

Ante, p. 11.
"Federal office."

eral Election Campaign Act of 1971, and the term "Federal office" has the same meaning given such term by section 301(c) of such Act.

EFFECT ON STATE LAW

SEC. 403. (a) Nothing in this Act shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of this Act.

(b) Notwithstanding subsection (a), no provision of State law shall be construed to prohibit any person from taking any action authorized by this Act or from making any expenditure (as such term is defined in section 301(f) of this Act) which he could lawfully make under this Act.

PARTIAL INVALIDITY

SEC. 404. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

REPEALING CLAUSE

43 Stat. 1070.

SEC. 405. The Federal Corrupt Practices Act, 1925 (2 U.S.C. 241-256), is repealed.

EFFECTIVE DATE

SEC. 406. Except as provided for in section 401 of this Act, the provisions of this Act shall become effective on December 31, 1971, or sixty days after the date of enactment of this Act, whichever is later.

Approved February 7, 1972.

Public Law 92-226

AN ACT

February 7, 1972
[S. 2819]

To amend the Foreign Assistance Act of 1961, and for other purposes.

Foreign Assistance Act of 1971.

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 "Foreign Assistance Act of 1971".

FOOD-FOR-PEACE PROGRAM

SEC. 2. It is the sense of the Congress that funds to administer the food-for-peace program should not be reduced as the result of any reduction in the authorizations provided to carry out the Foreign Assistance Act of 1961.

75 Stat. 424.
22 USC 2151
note.

PART I—ECONOMIC ASSISTANCE

DEVELOPMENT LOAN FUND

SEC. 101. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to the Development Loan Fund, is amended as follows:

75 Stat. 426.
22 USC 2161.

(a) In section 202(a), relating to authorization—

83 Stat. 805.
22 USC 2162.

(1) strike out “and \$350,000,000 for the fiscal year 1971” and insert in lieu thereof “\$350,000,000 for the fiscal year 1971, \$250,000,000 for the fiscal year 1972, and \$250,000,000 for the fiscal year 1973”; and

(2) strike out “and June 30, 1971” and insert in lieu thereof “June 30, 1971, June 30, 1972, and June 30, 1973”.

(b) In section 203, relating to fiscal provisions, strike out “and for the fiscal year 1971” and insert in lieu thereof “, for the fiscal year 1971, for the fiscal year 1972, and for the fiscal year 1973”.

22 USC 2163.

(c) In section 209, relating to multilateral and regional programs—

Multilateral
programs.
81 Stat. 449.
22 USC 2169.

(1) strike out subsection (a) and insert in lieu thereof the following: “(a) The Congress recognizes that the planning and administration of development assistance by, or under the sponsorship of the United Nations, multilateral lending institutions, and other multilateral organizations may contribute to the efficiency and effectiveness of that assistance through participation of other donors in the development effort, improved coordination of policies and programs, pooling of knowledge, avoidance of duplication of facilities and manpower, and greater encouragement of self-help performance.”;

(2) insert at the end thereof the following new subsections:

“(c) Notwithstanding any other provision of law, the President should reduce the amounts and numbers of loans made by the United States directly to individual foreign countries with the objective of reducing the total amount of bilateral loans made under this Act so that, by not later than June 30, 1975, such total amount shall not exceed \$100,000,000.

Bilateral lending
programs, reduc-
tion.

“(d) In furtherance of the provisions of subsection (a) of this section, any funds appropriated under this part I may be transferred by the President to the International Development Association, the International Bank for Reconstruction and Development, the International Finance Corporation, the Asian Development Bank or other multilateral lending institutions and multilateral organizations in which the United States participates for the purpose of providing funds to enable any such institution or organization to make loans to foreign countries.”; and

Transfer of
funds.

(3) strike out subsection (b) “REGIONAL PROGRAMS.—”.

(d) Section 205, relating to transfers to international financial institutions, is repealed.

Repeal.
80 Stat. 797.
22 USC 2165.

TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 102. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to technical cooperation and development grants, is amended as follows:

(a) In section 212, relating to authorization, strike out "\$183,500,000 for the fiscal year 1970, and \$183,500,000 for the fiscal year 1971" and insert in lieu thereof "\$175,000,000 for the fiscal year 1972, and \$175,000,000 for the fiscal year 1973".

(b) In section 214(c), relating to authorization for American schools and hospitals abroad, strike out "for the fiscal year 1970, \$25,900,000, and for the fiscal year 1971, \$12,900,000" and insert in lieu thereby "for the fiscal year 1972, \$30,000,000 and for the fiscal year 1973, \$30,000,000".

(c) At the end of such title II, add the following new section:

"SEC. 220A. SUEZ CANAL.—The President is authorized to furnish financial assistance, on such terms and conditions as he may determine, for assisting in the reopening of the Suez Canal after agreement has been reached by the parties involved, which agreement provides for the use of the Canal by the ships of all nations, including Israel, on a nondiscriminatory basis. For the purpose of carrying out this section, there are authorized to be appropriated not to exceed \$10,000,000 in Egyptian pounds now owned by the United States and determined by the President to be excess to the normal requirements of departments and agencies of the United States. Amounts appropriated under this section are authorized to remain available until expended."

HOUSING GUARANTIES

SEC. 103. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to housing guaranties, is amended as follows:

(a) In section 221, strike out "\$130,000,000" and insert in lieu thereof "\$205,000,000".

(b) In section 223(i), strike out "June 30, 1972" and insert in lieu thereof "June 30, 1974".

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 104. Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to the Overseas Private Investment Corporation, is amended as follows:

(a) In the first proviso of section 238(c), relating to definitions, strike out "required by law to be".

(b) At the end of section 239, relating to general provisions and powers, add the following new subsection:

"(g) Except for the provisions of this title, no other provision of this or any other law shall be construed to prohibit the operation in Yugoslavia or Romania of the programs authorized by this title, if the President determines that the operation of such program in such country is important to the national interest."

