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ADDITIONAL ACADEMY CADETS AND DISBURSING OFFICER FUNDS

GOVERNMENT
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HEARING BEFORE THE COMMITTEE ON ARMED SERVICES UNITED STATES SENATE EIGHTY-SEVENTH CONGRESS SECOND SESSION ON

H.R. 7913

AUTHORIZING THE APPOINTMENT OF ADDITIONAL QUALIFIED ALTERNATE AND COMPETITIVE NOMINEES TO THE U.S. MILITARY ACADEMY AND THE U.S. AIR FORCE ACADEMY

H.R. 8570

PERMITTING DISBURSING OFFICERS OF AN ARMED FORCE TO ENTRUST FUNDS TO OTHER OFFICERS IN AN ARMED FORCE

MAY 24, 1962

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ADDITIONAL ACADEMY CADETS AND DISBURSING OFFICER FUNDS

H.R. 7913—To Permit Overstrength in the Cadet Corps of the
Military and Air Force Academies

H.R. 8570—To Permit Disbursing Officers of an Armed Force
To Advance Payments to Officers of Another Armed Force

THURSDAY, MAY 24, 1962

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C.

The committee met, pursuant to notice, at 10:30 a.m., in room 212, Senate Office Building, Senator Richard B. Russell (chairman) presiding.

Present: Senators Russell, Stennis, Symington, Jackson, Cannon, Smith of Maine, and Beall.

Also present: Harry L. Wingate, Jr., chief clerk; Herbert S. Atkinson, assistant chief clerk; William H. Darden, T. Edward Braswell, and Gordon A. Nease of the committee staff.

Chairman RUSSELL. The first item for consideration today is H.R. 7913.

The purpose of this bill is to revise the method of computing the number of qualified alternates who may be appointed by the Secretary to the Military and Air Force Academies. Under existing law the Secretaries must estimate the number of vacancies based on the cadet corps strength at the beginning of the academic year. This bill would permit the Secretaries to compute the number of vacancies based on the strength at the end of the academic year immediately prior to graduation. The Military Academy would appoint about 50 additional cadets under the change in method provided by the bill.

The committee is pleased to have with us today a former committee colleague, Senator Russell Long, who was active and energetic here but sought greener fields in other committees, and we will be very happy indeed to hear such statement as you see fit, Senator Long, about this bill.

Senator LONG. Thank you very much, Mr. Chairman.

(H.R. 7913 follows:)

[H. R. 7913, 87th Cong., 1st sess.]

AN ACT To amend title 10, United States Code, to bring the number of cadets at the United States Military Academy and the United States Air Force Academy up to full strength

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4343 of title 10, United States Code, is amended to read as follows:

“§4343. Cadets: appointment; to bring Corps to full strength

“(a) The Secretary of the Army shall determine each year the number by which the number of cadets at the Academy during the succeeding academic year will be below the authorized number. Within that determination, the Secretary may select for admission to the Academy qualified candidates who have been nominated by the persons named in clauses (1)–(6) of section 4342(a); and clause (2) of section 4342(e), of this title, and from qualified candidates holding competitive nominations under any other provision of law who are recommended and found qualified by the Academic Board.

“(b) At least 85 per centum of those selected for admission under this section shall be selected from qualified alternates who have been nominated by the persons named in clauses (1)–(6) of section 4342(a) and clause (2) of section 4342(e), 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 9343 of title 10, United States Code, is amended to read as follows:

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

“(a) The Secretary of the Air Force shall determine each year the number by which the number of cadets at the Academy during the succeeding academic year will be below the authorized number. Within that determination, the Secretary may select for admission to the Academy qualified candidates who have been nominated by the persons named in clauses (1)–(6) of section 9342(a), and clause (2) of section 9342(e), of this title, and from qualified candidates holding competitive nominations under any other provision of law who are recommended and found qualified by the Academy Board.

“(b) At least 85 per centum of those selected for admission under this section shall be selected from qualified alternates who have been nominated by the persons named in clauses (1)–(6) of section 9342(a), and clause (2) of section 9342(e), 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. 3. (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”.

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

Passed the House of Representatives August 7, 1961.

Attest:

RALPH R. ROBERTS, *Clerk.*

**STATEMENT OF HON. RUSSELL B. LONG, A U.S. SENATOR
FROM THE STATE OF LOUISIANA**

Senator LONG. I believe the chairman knows that I have always had the greatest interest in and respect for this committee.

I would like to make clear that I am not opposed to the stated purpose of this bill, but I am opposed to it in the form in which it passed the House and in the form in which it appears before the committee as of this time.

It has been my feeling that the legislation is designed more to strengthen the football team of West Point than to add to the strength of the service academies.

The fact that Coach Paul Dietzel, formerly of Louisiana State University, has taken the head coaching job at Army may tend somewhat to becloud the issue. I wish to make it clear that I have no criticism of the Army for employing Coach Dietzel nor of Coach Dietzel for taking the job.

It is clear to me, however, that this bill is associated with a proposed nationwide drive to intensify recruiting of football talent for West Point, it not the other service academies.

While I have not had the time or the resources to do all the research necessary to prove some of the statements that I will make here, I believe I know enough about the matter and have enough information as a starting point, so that anyone who cares to verify these facts can find all the proof he wants.

My research has been limited for the most part to the situation at West Point. This is not to say that a parallel situation might not exist at Annapolis or at other service academies.

My study of the West Point situation indicates that the appointment of so-called qualified alternates by the Academic Board works out in such a fashion that these appointments, representing 10 percent of the class, include more than 60 percent of the football players. A great number of the appointments of the Academic Board appear to be directed to outstanding athletes with emphasis on football players; many others consist of sons of Army officers plus young men who made an outstanding record scholastically.

Mr. Chairman, I notice that the House report makes note of the fact that these appointees appear on the whole to be of a higher caliber than the average graduate of the Academy. I think that that is easily explained by these facts.

One, the high percentage of sons of Army officers gives this group a relatively high percentage of dedicated persons who want to be in the service, because their fathers were Army officers.

Furthermore, if you recognize the fact that half of these men are chosen because they rate very high scholastically—with a relatively high degree of tutoring of football players added to that—you can come out with an average that exceeds the average for the Academy. But if you separate the football players from the sons of Army officers and those who were admitted because of high scholastic qualifications, you will find the football players do not meet the standards referred to in this report at page 5962.

I haven't made this separation, but I challenge anybody to do it. I believe it will work out just exactly as I say.

Chairman RUSSELL. What page is that, Senator?

Senator LONG. I believe it is the House report. This is a statement that appears at page 5962 of Subcommittee No. 1 consideration of H.R. 12313.

Chairman RUSSELL. That is the hearings instead of the report of the House committee?

Senator LONG. I stand corrected, Mr. Chairman. It is the hearing where the statement was made.

I would say that any group containing a very high degree of sons of Army officers is going to show a very fine record in performance on

the battlefield. I believe that would account in large measure for what is being shown here.

Members of this committee should know that the recruiting technique of some of the academies is to persuade an outstanding athlete to apply for admittance to the Academy and then to persuade a Member of Congress to designate the athlete as his third alternate. This makes the young man eligible for selection by the Academic Board.

