

tion until such time as the President determines that such violation has ceased, that the country concerned has given assurances satisfactory to the President that such violation will not recur, and that, if such violation involved the transfer of sophisticated weapons without the consent of the President, such weapons have been returned to the country concerned."

(2) In section 24 (a) and section 24 (b) the parenthetical phrase in each is amended to read: "(excluding United States Government agencies other than the Federal Financing Bank)".

(3) In section 31--

(A) Subsection (a) is amended by striking out "\$325,000,000 for the fiscal year 1974" and inserting in lieu thereof "\$405,000,000 for the fiscal year 1975"; and

(B) Subsection (b) is amended by striking out "\$730,000,000 for the fiscal year 1974, of which amount not less than \$300,000,000 shall be available to Israel only" and inserting in lieu thereof "\$772,500,000 for the fiscal year 1975, of which not less than \$200,000,000 shall be made available for Israel".

(4) In section 33--

(A) subsection (a) is repealed;

(B) subsection (b) is redesignated as subsection (a); and

(C) a new subsection (b) is added as follows:

"(b) The President may waive the limitations of this section when he determines it to be important to the security of the United States and promptly so reports to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate."

(5) Section 35 (b) is repealed, and section 36 is amended by inserting before subsection (c) the following new subsections:

"(a) The President shall submit to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate quarterly reports containing--

"(1) a listing of all letters of offer to sell any defense article or services under this Act, if such offer has not been accepted or canceled;

"(2) a cumulative listing of all such letters of offer to sell that have been accepted during the fiscal year in which such report is submitted;

"(3) the cumulative dollar amounts, by foreign country and international organization, of credit sales under section 23 and guaranty agreements under section 24 made before the submission of such quarterly report and during the fiscal year in which such report is submitted; and

"(4) projections of the cumulative dollar amounts, by foreign country and international organization, of credit sales under section 23 and guaranty agreements under section 24 to be made in the quarter of the fiscal year immediately following the quarter for which such report is submitted.

For each letter of offer to sell under paragraphs (1) and (2), the report shall specify (A) the foreign country or international organization to which the defense article or service is offered, (B) the dollar amount of the offer to sell under paragraph (1) or of the completed sale under paragraph (2), (C) a brief description of the defense article or service offered, (D) the United States armed force which is making the offer to sell, (E) the date of such offer, and (F) the date of any acceptance under paragraph (2).

"(b) In the case of any letter of offer to sell any defense articles or services under this Act for \$25,000,000 or more, before issuing such letter of offer the President shall submit to the Speaker of the House of Representatives and to the Chairman of the Committee on Foreign Relations of the Senate

a statement with respect to such offer to sell containing the information specified in subparagraphs (A) through (E) in subsection (a). The letter of offer shall not be issued if the Congress, within twenty legislative days after receiving any such statement, adopts a concurrent resolution stating in effect that it objects to such proposed sale, unless the President in his statement certifies that an emergency exists which requires such sale in the national security interests of the United States."

DEFINITION OF "VALUE" FOR FOREIGN MILITARY SALES

SEC. 31. Section 8 (c) of the Act entitled "An Act to amend the Foreign Military Sales Act, and for other purposes", approved January 12, 1971 (22 U.S.C. 2321b), is amended by inserting immediately before the period the following: "; except that for any excess defense article such term shall not include a value for any such article which is less than 33 1/3 percent of the amount the United States paid for such article when the United States acquired it".

TITLE V—AMENDMENTS TO OTHER LAWS AND MISCELLANEOUS

FEASIBILITY STUDY OF ACCESS TO RAW MATERIALS

SEC. 32. It is the sense of the Congress that open access should be assured for all nations to the world's fossil fuel, metal, and mineral resources so that such resources may be made available to all nations at a reasonable cost. For this purpose, the President shall--

(1) study the feasibility of using, through a barter arrangement or any other means, United States foreign assistance, foreign credits, or investment guaranties (through such United States Government organizations as the Agency for International Development, the Overseas Private Investment Corporation, and the Export-Import Bank), or international financing, to develop open access for all nations to necessary or strategic raw materials throughout the world at a reasonable cost; and

(2) submit his findings and recommendations resulting from the study under paragraph (1) to the Congress no later than March 31, 1975.