(c) Section 240(h), relating to agricultural credit and self-help community development projects, is amended by striking out "June 30, 1972" and inserting in lieu thereof "June 30, 1973".

75 Stat. 427;
83 Stat. 806.
22 USC 2171.
83 Stat. 805.
22 USC 2172.

22 USC 2174.

83 Stat. 807.
22 USC 2181.

22 USC 2183.

22 USC 2191.

22 USC 2198.

22 USC 2199.

Yugoslavia
and Romania.

22 USC 2200.

ALLIANCE FOR PROGRESS

SEC. 105. Section 252(a) of title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to authorization for the Alliance for Progress, is amended—

83 Stat. 818.
22 USC 2212.

(1) by striking out “for the fiscal year 1970, \$428,250,000, and for the fiscal year 1971, \$428,250,000” and inserting in lieu thereof “for the fiscal year 1972, \$295,000,000, and for the fiscal year 1973, \$295,000,000”; and

(2) by striking out “\$90,750,000” and inserting in lieu thereof “\$88,500,000”.

PROGRAMS RELATING TO POPULATION GROWTH

SEC. 106. Section 292 of title X of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to authorization, is amended to read as follows:

81 Stat. 453.
22 USC 2219a.

“SEC. 292. AUTHORIZATION.—Of the funds provided to carry out the provisions of this part I for each of the fiscal years 1972 and 1973, \$125,000,000 shall be available in each such fiscal year only to carry out the purposes of this title, and, notwithstanding any other provisions of this Act, funds used for such purposes may be used on a loan or grant basis.”

22 USC 2151.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 107. Section 302 of chapter 3 of part I of the Foreign Assistance Act of 1961, relating to authorization, is amended as follows:

80 Stat. 801;
83 Stat. 819.
22 USC 2222.

(a) In subsection (a), strike out “for the fiscal year 1970, \$122,620,000, and for the fiscal year 1971, \$122,620,000” and insert in lieu thereof “for the fiscal year 1972, \$138,000,000, and for the fiscal year 1973, \$138,000,000”.

(b) In subsection (b) (2)—

(1) strike out “for use in the fiscal year 1970, \$7,530,000, and for use in the fiscal year 1971, \$7,530,000” and insert in lieu thereof “for use in the fiscal year 1972, \$15,000,000, and for use in the fiscal year 1973, \$15,000,000”; and

(2) add at the end thereof the following new sentence: “The President shall not exercise any special authority granted to him under section 610(a) or 614(a) of this Act to transfer any amount appropriated under this paragraph to, and to consolidate such amount with, any funds made available under any other provision of this Act.”

75 Stat. 442,
444.
22 USC 2360,
2364.

(c) In subsection (e), strike out “\$1,000,000 for the fiscal year 1970 and \$1,000,000 for the fiscal year 1971” and insert in lieu thereof “\$1,000,000 for the fiscal year 1972 and \$1,000,000 for the fiscal year 1973”.

(d) At the end of such section 302, add the following new subsection:

“(f) There are authorized to be appropriated to the President, in addition to other amounts available for such purposes, \$1,000,000 for the fiscal year 1972 and \$1,000,000 for the fiscal year 1973, in Egyptian pounds owned by the United States and determined by the President to be excess to the requirements of departments and agencies of the United States, for the purpose of providing technical and vocational training and other assistance to Arab refugees. Amounts appropriated under this subsection are authorized to remain available until expended.”

Arab refugees,
assistance.

CONTINGENCY FUND

East Pakistan.
83 Stat. 819;
84 Stat. 1942.
22 USC 2261.

SEC. 108. Section 451 (a) of chapter 5 of part I of the Foreign Assistance Act of 1961, relating to the contingency fund, is amended by striking out "for the fiscal year 1970 not to exceed \$15,000,000, and for the fiscal year 1971 not to exceed \$30,000,000" and inserting in lieu thereof "for the fiscal year 1972 not to exceed \$30,000,000, and for the fiscal year 1973 not to exceed \$30,000,000".

INTERNATIONAL NARCOTICS CONTROL AND REFUGEE RELIEF ASSISTANCE

75 Stat. 424;
80 Stat. 802.
22 USC 2151.

SEC. 109. Part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new chapters:

"CHAPTER 8—INTERNATIONAL NARCOTICS CONTROL

84 Stat. 1236.
21 USC 801
note.

"SEC. 481. INTERNATIONAL NARCOTICS CONTROL.—It is the sense of the Congress that effective international cooperation is necessary to put an end to the illicit production, trafficking in, and abuse of dangerous drugs. In order to promote such cooperation, the President is authorized to conclude agreements with other countries to facilitate control of the production, processing, transportation, and distribution of narcotic analgesics, including opium and its derivatives, other narcotic drugs and psychotropics and other controlled substances as defined in the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513). Notwithstanding any other provision of law, the President is authorized to furnish assistance to any country or international organization, on such terms and conditions as he may determine, for the control of the production of, processing of, and traffic in, narcotic and psychotropic drugs. In furnishing such assistance the President may use any of the funds made available to carry out the provisions of this Act. The President shall suspend economic and military assistance furnished under this or any other Act, and shall suspend sales under the Foreign Military Sales Act and under title I of the Agricultural Trade Development and Assistance Act of 1954, with respect to any country when the President determines that the government of such country has failed to take adequate steps to prevent narcotic drugs and other controlled substances (as defined by the Comprehensive Drug Abuse Prevention and Control Act of 1970) produced or processed, in whole or in part, in such country, or transported through such country, from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents, or from entering the United States unlawfully. Such suspension shall continue until the President determines that the government of such country has taken adequate steps to carry out the purposes of this chapter.

82 Stat. 1320.
22 USC 2751
note.

80 Stat. 1526.
7 USC 1701.

"CHAPTER 9—REFUGEE RELIEF ASSISTANCE

East Pakistan.