A careful investigation of this recruiting method would probably reveal that in a number of cases the Member of Congress who has designated the young man is in violation of the law which requires that an appointee come from the State or congressional district of the appointing Member. The Army football roster will show that in some years more than 50 percent of the football squad has been composed of young men who played football in Pennsylvania high schools.

The Pennsylvania coal fields indeed produce some very large and strong boys, and, of course, the Army is not the only one competing in Pennsylvania. They are competing against some very good colleges of the Midwest and also of the Pennsylvania area.

Chairman RUSSELL. We have a few stars from Pennsylvania on some of the southern teams, too, Senator.

Senator LONG. Yes, sir.

I am happy to say, Mr. Chairman, that we, of Louisiana, have been doing pretty well just with the folks from Louisiana.

Chairman RUSSELL. Yes, before you got through I was going to wonder if you were going to offer us any tips when they play LSU because they certainly have been needing them of late.

Senator LONG. I would say, Mr. Chairman, that if we get out local boys, we have enough to produce one good football team. I can recall one football expert who had the opinion some time ago that there isn't enough talent in Louisiana for two good football teams, but there is enough for one.

Chairman RUSSELL. Well, you certainly dried them up.

[Laughter.]

Chairman RUSSELL. Our Georgia team has been scheduling the wrong Louisiana team.

Senator LONG. It appears that the new powers at Army have already undertaken and intensified a nationwide recruiting effort. While they have no immediate successes to report in Louisiana, we know they have been working there and we know they have been working in other sections of the country.

For example, I have a letter from Coach Howard of Clemson, telling of a young man who has signed a grant-in-aid scholarship to go to Clemson. Army is trying vigorously to recruit that young man, although he had signed a contract with Clemson College.

This intensified nationwide recruiting drive is not really necessary. Army had a good football team last year and the departing Coach Hall left an outstanding array of football talent. It is his misfortune that he was not retained at Army long enough to harvest the crop of outstanding football players which he had obtained.

I have seen a number of articles on the subject, which I will attempt to obtain and make available to you, including an interview with the former Army assistant coach, pointing out that Army is loaded with

good football material for the upcoming season. They certainly have one of the best coaching staffs in America—as we in Louisiana can testify.

May I point out, Mr. Chairman, that I have seen very little indication of substantial interest in this bill from anyone except persons associated with the Army.

Apparently, it has been the attitude of Army that this bill is necessary to make more appointments available for sons of Army officers and to make Army preeminent in football.

I, for one, am pleased to see Army have great football teams. I am not content, however, to permit the service academies to so monopolize the best football players in America that other schools are denied a fair chance to compete.

A scholarship to one of the service academies is worth more than twice what the average land-grant college can offer. Furthermore, Army is in a position to scout football talent on a nationwide basis, including the millions of strapping young men in the service itself.

The point about the matter is that the purpose of West Point, as well as the other service academies, is to train military officers. It should not be used as a means of denying professional football those men who are more inclined, by instinct and talent, to be professional athletes than Army officers.

It is my understanding that the committee will consider amendments to H.R. 7913 to restrict the selection of the Academic Board to persons who have been designated first alternates by Members of Congress. This might prove to be a fair answer to the problem.

If this is to be done, the bill should be amended to make the designation of a person as first alternate on the part of the Member of Congress irrevocable so long as the person so designated desires to attend the service academy. Otherwise, the door would still be left open to the type of routine where service politics could make it possible to shift men around in order to favor football players over persons who are better qualified in other respects.

I might point out that a very substantial amount of juggling to reach the desired result is possible under the Army system which states as its objective the evaluation of the all around man.

For example, the Academic Board can be persuaded to take the attitude that a young man who makes 70 in aptitude should be accepted over one who made 90 because the former exhibited great leadership on the football field. This can be said even though both young men played football with zeal and to the best of their ability. The element of leadership in this instance is the fact that one man, with 240 pounds of brawn, is able to run over the other who has 175 pounds.

It also occurs to me that it might be well to amend the proposed legislation by providing criminal sanctions to support the law which states that a person must come from the congressional district or State of the Member of Congress who designates him.

If this is done, there should also be criminal sanctions against any service officer who directly or indirectly undertakes to persuade a Member of Congress to violate this provision of law.

If the bill is amended in the manner that I have indicated, then I would have no objection to its passage. Indeed, I would be pleased to support it.

Mr. Chairman, I have data here to support the statements that I have made, which I will be glad to make available to the committee if you desire.

Chairman RUSSELL. Thank you, Senator.

Senator Long, you will recall you discussed this matter with me informally some weeks ago, and it occurred to me that we might eliminate any difficulty by going to this first alternate system; because most of the Members of Congress, at least in my part of the country, now make their appointments largely based on examinations given by the Civil Service Commission and I, for one, submit them just in the order in which they stand in the civil service examination.

Senator LONG. That is the way I submit them, Mr. Chairman.

I make only one exception to that. If one man made 81 and the other made 80, and the man who made 80 was 3 years younger than the man who was 81, I would select him, because it occurs to me that if he had been 3 years older he would have made a better grade. That is the one exception.

Chairman RUSSELL. I haven't gone into that fully. It is handled by one of the young women in my office on an automatic basis. I decided if I gave the examination I would adhere to it. I have no quarrel with those who give the examination merely to see who can stay and who exercise their own judgment in qualities of leadership and things of that kind that also play a very vital part in the efficiency of any military organization.

Do you think it is necessary, though, to make it a crime for protecting Congressmen against people who might come to them on this bill as you suggest here on page 4?

Senator LONG. I would have no particular objection if there were a little flexibility with regard to sons of Army officers.

Chairman RUSSELL. It seems to me that is an admission of weakness on the part of the Members of Congress if we have to pass a statute to protect them.

Senator LONG. Well, my guess is, Mr. Chairman—and I think this is a rather educated guess—that the way most of the football players are going into the academies right now is that someone comes to a Member of Congress and says, "We want to give you the name of somebody we would like for you to designate as your third alternate; if you designate him, we think we can get him in."

I am not just putting this on the Army, because my guess is that it would be true in the other academies as well. Once the boy is designated—although in many cases he does not come from that congressional district—he is then chosen ahead of boys who have more of a desire to be Army officers and who have greater leadership and scholastic attainments.

Of the academic appointees, in some years a great number have been football players, and more than 50 percent of those football players have come from Pennsylvania.

Chairman RUSSELL. You mean of those selected under the existing order?

Senator LONG. Yes, sir; just to give you an example.

Chairman RUSSELL. But that would not be possible under the proposed substitute.

Senator LONG. I believe that the proposed substitute would perhaps stop that, Mr. Chairman. I would just not like to see the substitute drafted in language that could be easily circumvented.

Here is what could happen. Football recruiting could still go ahead on the basis of suggesting to a Senator or Congressman: "We would like to have this fellow in the school, but we won't take your principal appointment for that. If you will designate him first alternate, and your principal drops out we will assure you we won't take him as your principal appointee. We will take your second alternate. We will write you back and make sure that is what you want and you can put your second alternate in as your man. But we would like to have him available to us for football purposes, by your designating him first alternate if you will do that."

