FEDERAL	<u>806</u>	BIO/DUTIES	<u>268</u>
GOVERNMENT, STATE AND LOCAL	<u>282</u>	CENTRAL FILES	<u>3759</u>
ISSUES	<u>14</u>	CHILDREN LETTERS	<u>779</u>
LABOR	<u>39</u>	CHRISTMAS CARDS	<u>1655</u>
LEGAL	<u>155</u>	ISSUES	<u>838</u>
MESSAGES	<u>407</u>	MONEY REQUESTS (5600)	<u>2043</u>
MILITARY	<u>1779</u>	NEWS ARTICLES	<u>297</u>
MINORITY	<u>71</u>	NO ANSWER	<u>3829</u>
MRS. ROCKEFELLER	<u>482</u>	PERSONNEL	<u>175</u>
PERSONAL	<u>2492</u>	REFERRAL	<u>650</u>
POLITICAL	<u>2307</u>	SECRET SERVICE	<u>1916</u>
PRESS	<u>1353</u>	SENATE	<u>965</u>
SCHEDULING	<u>4383</u>	Casework	<u>320</u>
Appointments	<u>592</u>	Legislative	<u>553</u>
Invitations	<u>3791</u>	Other	<u>92</u>
SENATE	<u>2021</u>	SPECIAL REQUEST/OCCASION	<u>1109</u>
Congressional	<u>156</u>	TRANSLATION	<u>850</u>
Legislative	<u>113</u>	<u>Special</u>	
Resolutions	<u>415</u>	Closing of Fort Monmouth	<u>685</u>
July - Dec. 1975	<u>1337</u>		
SPECIAL REQUESTS	<u>768</u>		
THANK YOU NOTES	<u>810</u>		
TOTAL	<u>20,848</u>	TOTAL	<u>27,361</u>



REPLIES PREPARED IN CORRESPONDENCE SECTION - JULY 1975 - JULY 1976



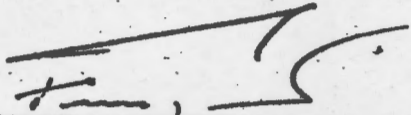
* ANNIVERSARY MESSAGE	<u>186</u>	REFERRAL LETTERS	<u>873</u>
AUCTION	<u>421</u>	RESTON (James) COLUMN	<u>25</u>
AUTOGRAPH	<u>738</u>	SCHEDULING	<u>1388</u>
* BICENTENNIAL MESSAGE	<u>80</u>	* SPECIAL OCCASION CARDS	<u>695</u>
* BIRTHDAY MESSAGE	<u>200</u>	SIXTY MINUTES APPEARANCE	<u>4</u>
CAMPAIGN MEMENTO	<u>54</u>	SPEECH REQUESTS	<u>5</u>
CHILDRENS LETTER	<u>323</u>	* STATUS	<u>108</u>
CIA REPORT (Request For)	<u>48</u>	VICE PRESIDENT'S SEAL and/or FLAG	<u>33</u>
DYSLEXIA	<u>57</u>		
* DUTIES/BIOGRAPHY OF THE VICE PRESIDENT	<u>288</u>	<u>Special Responses</u>	
* EIA LETTER	<u>35</u>	* AID TO NEW YORK CITY	<u>568</u>
EMPLOYMENT	<u>406</u>	AGRONSKY INTERVIEW	<u>77</u>
FEDERAL PANEL ON COMPENSATION REPORT (Request For)	<u>9</u>	* CONGRESSIONAL	<u>9</u>
GIFT ACKNOWLEDGMENTS	<u>247</u>	CONGRATULATIONS	<u>4</u>
* GIRL SCOUT CONGRATULATIONS	<u>13</u>	* CONGRESSIONAL INDISCRETION	<u>10</u>
HOUSE and/or ERNST BED	<u>22</u>	DENOUNCEMENT OF ENDORSEMENT	<u>9</u>
ISSUES AND ANSWERS APPEARANCE	<u>18</u>	* DOMESTIC COUNCIL FORUMS	<u>554</u>
* JACKSON (Senator) COMMENT	<u>41</u>	* GOVERNORS' LETTERS	<u>66</u>
LOCAL/STATE LETTER	<u>16</u>	ITALIAN VISIT	<u>21</u>
MISCELLANEOUS	<u>203</u>	* VISIT THANK YOU NOTES	<u>352</u>
NEWSCLIPPINGS	<u>88</u>	MRS. ROCKEFELLER LETTERS	<u>94</u>
OPINION REQUEST	<u>53</u>	* NATIONAL LEADERSHIP CONFERENCE	<u>7</u>
PERSONAL STATEMENT	<u>10</u>	* NATIONAL REGULATORY REFORM	<u>41</u>
POLITICAL SUPPORT	<u>970</u>	OPPOSITION TO FARM SERVICES BILL	<u>56</u>
PHOTOGRAPH REQUESTS (Autographed and without signature)	<u>2125</u>	* OTHER SPECIAL REQUESTS	<u>450</u>



REPLIES PREPARED IN CORRESPONDENCE SECTION - JULY 1975 - JULY 1976

OFFANITY	<u>8</u>
* REPUBLICAN CHAIRMEN	<u>14</u>
RESPONSE TO SYMPATHY CARDS ON DEATH OF THE VICE PRESIDENT'S SISTER	<u>63</u>
SPEECH - CLUB OF ROME	<u>167</u>
VICE PRESIDENT'S LANGUAGE BEFORE SOUTHERN REPUBLICAN CHAIRMEN	<u>11</u>
* WEEKLY BRIEFING NOTES	<u>42</u>
TOTAL	<u>12,405</u>

\* Vice President's Signature

  
\_\_\_\_\_  
Frank R. Pagnotta