"SEC. 491. REFUGEE RELIEF ASSISTANCE.—There is authorized to be appropriated to the President for the fiscal year 1972, in addition to funds otherwise available for such purpose, not to exceed \$250,000,000, to remain available until expended, for use by the President in providing assistance for the relief and rehabilitation of refugees from East Pakistan and for humanitarian relief in East Pakistan. Such assistance shall be distributed, to the maximum extent practicable, under the auspices of and by international institutions and relief agencies or United States voluntary agencies."

PART II—MILITARY ASSISTANCE

SEC. 201. Part II of the Foreign Assistance Act of 1961, relating to military assistance, is amended as follows:

(a) In section 504(a), relating to authorization, strike out "\$350,000,000 for the fiscal year 1970, and \$350,000,000 for the fiscal year 1971" and insert in lieu thereof "\$500,000,000 for the fiscal year 1972".

(b) In section 505(b)(2), relating to conditions of eligibility, strike out "and" and insert in lieu thereof "or".

(c) Section 505(e), relating to conditions of eligibility, is repealed.

(d) In section 506(a), relating to special authority—

(1) strike out "1970 and the fiscal year 1971" and insert in lieu thereof "1972"; and

(2) strike out "each of the fiscal years 1970 and 1971" and insert in lieu thereof "the fiscal year 1972".

(e) Section 507(a), relating to restrictions on military aid to Latin America, is amended to read as follows: "(a) Except as otherwise provided in this section, the value of defense articles furnished by the United States Government under this Act to Latin American countries shall not exceed \$10,000,000. Not to exceed \$25,000,000 in value of defense articles may be furnished under this part on a cost-sharing basis to an inter-American military force under the control of the Organization of American States."

(f) At the end of chapter 2 of such part II, add the following new sections:

"SEC. 511. CONSIDERATIONS IN FURNISHING MILITARY ASSISTANCE.—Decisions to furnish military assistance made under this part shall take into account whether such assistance will—

"(1) contribute to an arms race;

"(2) increase the possibility of outbreak or escalation of conflict; or

"(3) prejudice the development of bilateral or multilateral arms control arrangements.

"SEC. 512. MILITARY ASSISTANCE ADVISORY GROUPS AND MISSIONS.—(a) It is the sense of Congress that the need for large United States military assistance advisory groups and military aid missions in foreign countries has diminished substantially during the last few years. In the words of the Peterson Task Force Report on International Development, 'The United States now can reduce its supervision and advice to a minimum, thus encouraging progress toward self-reliance. United States military missions and advisory groups should be consolidated with other elements in our overseas missions as soon as possible.'

"(b) In accordance with the provisions of subsection (a) of this section, the total number of United States military personnel assigned and detailed, as of September 30, 1971, to United States military assistance advisory groups, military missions, and other organizations of the United States performing activities similar to such groups and missions, shall be reduced by at least 15 per centum by September 30, 1972, but every effort should be made to effect an aggregate reduction of 25 per centum by September 30, 1972.

"SEC. 513. MILITARY ASSISTANCE AUTHORIZATIONS FOR THAILAND.—After June 30, 1972, no military assistance shall be furnished by the United States to Thailand directly or through any other foreign country unless that assistance is authorized under this Act or the Foreign Military Sales Act.

75 Stat. 434;
81 Stat. 455.
22 USC 2301.
83 Stat. 819.
22 USC 2312.

22 USC 2314.

Repeal.
80 Stat. 803;
81 Stat. 456.
83 Stat. 820.
22 USC 2318.

Limitation.
75 Stat. 438;
81 Stat. 457.
22 USC 2319.

22 USC 2311.

"SEC. 514. SPECIAL FOREIGN COUNTRY ACCOUNTS.—(a) Except as otherwise provided in this section, no defense article may be given, and no grant of military assistance may be made, under this Act to a foreign country unless the country agrees—

"(1) to deposit in a special account established by the United States Government the following amounts of currency of that country:

"(A) in the case of any excess defense article to be given to that country, an amount equal to 10 per centum of the fair value of the article, as determined by the Secretary of State, at the time the agreement to give the article to the country is made; and

"(B) in the case of a grant of military assistance to be made to that country, an amount equal to 10 per centum of each such grant; and

"(2) to allow the United States Government to use such amounts from that special account as may be determined, from time to time, by the President to be necessary to pay all official costs of the United States Government payable in the currency of that country, including all costs relating to the financing of international educational and cultural exchange activities in which that country participates under the programs authorized by the Mutual Educational and Cultural Exchange Act of 1961.

"(b) The President may waive any amount of currency of a foreign country required to be deposited under subsection (a) (1) of this section if he determines that the United States Government will be able to pay all of its official costs payable in the currency of that country enumerated under subsection (a) (2) of this section without the deposit of such amount and without having to expend United States dollars to purchase currency of that country to pay such costs.

"(c) The provisions of this section shall not apply in any case in which an excess defense article is given, or a grant of military assistance is made—

"(1) to a foreign country under an agreement with that country which allows the United States Government to operate a military or other similar base in that country in exchange for that article or grant; and

"(2) to South Vietnam, Cambodia, or Laos.

"(d) In no event shall any foreign country be required, under this section, to make deposits in a special account aggregating more than \$20,000,000 in any one year."

SEC. 202. (a) At the end of such part II, add the following new chapter:

"CHAPTER 4—SECURITY SUPPORTING ASSISTANCE

"SEC. 531. GENERAL AUTHORITY.—The President is authorized to furnish assistance to friendly countries, organizations, and bodies eligible to receive assistance under this Act on such terms and conditions as he may determine, in order to support or promote economic or political stability. The authority of this chapter shall not be used to furnish assistance to more than twelve countries in any fiscal year.