That is why it seems to me that either this matter should be policed or else it should be stated that if a man has been designated first alternate and still wants to go, you could not pass over him.

Chairman RUSSELL. I don't know about other Members of Congress and how secure they are in their seats but I can't conceive of any Congressman from Georgia passing over a first alternate who wants to go and getting an appointee from another State because he would give some opponent an issue that he never would get through hearing about.

Senator LONG. Let me show you what I am talking about, Mr. Chairman.

Suppose your first alternate is a boy named Jones, and he is appointed for the purpose of making him available to the Academic Board for selection.

Now, if the Academic Board takes him and your principal goes in, your people have lost nothing, and you can't very well be criticized unless somebody knew you designated him to begin with.

But suppose your principal drops out. Then Jones would be the logical man to go in. Well, if Jones is not from your district and has no particular association with your district, or has a poor scholastic record, the service could still write you as they do now and say, "Now, there is a vacancy. Which man do you want to go in?" At that point they could still protect you from Jones going in, and you could give them Smith, who is your second alternate and better qualified. But Jones would still be available for selection by the Academic Board.

All I have in mind is that if you are going to list Jones as your first alternate, and the principal drops out, then Jones should have the appointment available to him and he should be appointed, unless he himself should say he doesn't want to go.

Chairman RUSSELL. Of course; then sometimes they do change their minds.

I have had my principal appointees change their minds before they ever entered the Academy.

But so long, of course, as the first alternate really desires to go and he has been approved for entrance, he, of course, ought to be protected in his rights to attend the Academy.

Senator BEALL. Mr. Chairman, it doesn't always happen they go for football players. I find at all three of the academies, particularly the Army and the Navy, lacrosse players are very much in demand. They are not always football players.

Chairman RUSSELL. I didn't know the athletic association made so much money out of lacrosse.

Senator BEALL. The Army and Navy played to thousands of people last year.

Chairman RUSSELL. Did they pluck some expert lacrosse player out of Maryland?

Senator BEALL. Oh, yes. Some of my appointees are on both teams.

Chairman RUSSELL. I see.

Senator BEALL. There is also another thing I have noticed about the academics. Several years ago one of my alternates, the second alternate, was so strong academically in his board tests that the Superintendent took him, too, and now he has graduated with honors.

Chairman RUSSELL. You got more than your quota of appointees.

Senator BEALL. But the boys were qualified. Then on one occasion, getting back to athletics, Colonel Blake came to see me and wanted this boy and I said, "What is he, a backfield or lineman?"

He said, "Neither, he is a trackman."

So I just say there are other things they are looking for in addition to football players.

Chairman RUSSELL. I can understand the Lao Army looking for trackmen. But I didn't know our academics emphasized trackmen.

Senator CANNON. Mr. Chairman, I would like to ask a few questions: Is there anything wrong with athletes in these schools? I thought we wanted good, smart people in these schools, and that would include athletes, as well as those not athletically inclined.

In my own case this year, at the Air Force Academy, I used a selection test which determines ones position on the list. I had a principal who was high and the man who got to go in under the qualified alternate list, was No. 2 on the examination. He was also No. 2 statewide on my civil service examination, and this is a boy who is an all-around athlete. He was all-State in our State last year.

I think it is fine for them to get people like that. I don't see anything wrong in appointing athletes.

Senator LONG. The point I have in mind is that the principal purpose of the academics is to train officers, Army officers, Senator Cannon. Yet the boys that Senators and Congressmen designate on a competitive basis, many of whom are pretty good in athletics themselves, make up 90 percent of the class, but less than one-half of the football team.

On the other hand, the 10 percent who are selected by the Academic Board represent 50 to 80 percent of all the football players. That is about how it is working out at the present time.

But it hasn't always been that way.

I might throw a little light on it. Here is the actual breakdown.

The 1954 Army-Navy game involved 36 players on the Army squad. I am not saying that the Navy does not do the same thing. I suspect it perhaps does. Of these 36 Army players, 19 had been admitted by the Academic Board. That is 52.7 percent of the team listed there. Of the 11 on the starting team, 8 came from the Academic Board list.

In the 1955 game, 21 of 38 players listed had been appointed by the Academic Board. This was 55 percent. Nine of the starters were Board appointees. In 1959, the percentage rose to 74 percent; in 1960 and 1961, it was 79 and 72 percent, respectively.

Senator CANNON. What, inherently, is bad about that? If these are bright boys, and they are getting in under the quotas as they are set up now, what is bad about it?

Senator LONG. Well, Senator Cannon, these boys are being appointed as alternates, and are being selected by the Academic Board because they are football players rather than under the standards that Senators and Congressmen are using. This represents a high percentage of those who are being selected by the Academic Board.

Now, it is proposed to increase this number by adding an additional 50 boys per year. Frankly, this thing could be used to see that every potential all-American in the United States who can pass his grades goes to a service academy. It seems to me that other schools should have a chance to compete.

Here is Frank Howard complaining that down in his State a good player has signed a grant-in-aid to Clemson College. Somebody has been assigned to persuade him to apply for Army, in which event he will probably be selected by the Academic Board.

I feel that the Army has enough good football players right now. They will run Navy off the field with what they have now.

It seems to me that there is no point in giving them all the good football players in America, to the point where it would take the Green Bay Packers to compete with them.

Senator BEALL. Those boys have to stand up academically. I remember the case of one fellow who left Maryland who was considered to be the best freshman prospect. At Christmastime he was outstanding.

But after the midyears the faculty advisers told him, "Son, you are going to have to decide whether you want to be a professional football player or stay in the Academy." So he stayed in the Academy and didn't compete in varsity athletics and graduated with honors.

Senator CANNON. Mr. Chairman, 3 of the last 4 years I have served on the Board of Visitors to some of the various academies. I have checked very carefully into the academic requirements and how they handle this selection business. I am of the firm opinion that if any man can make the academic requirements, more power to him and if he is a good football player that is fine. I hope he is a good all-around athlete.

Therefore if they can meet the academic requirements I certainly wouldn't want to restrict them in any way simply because they are also good athletes.

Senator LONG. I might point out that you are turning down a number of men who are better qualified to be Army officers than are these football players. Besides, you have a great football team now. Army is going to have a good football team. They don't need 50 more.

Chairman RUSSELL. They didn't do too well last year, they had a very mediocre year.

Senator LONG. But they are going to improve greatly this next year. I have been offering to call all bets on the Army-Navy game this year. I will take Army.

Chairman RUSSELL. Well, the Air Force, it seems to me, in thinking about the competition between the service academies, has had an unconscionable advantage over the others in selecting football players, if your thesis is correct.

We have to submit a whole list of names to the Air Force. We nominate 10 and they do the selecting out of that 10. They ought to be able to get a great deal of excellent football material.

Senator LONG. I don't think we ought to give Army any guarantees as to how they are going to make out against their competition. I do think, Mr. Chairman, that as between the boy selected on the basis of a competitive examination and the boy selected on the basis of football alone, the first boy is the better appointee. Here is a young man who applied to me. He played high school football, on a good team and extremely well. Yet he was passed over by the Army. This young man turned down an Air Force appointment because he wanted to go to the Army. He came back and applied again the next year.

