

## Public Law 88-275

## AN ACT

February 29, 1964  
[S. 2317]

To amend the provisions of section 15 of the Shipping Act, 1916, to provide for the exemption of certain terminal leases from penalties.

Shipping Act,  
amendment.  
Terminal leases.  
75 Stat. 763.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 15 of the Shipping Act, 1916 (46 U.S.C. 814), be amended by inserting at the end thereof the following: "*Provided, however,* That the penalty provisions of this section shall not apply to leases, licenses, assignments, or other agreements of similar character for the use of terminal property or facilities which were entered into before the date of enactment of this Act, and, if continued in effect beyond said date, submitted to the Federal Maritime Commission for approval prior to or within ninety days after the enactment of this Act, unless such leases, licenses, assignments, or other agreements for the use of terminal facilities are disapproved, modified, or canceled by the Commission and are continued in operation without regard to the Commission's action thereon. The Commission shall promptly approve, disapprove, cancel, or modify each such agreement in accordance with the provisions of this section."

Approved February 29, 1964.

## Public Law 88-276

## AN ACT

March 3, 1964  
[H. R. 7356]

To amend title 10, United States Code, relating to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies.

U.S. Military,  
Naval, and Air  
Academies.  
Appointments.  
70A Stat. 240.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 403 of title 10, United States Code, is amended as follows:

(1) Section 4342 is amended to read as follows:

**"§ 4342. 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 wounds or injuries received or diseases contracted in, or preexisting injury or disease aggravated by, active service—

"(A) during World War I or World War II as defined by laws providing service-connected compensation or pension benefits for veterans of those wars and their dependents; or

"(B) after June 26, 1950, and before February 1, 1955.

The determination of the Veterans' Administration as to service connection of the cause of death is binding upon the Secretary of the Army.

"(2) Five cadets nominated at large by the Vice President.

"(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.

Sons of certain  
veterans.

“(5) Five cadets from the District of Columbia, nominated by the Commissioners of that District.

“(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 five 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) 75 selected by the President from the sons of members of regular components of the armed forces.

“(2) 85 nominated by the Secretary of the Army from enlisted members of the Regular Army.

“(3) 85 nominated by the Secretary of the Army from enlisted members of the Army Reserve.

“(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).

70A Stat. 242.

“(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.

Sons of Medal of Honor winners.

“(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.

Unfilled quotas.

“(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.

Conditions.

“(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:

Secretary of Army Authority.

“(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."

(2) The text of section 4343 is amended to read as follows:

"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."

SEC. 2. Section 6954 of title 10, United States Code, is amended as follows:

(1) Subsection (a) is amended by inserting at the end thereof the following flush sentence:

"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."

(2) Subsection (b) is amended by striking out "160" in clauses (2) and (3) and inserting "85" in place thereof, and by inserting the following new clause after clause (4):

"(5) 150 selected by the Secretary of the Navy in order of merit (prescribed pursuant to section 6956 of this title) from qualified alternates nominated by persons named in clauses (3) and (4) of subsection (a)."

(3) The following new subsections are added at the end:

"(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

Information to  
Congress.

Alternates.  
Appointment.

70A Stat. 429.

Congressional  
appointments.

Secretary of  
Navy.  
Authority.

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.”

Information to Congress.

SEC. 3. Section 6956 of title 10, United States Code, is amended—

70A Stat. 430.

(1) By striking out “one or more alternates” in subsection (a) and inserting in place thereof “five alternates”.

(2) By striking out “two-thirds” in the second sentence of subsection (e) and inserting in place thereof “three-fourths”.

SEC. 4. Chapter 903 of title 10, United States Code, is amended as follows:

10 USC 9331-9355.

(1) Section 9342 is amended to read as follows:

70A Stat. 563;  
76 Stat. 547.

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

“(a) The authorized strength of Air Force Cadets of the Academy is as follows:

Sons of certain veterans.

“(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 wounds or injuries received or diseases contracted in, or preexisting injury or disease aggravated by, active service—

“(A) during World War I or World War II as defined by laws providing service-connected compensation or pension benefits for veterans of those wars and their dependents; or

“(B) after June 26, 1950, and before February 1, 1955.

The determination of the Veterans' Administration as to service connection of the cause of death is binding upon the Secretary of the Air Force.

“(2) Five cadets nominated at large by the Vice President.

“(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 Commissioners of that District.

“(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 five 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) 75 selected by the President from the sons of members of regular components of the armed forces.

“(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 the Air Force Reserve.

“(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).

70A Stat. 564.

Sons of Medal of Honor winners.

Unfilled quotas.

Conditions.

Secretary of Air Force Authority.

“(h) Effective beginning with the nominations 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.”

Information to  
Congress.

(2) The text of section 9343 is amended to read as follows:

70A Stat. 564.  
Alternates.  
Appointment.

“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 faculty. 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 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.”

SEC. 5. (a) Paragraph (2) of section 4348, paragraph (2) of section 6959, and paragraph (2) of section 9348 of title 10 of the United States Code are each amended by striking out “three” and inserting in lieu thereof “five”.

(b) The fourth sentence of section 182 of title 14 of the United States Code is amended by striking out “four” and inserting in lieu thereof “five”.

63 Stat. 508.

(c) The amendments made by this section shall apply only with respect to cadets and midshipmen appointed to the service academies and the Coast Guard Academy after the date of enactment of this Act, and shall not affect the obligated period of service of any cadet or midshipman appointed to one of the service academies or the Coast Guard Academy on or before the date of enactment of this Act.

Applicability.

Approved March 3, 1964.

## Public Law 88-277

### AN ACT

To promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President.

March 7, 1964  
[H. R. 4638]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the “Presidential Transition Act of 1963.”

Presidential  
Transition Act of  
1963.

### PURPOSE OF THIS ACT

SEC. 2. The Congress declares it to be the purpose of this Act to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President. The national interest requires that such transitions in the office of President be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign. Any disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the