"SEC. 532. AUTHORIZATION.—There is authorized to be appropriated to the President to carry out the purposes of this chapter for the fiscal year 1972 not to exceed \$618,000,000, of which not less than \$50,000,000 shall be available solely for Israel: *Provided*, That where commodities are furnished on a grant basis under this chapter under arrangements which will result in the accrual of proceeds to the Government of Vietnam from the sale thereof, arrangements should be made to assure that such proceeds will not be budgeted by the Government of Vietnam for economic assistance projects or programs

75 Stat. 527.
22 USC 2451
note.
Presidential
waiver authority.

Nonapplica-
bility.

75 Stat. 434;
81 Stat. 455.
22 USC 2301.

Israel, funds
availability.

unless the President or his representative has given prior written approval. Amounts appropriated under this section are authorized to remain available until expended. None of the funds authorized by this section shall be made available to the Government of Vietnam unless, beginning in January 1971, and quarterly thereafter, the President of the United States shall determine that the accommodation rate of exchange, and the rate of exchange for United States Government purchases of piasters for goods and services, between said Government and the United States is fair to both countries.

“SEC. 533. UNITED STATES REFUND CLAIMS.—It is the sense of the Congress that the President should seek the agreement of the Government of Vietnam to the establishment and maintenance of a separate special account of United States dollars, which account shall be available solely for withdrawals by the United States, at such times and in such amounts as the President may determine, in satisfaction of United States dollar refund claims against the Government of Vietnam arising out of operations conducted under this Act. Such account should be established in an amount not less than \$10,000,000 and maintained thereafter at a level sufficient to cover United States refund claims as they arise.”

(b) Chapter 4 of part I of the Foreign Assistance Act of 1961 is hereby repealed. References to such chapter or any sections thereof shall hereafter be deemed to be references to chapter 4 of part II of the Foreign Assistance Act of 1961, as added by subsection (a) of this section, or to appropriate sections thereof. All references to part I of the Foreign Assistance Act of 1961 shall hereafter be deemed to be references also to chapter 4 of part II, and all references to part II of such Act shall be deemed not to include chapter 4 of such part II.

Repeal.
75 Stat. 434;
81 Stat. 454.
22 USC 2241.

22 USC 2151.

22 USC 2301.

PART III—GENERAL AND ADMINISTRATIVE PROVISIONS

SEC. 301. Section 620 of chapter 1 of part II of the Foreign Assistance Act of 1961, relating to prohibitions against furnishing assistance, is amended by adding at the end thereof the following new subsections:

“(v) No assistance shall be furnished under this Act, and no sales shall be made under the Foreign Military Sales Act, to Greece. This restriction may be waived when the President finds that overriding requirements of the national security of the United States justify such a waiver and promptly reports such finding to the Congress in writing, together with his reasons for such finding. Notwithstanding the preceding sentence, in no event shall the aggregate amount of (1) assistance furnished to Greece under this Act, and (2) sales made to Greece under the Foreign Military Sales Act, in any fiscal year, exceed the aggregate amount expended for such assistance and such sales for the fiscal year 1971.

“(w)(1) All military, economic, or other assistance, all sales of defense articles and services (whether for cash or by credit, guaranty, or any other means), all sales of agricultural commodities (whether for cash, credit, or by other means), and all licenses with respect to the transportation of arms, ammunitions, and implements of war (including technical data relating thereto) to the Government of Pakistan under this or any other law shall be suspended on the date of enactment of this subsection.

“(2) The provisions of this subsection shall cease to apply when the President reports to the Congress that the Government of Pakistan

75 Stat. 444.
22 USC 2370.

Greece, restriction; waiver, report to Congress.
82 Stat. 1320.
22 USC 2751 note.

Pakistan, assistance suspension.

Report to Congress.

is cooperating fully in allowing the situation in East Pakistan to return to reasonable stability and that refugees from East Pakistan in India have been allowed, to the extent feasible, to return to their homes and to reclaim their lands and properties.

“(3) Nothing in this section shall apply to the provision of food and other humanitarian assistance which is coordinated, distributed, or monitored under international auspices.”

Coordinator for
security assist-
ance.
75 Stat. 447;
76 Stat. 262.
22 USC 2384.

SEC. 302. Section 624 of chapter 2 of part III of the Foreign Assistance Act of 1961, relating to statutory officers, is amended by adding at the end thereof the following new subsection:

“(e) In addition to the officers otherwise provided for in this section, the President shall appoint, by and with the advice and consent of the Senate, one officer for the purpose of coordinating security assistance programs.”

83 Stat. 821.
22 USC 2397.

SEC. 303. Section 637(a) of chapter 2 of part III of the Foreign Assistance Act of 1961, relating to authorization for administrative expenses of the agency administering part I, is amended by striking out “for the fiscal year 1970, \$51,125,000, and for the fiscal year 1971, \$51,125,000” and inserting in lieu thereof “for the fiscal year 1972, \$50,000,000, and for the fiscal year 1973, \$50,000,000”.

84 Stat. 1943.
22 USC 2411.

SEC. 304. (a) (1) Section 652 of the Foreign Assistance Act of 1961, relating to miscellaneous provisions, is amended to read as follows:

Advance notice
to Congress.
22 USC 2318,
2360, 2364.

“SEC. 652. LIMITATION UPON EXERCISE OF SPECIAL AUTHORITIES.—The President shall not exercise any special authority granted to him under section 506(a), 610(a), or 614(a) of this Act unless the President, prior to the date he intends to exercise any such authority, notifies the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate in writing of each such intended exercise, the section of this Act under which such authority is to be exercised, and the justification for, and the extent of, the exercise of such authority.”

Repeal.
75 Stat. 437;
81 Stat. 457.
75 Stat. 455.
22 USC 2394.

(2) The last sentence of section 506(a) of such Act, relating to special authority, is repealed.

(3) The last sentence of section 634(d) of such Act, relating to reports and information, is amended by striking out “610, 614(a),” and inserting in lieu thereof “610(b),”.

22 USC 2401.

(b) Chapter 3 of part III of such Act is amended by adding at the end thereof the following new sections:

Report to Con-
gress.