Now, he won't make them an All-American football player, but his coach says he is one of the most courageous and dedicated boys he ever saw. In my judgment this boy ought to be selected in preference to a man who weighs 50 pounds more.

We had the experience of having at least one service academy—it wasn't Army, it was one of the others—come down our way and try to get Billy Cannon to go to that Academy. This boy wasn't interested in being a service officer. He wanted to be either a dentist or professional athlete. Right now he is one of the greatest professional athletes. He had no business at the service academy. But you are asking for that kind of recruiting when you don't tie this thing down to be sure that it is a bill to increase the strength and quality of the Army rather than to get football players.

I thank the chairman and the members of the committee.

Chairman RUSSELL. We are certainly happy to have had you here, Senator, and we are glad to get your interesting analysis of this situation.

Senator LONG. Thank you, Mr. Chairman.

Senator RUSSELL. The next witness will be Maj. Gen. Westmoreland who is Superintendent of the U.S. Military Academy.

We are glad to have you here this morning, General Westmoreland, and you may proceed with your presentation.

STATEMENT OF MAJ. GEN. W. C. WESTMORELAND, SUPERINTENDENT OF THE U.S. MILITARY ACADEMY; ACCOMPANIED BY LT. COL. FRANCIS D. PETERS, Jr., CHIEF, AIR FORCE ACADEMY GROUP, HEADQUARTERS, U.S. AIR FORCE

General WESTMORELAND. I thank you, Mr. Chairman.

Mr. Chairman and members of the committee, I am Maj. Gen. William C. Westmoreland, Superintendent of the Military Academy. The Department of the Army has designated me as the representative for this legislation. The Department of the Army has been designated by the Secretary of Defense to act as the proponent of this legislation.

I have a brief statement concerning H.R. 7913 to amend the existing statutes to provide more flexibility in making additional appointments to bring the number of cadets at the U.S. Military Academy and the Air Force Academy up to full strength.

This flexibility can be accomplished by extending the authority of the Secretaries of the Army and Air Force to make additional appointments in sufficient number to insure that the cadet strength at the Academies would be at the level authorized by law at the end of the academic year just prior to graduation.

Chairman RUSSELL. How much is that, General?

General WESTMORELAND. 2,545, sir.

Chairman RUSSELL. And the Navy has some—

General WESTMORELAND. The Navy has an authorized strength of 4,400.

The strength of the Air Force Academy is comparable or identical to that of the Military Academy.

The exact number of additional appointments to be made each year will be determined by the prior year's attrition and by the number of vacancies estimated to be filled from congressional and competitive sources.

I would like to outline why this amendment of title 10 is desirable and how it will be of benefit to the Army and Air Force.

First, it will provide for more economical use of the facilities. At present the service academies are authorized to appoint qualified candidates only in sufficient number to offset any understrength existing at the service academy on the date of admission of a new class.

This results in the Academy's cadet corps being fully at authorized strength for only one short period during the year, that is, on admission date and for a short period thereafter.

The degree of understrength increases progressively throughout the the year by reason of resignation, deficiency in academic subjects, deficiency in physical education, medical disqualifications, and other causes. Any understrength cannot be filled until the following entering class is admitted.

For instance, for the past 10 years the attrition at the U.S. Military Academy has averaged about 220 cadets from the date of admission, the first Tuesday in July, to the 30th of the following June, excluding the graduating class.

Secondly, this understrength prevents these military institutions from producing for the Armed Forces the expected number of Academy-trained officers. If the provisions of this bill are enacted into law, the Military Academy can more nearly approach its goal by graduating about 45 more officers each year.

Chairman RUSSELL. After a man has made the plebe year, is he reasonably assured to stay in school the other 3 years? How much attrition do you have in the sophomore class?

General WESTMORELAND. Attrition, sir, in the last 10 years has averaged about 31 percent for a given class over a 4-year period.

We will recognize from 20 to 25 percent of this attrition during the first year or, in other words, the vast majority of the attrition takes place the first year, but we do have some the second year, a little bit the third, and it is negligible the last year, sir.

Thirdly, the quality of the corps of cadets would be still further improved. The Military and Air Force Academies would be permitted to admit each year approximately 50 cadets over the number currently authorized by law.

Hence, including all four classes, there would be approximately 200 cadets over the number currently authorized by law.

These cadets would be selected upon the recommendation of the Academic Board in the same manner as the present additional appointees. They would represent the best of all the qualified alternates and qualified competitors for whom no vacancy was available under any other provision of law.

Experience has shown that cadets selected as additional appointees have as a group made an enviable record and achieved honors far out of proportion to their numbers. Thus the Academies would be able to take in a large number of what has proven to be a very fine group of young men who under present law are lost to the services each year.

These advantages can be attained without increase in plant or facilities and at very nominal additional cost.

I would like to point out that additional appointees designated by the service Secretaries are in addition to, and in no way affect, congressional nominations.

On the contrary, since the large majority of additional appointees are congressional qualified alternates, increasing the number of additional appointees will mean that more of the young men nominated by Congressmen will be authorized admission as cadets.

In implementing H.R. 7913, the Military Academy will estimate in November of each year:

1. The strength of the corps of cadets after graduation the following June and,
2. The number of authorized vacancies which will be filled by the incoming class in July.

These figures will allow an estimate to be made of the total number of additional appointments which will be available for the following year.

Specifically, the number of additional appointments is the difference between authorized strength plus 200 and the sum of 1 and 2, as I have discussed it

At this time, in November, this estimate will provide guidance to the Academic Board in screening the records of those who may be selected for additional appointments.

In April, when additional information is available from attrition and from the numbers of candidates who have been nominated, a revised estimate will be prepared and a limited number of candidates may be notified at this time of their selection as additional appointees.

In June, when reliable information is available on the end-of-year strength of the Corps and on the number of authorized vacancies which are likely to be filled, a final determination of the number of additional appointments will be made.

At this time, the appropriate number of additional appointees will be notified to report with the incoming class.

Recently, H.R. 7913 has been referred to in the press as the "West Point football bill" with the allegation and implication that the purpose of the bill was to supply more football players for the new West Point football coach who was hired in January of 1962.

Articles in the press also stated that the object of the bill was to allow West Point to have an advantage over the other service academies in athletic competition. Such charges are not substantiated by the facts. The House of Representatives passed the bill in 1960 and again in 1961.

At the present time graduates of the service academies are required by law to remain in service after graduation for a period of 3 years.

In accordance with Department of Defense policy the service academy graduates, beginning with the class of 1962, the class to graduate on June 6, must remain in the service a minimum of 4 years after graduation. No significant adverse reaction to this additional

year's obligation has been noted by the authorities at the service academies.

The U.S. Military, Naval, and Air Force Academies have no objection to a further increase to a 5-year obligation as provided by the amendment which the House of Representatives added to this legislation.

The opportunity to appear before the committee is appreciated, and it will be my great pleasure to answer questions.

Chairman RUSSELL. General, have you seen the possible substitute bill that would provide that the additional overstrength appointments should be made only from the first alternates?

General WESTMORELAND. I have seen that, sir.

Chairman RUSSELL. What is your opinion of that legislation?

General WESTMORELAND. Well, Mr. Chairman, we would prefer the bill as passed by the House, but the amendment is acceptable to us, and we feel it will meet our objectives. We feel that the bill as passed by the House would give us a better quality overall, but certainly we will get high quality in accordance with the amendment; namely, that all the additional qualified alternates provided by this amendment would come from the first alternate group.

Chairman RUSSELL. If you are looking merely for scholarship, the boys who had been educated in the wealthier communities with the better schools and the better teachers would get them all to the exclusion of what we called the country boys who had to attend the smaller high schools and the poorer facilities.

I don't subscribe at all to making these appointments on a national basis as has been suggested by the Air Force Academy, and just letting them select the full student body on the basis of national scholarship.

I think it would be very unfair to many boys and to large segments of the country where the educational facilities have perhaps not measured up to those that are available elsewhere. In addition to that, it would certainly give an unconscionable advantage to the sons of those in the upper economic strata, who were able to give their sons the benefit of all this specialized and intensive training that a great many people just can't get.

It would seem to me that the requirement that they be made from the first alternates comes nearer to preserving the present system than letting the Academic Board, if they desire to do so, just select them from one State or one group.

General WESTMORELAND. I certainly agree with you, Mr. Chairman.

One of the greatest things about the Academy is to represent a geographical cross section of the youth of America.

Chairman RUSSELL. You would have 550 first alternates from which to make these selections, would you not? Isn't that approximately the number?

General WESTMORELAND. Approximately that number; yes, sir.

Strangely enough, some of our finest cadets, finest leaders, come from these overall less populated States, in the rural areas.

Chairman RUSSELL. Yes, sir; I am very proud of the fact that a young man from Hinesville, Ga., a few years ago made one of the highest marks that has been made at West Point since General MacArthur graduated from there, but I don't know whether he could have gotten into the Academy under a national system or not.

After he got there, he found there the challenge and the equipment to bring out everything he had in him.

I say that with all respect to Hinesville High School. Hinesville is very fine little city, but it couldn't offer specialized training for the initial test that you would get at your Bullis school and other places of that kind.

Senator BEALL. Of course, Mr. Chairman, the average high schools, public schools, are mass education, as you say, and that is the reason the country boys are at a disadvantage, because the prep school graduate has a very decided advantage.

It has been my observation that boys from these prep and private schools do much better academically. For instance, there are two public schools in Maryland where the boys really stand up without question. They are Baltimore Polytechnic Institute and Baltimore City College, and they are junior colleges.

Chairman RUSSELL. Well, I know the boys who have had the benefit of a freshman year at Georgia School of Technology seem to do very well on my tests.

Senator BEALL. I think so, too.

Senator SYMINGTON. Inasmuch as I am a graduate of Baltimore City College, I want to express appreciation to the Senator for his very fine remarks.

Chairman RUSSELL. You have no decided views on this increase in the mandatory length of service, General?

You are willing to accept it as it is in the House bill?

General WESTMORELAND. Yes, sir; the services are agreeable to accept this.

Chairman RUSSELL. There is provision in the existing law for hardships of unusual nature, are there not?

Isn't there some authority somewhere that can release a man before he has served 5 years in view of unusual hardships and conditions?

General WESTMORELAND. Sir, this is applicable to enlisted ranks. I am not at all sure this is to the officer ranks. I can never remember a case in my 26 years of service where a Regular Army officer has been allowed to resign because of hardship.

Now, of course, after he fulfills his required obligation he may in 2 years, 4 years, and now this amendment will provide 5 years.

Chairman RUSSELL. This bill also affects the Air Force. I understand that they have a representative here?

Colonel PETERS. I am Lieutenant Colonel Peters, sir.

Chairman RUSSELL. Will you have a seat down here? I don't mean for General Westmoreland to move.

Do you have any additional statements you wish to make in respect to the effect that this legislation might have on the Air Force Academy?

And the extent to which it might be used by the Air Force Academy?

Colonel PETERS. No, sir; the Air Force has concurred in the bill, in the original proposal, and it would benefit us because we have capacity for 2,640 cadets. The present law authorizes 2,512, so this bill would enable us to utilize full capacity, and other than that we agree with the comments of General Westmoreland.

Chairman RUSSELL. What has been the rate of attrition at the Air Force Academy of the first-year class?

Colonel PETERS. The first-year class averages 20 percent, some are higher, some lower, but the averages are 20 percent.

Chairman RUSSELL. It averages one out of five that won't make it the first year?

Colonel PETERS. Yes, sir; one-fifth of the class is lost in the first year.

Over the 4-year period it is approximately 30 percent.

Chairman RUSSELL. Senator Smith?

Senator SMITH. I haven't any questions.

Chairman RUSSELL. Senator Cannon?

Senator CANNON. There is one problem here which would arise if you are talking about amending this to make it so that the selection would have to be from the first alternate.

You recall the Air Force uses a different system where you name
11—

Chairman RUSSELL. This wouldn't take effect until after 2 years from now.

The Air Force system recurs to the same system that has been used by the other service Academies. This system they employ at the present time was adopted merely to get the Air Force Academy underway smoothly.

Senator BEALL. You mean that is only temporary?

Chairman RUSSELL. Yes; that is only temporary.

Colonel PETERS. The temporary law expires with the next class next month.

Senator CANNON. Next month.

Senator BEALL. I think it is a right good plan.

Chairman RUSSELL. If you are going to maintain it for the Air Force you certainly ought to have it for the other two service schools. You certainly should not have another system for them.

You can justify it in the initial stages of the Academy when it was getting established, but I don't think you could have two different systems for the service schools.

Isn't it 2 years, Colonel, 2 more years it has to run? We have extended it once.

Colonel PETERS. It expires with the class that enters next month. That will be the last class under the temporary law.

Chairman RUSSELL. Didn't we extend it once before?

Colonel PETERS. No, sir. This temporary law hasn't been extended.

Chairman RUSSELL. I see.

Colonel PETERS. One point about this amendment regarding the first alternate. It is the first time I have heard of this, so I am not prepared to comment for the Air Force regarding that amendment.

Chairman RUSSELL. This, of course, would only affect the permanent law as it affects the Air Force. It would not affect you or the temporary law in any degree.

Colonel PETERS. Yes, sir.

Starting with the class that enters in 1963 we will be under the permanent law unless some other provision of law is passed.

Senator CANNON. About the last selections have already been made now—

Chairman RUSSELL. Oh, yes.

Senator CANNON. For the temporary law, so there will be no more selections made under that?

Chairman RUSSELL. I think that is right.

I think the last class has been selected under existing temporary law.

Colonel PETERS. Yes, it has.

Senator BEALL. Mr. Chairman, just a point of information.

Under this bill, H.R. 7913, the Academy, the Board of Admissions, may take anyone of the alternates that is qualified mentally and physically?

Chairman RUSSELL. Yes, I think that is correct, isn't it, General Westmoreland?