“SEC. 653. CHANGE IN ALLOCATION OF FOREIGN ASSISTANCE.—(a) Not later than thirty days after the enactment of any law appropriating funds to carry out any provision of this Act (other than section 451 or 637), the President shall notify the Congress of each foreign country and international organization to which the United States Government intends to provide any portion of the funds under such law and of the amount of funds under that law, by category of assistance, that the United States Government intends to provide to each. Notwithstanding any other provision of law, the United States Government shall not provide to any foreign country or international organization any funds under that law which exceeds by 10 per centum the amount of military grant assistance or security supporting assistance, as the case may be, which the President notified the Congress that the United States Government intended to provide that country or organization under that law, unless the President (1) determines that it is in the security interests of the United States that such country or organization receive funds in excess of the amount included in such notification for that country or organization, and (2) reports to Con-

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gress, at least ten days prior to the date on which such excess funds are to be provided to that country or organization, each such determination, including the name of the country or organization to receive funds in excess of such per centum, the amount of funds in excess of that per centum which are to be provided, and the justification for providing the additional assistance.

“(b) The provisions of this section shall not apply in the case of any law making continuing appropriations and may not be waived under the provisions of section 614(a) of this Act.

Nonapplicability.

75 Stat. 444;
80 Stat. 805.
22 USC 2364.
Written report to Congress.

“SEC. 654. PRESIDENTIAL FINDINGS AND DETERMINATIONS.—(a) In any case in which the President is required to make a report to the Congress, or to any committee or officer of either House of Congress, concerning any finding or determination under any provision of this Act, the Foreign Military Sales Act, or the Foreign Assistance and Related Programs Appropriation Act for each fiscal year, that finding or determination shall be reduced to writing and signed by the President.

82 Stat. 1320.
22 USC 2751 note.

“(b) No action shall be taken pursuant to any such finding or determination prior to the date on which that finding or determination has been reduced to writing and signed by the President.

Publication in Federal Register.

“(c) Each such finding or determination shall be published in the Federal Register as soon as practicable after it has been reduced to writing and signed by the President. In any case in which the President concludes that such publication would be harmful to the national security of the United States, only a statement that a determination or finding has been made by the President, including the name and section of the Act under which it was made, shall be published.

Information, access prior to report.

“(d) No committee or officer of either House of Congress shall be denied any requested information relating to any finding or determination which the President is required to report to the Congress, or to any committee or officer of either House of Congress, under any provision of this Act, the Foreign Military Sales Act, or the Foreign Assistance and Related Programs Appropriation Act for each fiscal year, even though such report has not yet been transmitted to the appropriate committee or officer of either House of Congress.

“SEC. 655. LIMITATIONS UPON ASSISTANCE TO OR FOR CAMBODIA.—(a) Notwithstanding any other provision of law, no funds authorized to be appropriated by this or any other law may be obligated in any amount in excess of \$341,000,000 for the purpose of carrying out directly or indirectly any economic or military assistance, or any operation, project, or program of any kind, or for providing any goods, supplies, materials, equipment, services, personnel, or advisers in, to, for, or on behalf of Cambodia during the fiscal year ending June 30, 1972.

“(b) In computing the \$341,000,000 limitation on obligation authority under subsection (a) of this section in fiscal year 1972. (1) there shall be included in the computation the value of any goods, supplies, materials, or equipment provided to, for, or on behalf of Cambodia in such fiscal year by gift, donation, loan, lease, or otherwise, and (2) there shall not be included in the computation the value of any goods, supplies, materials, or equipment attributable to the operations of the Armed Forces of the Republic of Vietnam in Cambodia. For the purpose of this subsection, ‘value’ means the fair market value of any goods, supplies, materials, or equipment provided to, for, or on behalf of Cambodia but in no case less than 33⅓ per centum of

“Value.”

the amount the United States paid at the time such goods, supplies, materials, or equipment were acquired by the United States.

“(c) No funds may be obligated for any of the purposes described in subsection (a) of this section in, to, for, or on behalf of Cambodia in any fiscal year beginning after June 30, 1972, unless such funds have been specifically authorized by law enacted after the date of enactment of this section. In no case shall funds in any amount in excess of the amount specifically authorized by law for any fiscal year be obligated for any such purpose during such fiscal year.

Nonapplicability.

“(d) The provisions of subsections (a) and (c) of this section shall not apply with respect to the obligation of funds to carry out combat air operations over Cambodia.

Cambodian aid request, written report to Congress.

“(e) After the date of enactment of this section, whenever any request is made to the Congress for the appropriation of funds for use in, for, or on behalf of Cambodia for any fiscal year, the President shall furnish a written report to the Congress explaining the purpose for which such funds are to be used in such fiscal year.

Funds for Cambodia, quarterly reports to Congress.

“(f) The President shall submit to the Congress within thirty days after the end of each quarter of each fiscal year, beginning with the fiscal year which begins July 1, 1971, a written report showing the total amount of funds obligated in, for, or on behalf of Cambodia during the preceding quarter by the United States Government, and shall include in such report a general breakdown of the total amount obligated, describing the different purposes for which such funds were obligated and the total amount obligated for such purpose, except that in the case of the first two quarters of the fiscal year beginning July 1, 1971, a single report may be submitted for both such quarters and such report may be computed on the basis of the most accurate estimates the President is able to make taking into consideration all information available to him.

“(g) Enactment of this section shall not be construed as a commitment by the United States to Cambodia for its defense.

“SEC. 656. LIMITATIONS ON UNITED STATES PERSONNEL AND PERSONNEL ASSISTED BY UNITED STATES IN CAMBODIA.—The total number of civilian officers and employees of executive agencies of the United States Government who are citizens of the United States and of members of the Armed Forces of the United States (excluding such members while actually engaged in air operations in or over Cambodia which originate outside Cambodia) present in Cambodia at any one time shall not exceed two hundred. The United States shall not, at any time, pay in whole or in part, directly or indirectly, the compensation or allowances of more than eighty-five individuals in Cambodia who are citizens of countries other than Cambodia or the United States. For purposes of this section, ‘executive agency of the United States Government’ means any agency, department, board, wholly or partly owned corporation, instrumentality, commission, or establishment within the executive branch of the United States Government.