General WESTMORELAND. Yes, sir; we can select anybody who has been given an alternate appointment, sir.

Senator BEALL. But it must be from the qualified alternates?

General WESTMORELAND. Well, the qualified alternate group are selected from the young men who did not receive a principal but who had received an appointment.

Senator BEALL. That is what I mean.

General WESTMORELAND. But it can be second, third, or fourth.

Chairman RUSSELL. There is another difference, too.

It could come from any other source, all the appointments over the country, presidential, military, preparatory schools, and things of that kind, whereas under this bill it would restrict it to the first alternates of the congressional appointments.

General WESTMORELAND. Yes, sir.

The bill as now written says that 85 percent of these qualified alternates, these additional 50 qualified alternates, each of them will come from congressional sources. Leaving 15 percent to come from the other sources, in other words, Presidential appointments, or honor schools, Regular Army and Reserve categories.

Now, the proposal, as I understand it, would mean that all 50 would come from congressional sources.

Now, Senator Long made the point that it was his feeling that a great number, a great percentage, of qualified alternates had been sons of Army officers. The facts are that in 1958 to 1961 only 4 percent of our qualified alternates were sons of Army officers.

In 1961 there were only two that were sons of Army officers.

Chairman RUSSELL. Well, they are undoubtedly better qualified as a general rule for the entrance than the other boys because they have been training for 10 years in school with a mind for an Army career.

Understand I am not opposed to that. I think we get some of our finest officers, third generation.

General WESTMORELAND. Yes, sir.

Chairman RUSSELL. Sometimes fourth generation Army people. But they have been trained from about the 5th or 6th grade, they put emphasis on those things that will help them to get into the Academy. That must be a very bloody competition for those 50 appointments that the President makes.

General WESTMORELAND. They may be motivated for a military career. We found they are motivated by their fathers. The Army son, or the service son does have the disadvantage of moving around from high school to high school, which makes it extremely difficult for them.

The competition, of course, for a Presidential appointment, the President having over a period of years given all of his appointments to sons of Army officers, is very keen.

Chairman RUSSELL. I should think it was terrific.

General WESTMORELAND. Last year, sir, as an example, we had 800 young men, sons of Regular Army officers or Regular service officers, Army, Navy, Air Force, compete for 17 appointments. Of those 800 over 400 were fully qualified, and there were 17 appointments made.

So, if this bill is restricted, of course, to only congressional appointments it is going to eliminate these sons of Army officers, many of whom are highly motivated and many of whom are highly qualified.

Chairman RUSSELL. How do you get that figure of 17?

Aren't there 50 Presidentials for each of the service Academies?

General WESTMORELAND. The number available last year, sir, was 17.

Chairman RUSSELL. That is, they have 50 in this Academy at one time?

General WESTMORELAND. The law says that the President has 89 Presidential appointments at the Academy at one time.

If you divide this by 4 you come up with roughly 22 plus that theoretically should be appointed every year.

But this gets involved in attrition, and for the class of 1956 that entered last July there were only 17 vacancies for Presidential appointments.

Chairman RUSSELL. All three Academies?

General WESTMORELAND. No, West Point, sir.

Chairman RUSSELL. For West Point?

General WESTMORELAND. Yes, sir.

Chairman RUSSELL. Well, that is about right.

General WESTMORELAND. Now, the Naval Academy, of course, has a certain flexibility in their formulas which we do not have.

Chairman RUSSELL. And they have more Presidentials than you have, too, don't they?

General WESTMORELAND. They do, sir, considerably more. They have 75 per year. In addition to that, if they do not fill all their Regular Navy or their Reserve appointments, they can move them into the Presidential category. We do not have under the present law that flexibility.

Chairman RUSSELL. How is that, now, if they don't qualify from the honor school—

General WESTMORELAND. If they don't fill their quota from the Regular or Reserve Navy those appointments can be put into the Presidential category.

Chairman RUSSELL. That wouldn't be a very large number, though, would it?

General WESTMORELAND. Well, I would like to correct this statement for the record, but as I researched that some time ago, the Navy had approximately the same number competing for Presidential appointments that the Military Academy had.

They qualified approximately the same number; 158 were admitted to the Naval Academy as opposed to the 17 from West Point by virtue of this flexibility in the appointment system.

Chairman RUSSELL. Well, that is an unconscionable distinction between the two schools. Why don't you try to get that corrected instead of coming in here with something like this?

General WESTMORELAND. We feel that ultimately, sir, the service academies should operate under a single piece of legislation. This is now being staffed in the Pentagon and being considered by the Secretary of Defense.

Chairman RUSSELL. Certainly, something should be done about it. I can understand why the Navy should have a slightly larger quota than West Point because you draw from so many other sources for your officers. But, certainly, there is no such difference as that in numbers which should be permitted on the presidentials. It is not fair to the sons of the Army officers, to begin with, because a large number—the Navy has more officers than the Army, hasn't it?

General WESTMORELAND. They have more Regulars, sir, but they have less officers on active duty.

Chairman RUSSELL. Less officers on active duty.

Of course, they are all eligible if they are on active duty, are they not?

General WESTMORELAND. The President now gives his appointments to sons of Regular service officers.

Chairman RUSSELL. Just Regular service officers?

General WESTMORELAND. Yes, sir.

But speaking of the Army, sir, we agree with you, Mr. Chairman, this should be put on an equitable basis.

Chairman RUSSELL. Well, something should be done to equalize that. I think you would make a better case for that than you can for this bill here.

General WESTMORELAND. May I make one correction for the record?

Chairman RUSSELL. Yes, sir.

General WESTMORELAND. The Regular, the son of the Regular Army enlisted man is also eligible to compete.

Chairman RUSSELL. I thought they were.

General WESTMORELAND. Yes, sir.

Chairman RUSSELL. You have a very low rate of attrition from those who come in under Presidential appointment, don't you?

General WESTMORELAND. It is lower than the other categories; yes, sir.

Chairman RUSSELL. I imagine you have more for physical than for other reasons.

General WESTMORELAND. Physical limitations rather than academic.

Chairman RUSSELL. A man who gets chosen out of that first 17 of 800, I don't see how he can have much trouble in his classes if he had the slightest—

General WESTMORELAND. He is not much of an academic risk.

Chairman RUSSELL. I shouldn't think so, unless he had a heart attack or something.

Senator SYMINGTON?

Senator SYMINGTON. Mr. Chairman, I am sorry I was late; four committees this morning; I have a letter here from General Sverdlop, President of the Board of Advisers of the U.S. Military Academy or rather from his assistant. I understand you have been discussing this and your thought is that it be only the first qualified alternates; is that correct?

Chairman RUSSELL. Beg pardon?

Senator SYMINGTON. Your thought is it be only the first qualified alternates?

Chairman RUSSELL. Yes, that is what I had in mind.

Senator SYMINGTON. I think that——

Chairman RUSSELL. That was my own view now. I was going to submit that to the committee.

Senator SYMINGTON. It makes a lot of sense to me.

Chairman RUSSELL. I think we would have some difficulty with this bill on the floor in the form in which it came to us from the House.

Senator SYMINGTON. As I understand it you recommend the bill; is that correct?

General WESTMORELAND. We recommend the bill as drafted, sir, and as passed by the House.

Senator SYMINGTON. How would you feel about only limiting it to the first alternates?

General WESTMORELAND. That would be an acceptable amendment, sir, but not a preferable one from our viewpoint. We would prefer the present bill for the following reasons.

First, this would eliminate consideration of sons of Army officers and I have discussed the competition involved there.

We would reduce slightly the quality of the young men coming in in this 50 and the competition would be geographically distributed, and not on a national competitive basis.

Senator SYMINGTON. Couldn't you handle the Army officer problem which has developed in some cases by increasing the number of Presidential appointments for Army officers?

General WESTMORELAND. Yes, sir.

Senator SYMINGTON. In other words, making an effort in a separate bill to raise it?

General WESTMORELAND. If the Department of Defense comes up with a piece of legislation applicable to all service academies, I believe this matter can be corrected and should be corrected.

Chairman RUSSELL. You don't absolutely eliminate them anyway, General. There are a number of Members of Congress who would appoint sons of members of the Army to the Military Academy. You are not restricted at all.

General WESTMORELAND. You are quite right, sir.

Senator SYMINGTON. I have no further questions or comments, Mr. Chairman.

Chairman RUSSELL. Any further questions?

General WESTMORELAND. Mr. Chairman, it might be of interest to the committee to demonstrate the type of young man that we are thinking about or we have had experience with who would come in under the qualified officer category.

I will read, with your permission, sir, the record thus far of the young man from Colorado who has a third alternate.

May I do so, sir?

Chairman RUSSELL. Yes, sir.

General WESTMORELAND. This young man in high school was a straight A student and president of a national honor society. He is an Eagle Scout with bronze, gold, and silver palm. He was a 5-year—had earned a 5-year membership award in the 4-H Club. He was a blue ribbon winner in the junior fair in projects concerning gardening, poultry, forestry, electricity, and chemistry. He was an

acolyte in the Trinity Episcopal Church for 6 years. He has achievement awards. In addition to that he was a 2-year letter man on the varsity football team.

Now, in his personal history statement, he stated in accordance with our directive, to state briefly, why do you desire to attend the Military Academy and pursue a military career he made this comment:

It has long been my dream to go to West Point. I think that I have the qualifications to be a successful cadet, and I am convinced that I would enjoy the life of an officer of the U.S. Army. I believe that through a military career I can make a worthwhile contribution to my country.

This is the type of young man we are thinking about.

Chairman RUSSELL. I want to make my position perfectly clear, General. I have no objection to your using this for recruiting for your football team if you can, without impairing the standards of scholarship.

If you are going to play big league football as the service academies are, they have to have some way to attract young men who can play football, as well as keep up with their classes.

We have had some trouble with that down at Georgia Tech. They have such high scholastic standards they have to go out of the State sometimes to get football players, because they don't let any football player ride there. When he is playing at Tech he is carrying his full share of the scholastic work.

Senator SYMINGTON. It may be true of Georgia Tech, but never true of Georgia when you were skinning Yale.

[Laughter.]

Chairman RUSSELL. Those were all homegrown boys, that is before we even went to Pennsylvania. Those were all homegrown boys.

Senator SYMINGTON. Wasn't the name of that great end "Catfish" Smith?

Chairman RUSSELL. "Catfish Smith" was from Macon, Ga.

The reason I prefer this first alternate business is because I want to maintain the distribution of the corps all over the United States of America and so far as I have any influence in it, I am going to fight this business of having them all picked up from one State everywhere I see an opportunity to do so.

I don't conceive of the service academies as being merely a means of manufacturing officers. It is also to give every section of this country, ever congressional district, however remote, a boy in that district, an opportunity to get to the service academy.

And that is the reason I am trying to hold this thing to the first alternates. If you can use it as a means of helping your football team, for my part I have no objection whatever. But I am very much opposed to any law being passed that is going to permit a concentration of the appointees in any geographical area, as it could be done, under the bill as it comes to us from the House.

That is my reason for bringing in the first alternates. I don't think you are going to suffer so much from the scholastic standpoint if you go to the first alternates.

Senator CANNON. Mr. Chairman.

Chairman RUSSELL. Yes.

Senator CANNON. Question: When you refer to first alternates, are you talking about the relative position of first alternates or specifically first alternates?

I ask that question because in many instances your principal might have failed, and then your first alternate becomes the principal.

Chairman RUSSELL. That would move up whoever was the second alternate and he would be the first alternate on the list.

Senator CANNON. I want to make this clear.

Chairman RUSSELL. What I am trying to do is maintain this geographical distribution. Of course, often your principal fails. The man who made the highest mark that was ever made on my examination, the civil service examination, failed on his eyesight, when the time came; I believe it was for the Naval Academy.

Of course, his first alternate immediately stepped up and became the principal, and the second alternate became the first alternate and he would be the one who would be considered under this statute.

Senator BEALL. Does it say that in the amendment?

Chairman RUSSELL. Yes, because that is what he would be, the first alternate under the law.

It is very clear that it is the first alternate qualified. If the first alternate didn't qualify it would go to the second, if the second alternate didn't qualify it would go to the third under the statute.

I am just trying to maintain the geographic distribution; that is my purpose. I don't want to hurt the quality of the Academy or the corps. I want to improve it and I think you improve it when you have a nationwide distribution of your cadet corps.

General WESTMORELAND. I agree, Senator. The fact that we represent a geographical cross section of the quality young men of the country is the strength of the Academy.

Chairman RUSSELL. There is no question about it and strengthen the U.S. security system and the U.S. Army, too.

Senator SMITH. Mr. Chairman.

Chairman RUSSELL. Senator Smith.

Senator SMITH. General, am I correct in understanding this doesn't in any way affect the present law whereby each Member of Congress can appoint a principal and three alternates who are chosen as is necessary?

General WESTMORELAND. Your assumption is correct, Senator.

Senator SMITH. You mentioned the study that the Defense Department is making. How long have they been on this study, do you know?

General WESTMORELAND. To my knowledge, about 2 years.

Senator SMITH. It seems as though I have been hearing about this study, Mr. Chairman, and making this uniform, the Academies uniform, in their procedure for a long time.

Do you have any indication that they expect to come out with a report?

General WESTMORELAND. I cannot forecast when it will be, Senator Smith, that great progress is being made.

Senator SMITH. Is there any reason why this bill is necessary if we have any prospect of getting their recommendations soon?

Wouldn't it be well to wait until we have their recommendations and bring out a bill that would unify the three Academies?

General WESTMORELAND. Well, if a proposal is submitted, which I believe will be the case, this will put all the Academies on a common basis with respect to appointment and will perhaps result in increasing the strength of the Military Academy and the Air Force Academy on a basis comparable to that of the Naval Academy.

Now, if this amendment is passed, this will allow us immediately to take maximum advantage of our capacity, our plant capacity, and our staff and faculty, to graduate more officers for the Air Force and for the Army.

Senator SMITH. But it would not require any additional facilities in construction?