“Executive agency of the United States Government.”

“SEC. 657. ANNUAL FOREIGN ASSISTANCE REPORT.—(a) In order that the Congress and the American people may be better and more currently informed regarding the volume and cost of assistance extended by the United States Government to foreign countries and international organizations, and in order that the Congress and the American people may be better informed regarding the sale of arms to foreign countries and international organizations by private industry of the United States, not later than December 31 of each year the President shall transmit to the Congress an annual report, for the

fiscal year ending prior to the fiscal year in which the report is transmitted, showing—

“(1) the aggregate dollar value of all foreign assistance provided by the United States Government by any means to all foreign countries and international organizations, and the aggregate dollar value of such assistance by category provided by the United States Government to each such country and organization, during that fiscal year;

“(2) the total amounts of foreign currency paid by each foreign country or international organization to the United States Government in such fiscal year, what each payment was made for, whether any portion of such payment was returned by the United States Government to the country or organization from which the payment was obtained or whether any such portion was transferred by the United States Government to another foreign country or international organization, and, if so returned or transferred, the kind of assistance obtained by that country or organization with those foreign currencies and the dollar value of such kind of assistance;

“(3) the aggregate dollar value of all arms, ammunitions, and other implements of war, and the aggregate dollar value of each category of such arms, ammunitions, and implements of war, exported under any export license, to all foreign countries and international organizations, and to each such country and organization, during that fiscal year; and

“(4) such other matters relating to foreign assistance provided by the United States Government as the President considers appropriate, including explanations of the information required under clauses (1)–(3) of this subsection.

“(b) All information contained in any report transmitted under this section shall be public information. However, in the case of any item of information to be included in any such report that the President, on an extraordinary basis, determines is clearly detrimental to the security of the United States, he shall explain in a supplemental report why publication of each specific item would be detrimental to the security of the United States. A supplement to any report shall be transmitted to the Congress at the same time that the report is transmitted.

Public information; supplemental report.

“(c) If the Congress is not in session at the time a report or supplement is transmitted to the Congress, the Secretary of the Senate and the Clerk of the House of Representatives shall accept the report or supplement on behalf of their respective Houses of Congress and present the report or supplement to the two Houses immediately upon their convening.

“(d) For purposes of this section—

Definitions.

“(1) ‘foreign assistance’ means any tangible or intangible item provided by the United States Government under this or any other law to a foreign country or international organization, including, but not limited to, any training, service, or technical advice, any item of real, personal, or mixed property, any agricultural commodity, United States dollars, and any currencies owned by the United States Government of any foreign country;

“(2) ‘provided by the United States Government’ includes, but is not limited to, foreign assistance provided by means of gift, loan, sale, credit sale, or guaranty; and

“(3) ‘value’ means value at the time of transfer except that in no case shall any commodity or article of equipment or

material be considered to have a value less than one-third of the amount the United States Government paid at the time the commodity or article was acquired by the United States Government.

“SEC. 658. LIMITATION ON USE OF FUNDS.—(a) Except as otherwise provided in this section, none of the funds appropriated to carry out the provisions of this Act or the Foreign Military Sales Act shall be obligated or expended until the Comptroller General of the United States certifies to the Congress that all funds previously appropriated and thereafter impounded during the fiscal year 1971 for programs and activities administered by or under the direction of the Department of Agriculture, the Department of Housing and Urban Development, and the Department of Health, Education, and Welfare have been released for obligation and expenditure.

“(b) The provisions of this section shall not apply—

“(1) to funds being withheld in accordance with specific requirements of law; and

“(2) to appropriations obligated or expended prior to April 30, 1972.”

(c) (1) Section 644(m) of such Act, relating to definitions, is amended by striking out—

“(m) ‘Value’ means—”

and inserting in lieu thereof—

“(m) ‘Value’ means, other than in section 657 of this Act—”.

(2) Subsection (a) of section 634 of such Act, relating to reports and information, is repealed.

(3) The provisions of this subsection and section 657 of such Act, as added by subsection (b) of this Act, shall apply with respect to each fiscal year commencing on or after July 1, 1971.

PART IV—MISCELLANEOUS PROVISIONS

SEC. 401. The Foreign Military Sales Act is amended as follows:

(a) In section 31(a) of chapter 3, relating to authorization, strike out “\$250,000,000 for each of the fiscal years 1970 and 1971” and insert in lieu thereof “\$400,000,000 for the fiscal year 1972”.

(b) In section 31(b) of chapter 3, relating to aggregate ceiling on foreign military sales credits, strike out “\$340,000,000 for each of the fiscal years 1970 and 1971” and insert in lieu thereof “\$550,000,000 for the fiscal year 1972, of which amount not less than \$300,000,000 shall be made available to Israel only”.

(c) In section 33(a) of chapter 3, relating to regional ceilings on foreign military sales, strike out “\$75,000,000” and insert in lieu thereof “\$100,000,000”.

(d) Subsection (c) of section 33 of chapter 3, relating to regional ceilings on foreign military sales, is amended to read as follows:

“(c) The limitations of this section may not be waived pursuant to any authority contained in this or any other Act unless the President finds that overriding requirements of the national security of the United States justify such a waiver and promptly reports such finding to the Congress in writing, together with his reasons for such finding. In any case in which the limitations of this section are waived under the preceding sentence, the report required under such sentence shall set forth, in detail, the expenditures proposed to be made in excess of the geographical limitation applicable under this section. Notwithstanding the foregoing provisions of this subsection, in no event shall the aggregate of the total amount of military assistance pursuant to

82 Stat. 1320.
22 USC 2751
note.

Nonapplica-
bility.