General WESTMORELAND. It will not. The costs will be nominal. The costs will amount to the pay of a cadet, which is one-half the pay of a second lieutenant.

Senator SMITH. I feel very strongly, as the chairman has already suggested, that the State should be well represented and I don't want to take any chance of losing any appointments at the Academy, that is why I was asking about the protection to each State.

General WESTMORELAND. Well, you may be sure you will have that protection, Senator Smith.

Chairman RUSSELL. Any further questions?

Senator SYMINGTON. What is the reason this fellow was only a third alternate, if he is as good as that report implies, why wasn't he the appointee?

General WESTMORELAND. Sir, this is beyond my purview.

Senator SYMINGTON. I am just asking. I would like to know. There never has been anybody appointed by me except on a competitive examination basis.

I just wonder why a fellow with a record that good doesn't get in.

General WESTMORELAND. We intend to pick this man up. This man will be picked up as a qualified alternate.

Senator SYMINGTON. But if he is a third alternate, and based on that record, the people ahead of him must be—

General WESTMORELAND. I don't intend to speak specifically of this case, because it is certainly a congressional prerogative to appoint as a principal whom the Representative and the Senator wishes.

Senator SYMINGTON. My only point is if you don't do it on a merit basis you will find many boys on an alternate roll who would be extremely well qualified.

General WESTMORELAND. It has been my experience if a Congressman—I grant some Congressmen, realizing they have a young man with these high qualifications, they will draw the conclusion that there is high prospect for this youngster to be picked up as a qualified alternate.

Chairman RUSSELL. If he had been the first alternate you would have gotten him under the amendment.

Senator CANNON. Mr. Chairman, having served on the Board of Advisers for the last several years, I can elaborate on that for Senator Symington.

Of course, the law doesn't require you to use the best qualified system for the appointing authority, and that is one of the reasons that the Academies themselves have been urging for a number of years, to my knowledge, that that system be employed, the best qualified system from the appointing authority. But nevertheless, the Congress is the appointing authority, and they have never seen fit to fix that. But, as the general has stated, in many instances, the appointing authority will determine that if he has two boys one of whom is exceptionally well qualified he has a better chance to get him in under the qualified alternate system. However, if he reversed the appointment and

gave his best man the top appointment then he might not get anyone in under the qualified alternate.

Therefore if he puts his best man on the alternate list, and his second best man on the principal list, he has a chance of getting two men in from his district. I have done that myself.

I got two in this year in one of the Academies in exactly that fashion by putting the man who passed highest on the civil service test, on the alternate position, and he is going in under the qualified alternate.

General WESTMORELAND. This was the rationale, sir, that I was endeavoring to put forth.

Chairman RUSSELL. You see that is the advantage of being on the Board of Visitors you learn all those different wrinkles.

I haven't exercised my position as a member of the Board of Advisors lately. I had better go to the Board.

Chairman Russell. Anything further?

General WESTMORELAND. I have nothing further.

Chairman RUSSELL. If not, we thank you very much, general.

(Subsequently, in executive session, the committee voted to report H.R. 7913 with amendments, as covered by S. Rept. 1534.)

H.R. 8570

The next bill is H.R. 8570, a legislative proposal by the Department of Defense that would permit disbursing officers of one Armed Force to advance funds to an officer of another Armed Force for the purpose of making disbursements as an agent of the officer making the advance of funds.

(The bill H.R. 8570 follows:)

[H.R. 8570, 87th Cong., 1st sess.]

AN ACT To amend title 10, United States Code, to permit disbursing officers of an armed force to entrust funds to other officers of an armed force

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

(1) Chapter 165 is amended—

(A) by adding the following new section at the end thereof:

“§2773. **Accountability for public money: disbursing officers; agent officers**

“Under such regulations as the Secretary concerned may prescribe, any officer of an armed force accountable for public money may entrust it to another officer of an armed force to make disbursement as his agent. Both the officer to whom money is entrusted under this section, and the officer who entrusts the money to him, are pecuniarily responsible for that money to the United States. Regulations prescribed under this section by the Secretaries of the military departments must be approved by the Secretary of Defense.”; and

(B) by adding the following new item at the end of the analysis:

“2773. Accountability for public money: disbursing officers; agent officers.”

(2) Section 4833 is repealed.

(3) The analysis of chapter 453 is amended by striking out the following item:

“4833. Accountability for public money: disbursing officers; agent officers.”

(4) Section 9833 is repealed.

(5) The analysis of chapter 953 is amended by striking out the following item:

“9833. Accountability for public money: disbursing officers; agent officers.”

Passed the House of Representatives August 21, 1961.

Attest:

RALPH R. ROBERTS,

Chairman RUSSELL. The bill is intended to avoid duplicating effort in connection with disbursing activities and to encourage utilization of common disbursing facilities.

The departmental witness is Maj. Frank W. Clayton in the Office of the Chief of Finance, Department of the Army.

Have a seat, Major Clayton, and tell us very briefly what this bill is about.

STATEMENT OF MAJ. FRANK W. CLAYTON, OFFICE OF THE CHIEF OF FINANCE, DEPARTMENT OF THE ARMY

Major CLAYTON. Thank you very much, Mr. Chairman.

Mr. Chairman and members of the committee, I am Maj. Frank W. Clayton, Office, Chief of Finance, U.S. Army. It is a pleasure to appear before you in support of this bill.

The purpose of this legislation is to permit disbursing officers of one armed service to advance funds to an officer of another armed service for the purpose of making disbursements as an agent officer of the disbursing officer making the advance of funds.

Sections 4833 and 9833 of title 10, United States Code, permit disbursing officers of the Army and Air Force, respectively, to advance funds to other officers of their same services to act as their agents for the purpose of paying troops and other authorized disbursements. This authority dates back to section 9a of the National Defense Act of 1916 (39 Stat. 166), as amended, by the act of June 4, 1920 (41 Stat. 766).

With the growth and use of unified commands, and the frequent assignment of personnel of one service in close proximity to a larger unit of another service, unnecessary duplication of effort and expense can often be avoided by having one of the services perform certain administrative functions for one of the other services. This principle is recognized in section 409 of the National Security Act of 1947 (61 Stat. 495) as amended (5 U.S.C. 172h), which provides for common use of disbursing facilities.

The proposed legislation would further utilize the principle of common disbursing facilities by permitting a disbursing officer of one service to utilize the services of an officer of another service to act as his agent for disbursing purposes, thus eliminating the need for more than one disbursing officer in any one area.

The enactment of the proposed legislation would not result in any increase in budgetary requirements of the Department of Defense.

Mr. Chairman, this concludes my prepared statement. And I will be happy to answer any questions you may have at this time.

Senator SYMINGTON (presiding). Senator Smith?

Senator SMITH. Not any, thank you.

Senator SYMINGTON. Senator Cannon?

Senator CANNON. No questions.

Senator SYMINGTON. Thank you very much.

The committee will now go into executive session.

(Whereupon, at 11:55 a.m., the committee proceeded into executive session.)

(Subsequently, in executive session, the committee voted to report H.R. 8570, without amendment, as covered by S. Rept. 1527.)