75 Stat. 461.
22 USC 2403.

Ante, p. 30.
Repeal.
22 USC 2394.
Effective date.

Foreign military
sales credits,
ceiling.
84 Stat. 2053.
22 USC 2771.

82 Stat. 1325.
22 USC 2773.

Presidential
waiver authority;
written report to
Congress.

the Foreign Assistance Act of 1961, of cash sales pursuant to sections 21 and 22, of credits, or participations in credits, financed pursuant to section 23 (excluding credits covered by guaranties issued pursuant to section 24(b)), of the face amount of contracts of guaranty issued pursuant to sections 24 (a) and (b), and of loans and sales in accordance with section 7307 of title 10, United States Code, exceed any geographical ceiling applicable under this section by more than an amount equal to 50 per centum of such ceiling.”

(e) In section 42(a) of chapter 4, relating to general provisions—

(1) strike out “and” immediately before “(2)”; and

(2) immediately before the period at the end thereof insert the following: “, and (3) the extent to which such sale might contribute to an arms race, or increase the possibility of outbreak or escalation of conflict, or prejudice the development of bilateral or multilateral arms control arrangements”.

(f) Section 42 of chapter 4, relating to general provisions, is amended as follows:

(1) In subsection (a), strike out “but consideration shall also be given” and insert in lieu thereof “but, subject to the provisions of subsection (b) of this section, consideration shall also be given”.

(2) Redesignate subsections (b) and (c) as subsections (c) and (d), respectively, and, immediately after subsection (a), insert the following new subsection:

“(b) No credit sale shall be extended under section 23, and no guaranty shall be issued under section 24, in any case involving coproduction or licensed, production outside the United States of any defense article of United States origin unless the Secretary of State shall, in advance of any such transaction, advise the appropriate committees of the Congress and furnish the Speaker of the House of Representatives and the President of the Senate with full information regarding the proposed transaction, including, but not limited to, a description of the particular defense article or articles which would be produced under a license or coproduced outside the United States, the estimated value of such production or coproduction, and the probable impact of the proposed transaction on employment and production within the United States.”

SEC. 402. Section 8 of the Act of January 12, 1971, entitled “An Act to amend the Foreign Military Sales Act, and for other purposes” (84 Stat. 2053), is amended—

(1) by striking out the first and second sentences of subsection (a) and inserting in lieu thereof the following: “Subject to the provisions of subsection (b), the value of any excess defense article granted to a foreign country or international organization by any department, agency, or independent establishment of the United States Government (other than the Agency for International Development) shall be considered to be an expenditure made from funds appropriated under the Foreign Assistance Act of 1961 for military assistance. Unless such department, agency, or establishment certifies to the Comptroller General of the United States that the excess defense article it is ordering is not to be transferred by any means to a foreign country or international organization, when an order is placed for a defense article whose stock status is excess at the time ordered, a sum equal to the value thereof shall (1) be reserved and transferred to a suspense account, (2) remain in the suspense account until

75 Stat. 424.
22 USC 2151
note.

82 Stat. 1323.
22 USC 2761-
2764.
70A Stat. 452.

82 Stat. 1326.
22 USC 2791.

Production
outside U.S.,
advance notice
to Congress.

Excess defense
article.

22 USC 2321b.

the excess defense article is either delivered to a foreign country or international organization or the order therefor is cancelled, and (3) be transferred from the suspense account to (A) the general fund of the Treasury upon delivery of such article, or (B) to the military assistance appropriation for the current fiscal year upon cancellation of the order.”;

(2) by striking out, in subsection (b), “\$100,000,000” and inserting in lieu thereof “\$185,000,000”; and

(3) by adding at the end thereof the following new subsection:

Nonapplicability.

75 Stat. 434;
81 Stat. 455.
22 USC 2301.
80 Stat. 460;
84 Stat. 1888.

“(e) Except for excess defense articles granted under part II of the Foreign Assistance Act of 1961, the provisions of this section shall not apply to any excess defense article granted to South Vietnam prior to July 1, 1972.”.

SEC. 403. Paragraph (9) of section 5314 of title 5, United States Code, relating to level III of the Executive Schedule, is amended by inserting before the period at the end thereof the following: “and an Under Secretary of State for Coordinating Security Assistance Programs”.

Interparliamentary Union.

78 Stat. 1014;
81 Stat. 463.

SEC. 404. The first section of the Act of June 28, 1935, entitled “An Act to authorize participation by the United States in the Interparliamentary Union” (22 U.S.C. 276), is amended as follows:

(1) Strike out “\$53,550” and insert in lieu thereof “\$102,000”.

(2) Strike out “\$26,650” and insert in lieu thereof “\$57,000”.

(3) Strike out “\$26,900” and insert in lieu thereof “\$45,000”.

North Atlantic Assembly.

70 Stat. 523.

SEC. 405. Section 2 of the joint resolution entitled “Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization”, approved July 11, 1956 (22 U.S.C. 1928b), is amended as follows:

(1) Strike out “\$30,000” and insert in lieu thereof “\$50,000”.

(2) Strike out “\$15,000” each place it appears and insert in lieu thereof in each such place “\$25,000”.

83 Stat. 821.
22 USC 290f.

SEC. 406. Part IV of the Foreign Assistance Act of 1969 is amended as follows:

(1) Strike out the title of such part and insert in lieu thereof the following:

“PART IV—THE INTER-AMERICAN FOUNDATION ACT”.

Inter-American Foundation, establishment.

(2) The caption of section 401 and subsection (a) of such section of that part are amended to read as follows: “INTER-AMERICAN FOUNDATION.—(a) There is created as an agency of the United States of America a body corporate to be known as the Inter-American Foundation (hereinafter in this section referred to as the ‘Foundation’).”

(3) Section 401 of such part is amended by striking out “Institute” wherever it appears and inserting in lieu thereof “Foundation”.

(4) Section 401(e) (4) of such part is amended to read as follows: “(4) shall determine and prescribe the manner in which its obligations shall be incurred and its expenses, including expenses for representation (not to exceed \$10,000 in any fiscal year), allowed and paid;”.

President, appointment and compensation.

(5) Section 401(1) is amended to read as follows:

“(1) (1) The chief executive officer of the Foundation shall be a President who shall be appointed by the Board of Directors on such terms as the Board may determine. The President shall receive compensation at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

80 Stat. 461;
83 Stat. 864.

“(2) Experts and consultants, or organizations thereof, may be employed as authorized by section 3109 of title 5, United States Code.”

80 Stat. 416.

SEC. 407. (a) It is the purpose of this section to enable the Congress generally, and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives in particular, to carry out the purposes and intent of the Legislative Reorganization Acts of 1946 and 1970, with respect to—

60 Stat. 812;
84 Stat. 1140.
2 USC 72a note.

(1) the analysis, appraisal, and evaluation of the application, administration, and execution of the laws relating to the Department of State and the United States Information Agency and of matters relating to the foreign relations of the United States; and

(2) providing periodic authorizations of appropriations for that Department and Agency.

(b) Section 15 of the Act entitled “An Act to provide certain basic authority for the Department of State”, approved August 1, 1956 (22 U.S.C. 2680) is amended to read as follows:

State Department
appropriation; in-
formation to con-
gressional commit-
tees.

70 Stat. 892.

“SEC. 15. (a) Notwithstanding any other provision of law, no appropriation shall be made to the Department of State under any law for any fiscal year commencing on or after July 1, 1972, unless previously authorized by legislation hereafter enacted by the Congress.

Post, p. 490.

“(b) The Department of State shall keep the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives fully and currently informed with respect to all activities and responsibilities within the jurisdiction of these committees. Any Federal department, agency, or independent establishment shall furnish any information requested by either such committee relating to any such activity or responsibility.”

(c) The last sentence of section 13 of such Act (22 U.S.C. 2684) is repealed.

Repeal.

77 Stat. 391.

(d) Section 701 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1476) is amended to read as follows:

62 Stat. 11;

Post, p. 494.

“PRIOR AUTHORIZATIONS BY CONGRESS

“SEC. 701. Notwithstanding any other provision of law, no appropriation shall be made to the Secretary of State, or to any Government agency authorized to administer the provisions of this Act, under any law for any fiscal year commencing on or after July 1, 1972, unless previously authorized by legislation enacted by the Congress after the date of enactment of the Foreign Assistance Act of 1971.”

Ante, p. 20.

SEC. 408. Section 7(a) of the Special Foreign Assistance Act of 1971 (84 Stat. 1943) is amended by striking out “Cambodian military forces” and inserting in lieu thereof “military, paramilitary, police, or other security or intelligence forces”.

Cambodia,
restriction.
22 USC 2411
note.

SEC. 409. Section 401(a) of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, is amended—

Funds, avail-
ability for Viet-
namese forces.
84 Stat. 910;
85 Stat. 427.

(1) by inserting in the second sentence of paragraph (1), after “to or for the use of the Armed Forces of the United States”, the following: “or of any department, agency, or independent establishment of the United States”; and

(2) by inserting in the introductory matter preceding clause (A) of paragraph (2) of such section, after “Armed Forces of the United States”, the following: “or of any department, agency, or independent establishment of the United States”.

United Nations,
U.S. assessed
contribution.

SEC. 410. The Congress strongly urges the President to undertake such negotiations as may be necessary to implement that portion of the recommendations of the Report of the President's Commission for the Observance of the Twenty-fifth Anniversary of the United Nations (known as the "Lodge Commission") which proposes that the portion of the regular assessed costs to be paid by the United States to the United Nations be reduced so that the United States is assessed in each year not more than 25 per centum of such costs assessed all members of the United Nations for that year.

Approved February 7, 1972.

Public Law 92-227

AN ACT

February 15, 1972
[H. R. 11487]

To authorize the Administrator of the National Aeronautics and Space Administration to convey certain lands in Brevard County, Florida.

Chapel of the
Astronauts, Inc.,
Fla.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of the National Aeronautics and Space Administration is authorized to convey for fair market value to the Chapel of the Astronauts, Incorporated, a nonprofit Florida corporation, all right, title, and interest of the United States in not to exceed seven acres of unimproved land situated adjacent to the present Visitor Information Center, John F. Kennedy Space Center, National Aeronautics and Space Administration, Brevard County, Florida, together with necessary rights of vehicular, pedestrian and utilities access, for the purpose of construction, operation, and maintenance thereon by the said corporation of a nondenominational, nonsectarian, nonprofit public facility for worship or meditation and a memorial to the Astronauts, who have served as envoys of all mankind in the exploration of outer space, including the moon and other celestial bodies, which facility shall be open at all times to any individual or group without discrimination as to race, creed, color, or national origin: *Provided*, That—

(1) such conveyance shall take place when the Administrator determines that (A) said corporation is ready, willing, and financially and otherwise able to construct, operate, and maintain the said facility, and (B) the plans for such facility are appropriate for the intended purpose, will not detract from the surrounding Government facilities and have made adequate provision for access by, and accommodation of, the public and for the safe operation of the facility and surrounding Government facilities; and

(2) the deed of conveyance shall include suitable covenants (A) restricting the use of the property to the purpose for which it was conveyed, (B) requiring the corporation to construct, maintain, and operate the facility for, and in a manner appropriate to, the purpose for which the property was conveyed, without at any time impairing the safety or interfering with the operation of surrounding Government facilities; and (C) providing that title to the land conveyed thereunder and any improvements thereon shall revert to the United States, without payment of compensation therefor, whenever the Administrator, or the official having jurisdiction and control over adjacent Government-owned land, determines that any of the foregoing covenants are being breached.

Termination.

SEC. 2. The authority to convey land to the Chapel of the Astronauts, Incorporated, under this Act shall terminate two years after the date of enactment of this Act.

Approved February 15, 1972.