For the purposes of this section, the term "necessary or strategic raw material" includes any fossil fuels, metals, or minerals the United States requirements of which are not, or will not be in the foreseeable future, produced in the United States or located in the United States in natural form.

GORGAS MEMORIAL INSTITUTE

SEC. 33. The first section of the Act entitled "An Act to authorize a permanent annual appropriation for the maintenance and operation of the Gorgas Memorial", approved May 7, 1928, is amended by striking out "\$500,000" and inserting "\$2,000,000" in lieu thereof.

INVOLVEMENT OF PUERTO RICO IN THE CARIBBEAN DEVELOPMENT BANK

SEC. 34. (a) The President may transmit to the Caribbean Development Bank an instrument stating that the Commonwealth of Puerto Rico has the authority to conclude an agreement of accession with such Bank and to assume rights and obligations pursuant to such agreement. However, such agreement may only be concluded after it has been approved by the United States Secretary of State.

(b) The instrument transmitted by the President to the Caribbean Development Bank under subsection (a) shall state that the United States shall not assume any financial or other responsibility for the performance of any obligation incurred by the Commonwealth of Puerto Rico pursuant to

such agreement of accession or pursuant to any other aspect of its membership or participation in such Bank.

(c) Such agreement of accession shall provide that the Commonwealth of Puerto Rico may not receive from the Caribbean Development Bank any funds provided to the Bank by the United States.

Mr. MORGAN. Mr. Chairman, I now move that all debate on the bill and all amendments thereto cease at 7 o'clock. The motion was agreed to.

POINT OF ORDER

Mr. CARNEY of Ohio. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CARNEY of Ohio. What about those of us who have had amendments at the desk all day?

The CHAIRMAN. Have they been printed in the RECORD?

Mr. CARNEY of Ohio. No; but I gave them to the desk today.

The CHAIRMAN (Mr. PRICE of Illinois). If the amendments are printed in the RECORD, under the Rules of the House the proponents will be entitled to 5 minutes of debate.

Members standing at the time the motion was made will be recognized for 1 minute each.

The Chair recognizes the gentlewoman from New York (Ms. HOLTZMAN).

AMENDMENT OFFERED BY MS. HOLTZMAN

Ms. HOLTZMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. HOLTZMAN: Page 23, line 14, strike out "important to the national security" and insert in lieu thereof "vital to the national defense".

Ms. HOLTZMAN. Mr. Chairman, the purpose of this amendment is very simple. It is designed to enlarge congressional control over the Central Intelligence Agency's non-intelligence-gathering functions.

The provisions of this bill relating to the CIA constitute a major improvement over the situation in the past. This bill permits the CIA to engage in covert activities only after the President reports about these activities to the House and Senate committees dealing with foreign affairs and the House and Senate Armed Services Committees.

Despite the improvement, I still think these provisions are seriously deficient. This bill authorizes CIA activities designed to subvert or undermine foreign governments so long as they are "important to national security." This rubric is so broad as to be almost meaningless. Thus, the President is empowered to authorize CIA actions to subvert foreign governments basically when he thinks it would be desirable. It seems to me, however, that the circumstances in which the CIA ought ever to be permitted to subvert a foreign government with which we are at peace should be very limited at best.

My amendment would permit the CIA to engage in non-intelligence-gathering activities only when such activities are "vital to our national defense." My amendment would thus limit the in-

stances in which the CIA would run afoul of international law, and also we would be limiting the instances in which foreign policy is in essence being created by the President, the CIA, and four committees of Congress.

I urge support of my amendment.

The CHAIRMAN. The time of the gentlewoman has expired.

The Chair recognizes the gentleman from Michigan (Mr. NENZI).

Mr. NENZI. Mr. Chairman, I rise in opposition to the amendment.

We have in this bill a provision restraining certain operations of the CIA to those "important to the national security" and in timely fashion they are obliged to bring to the notice of Congress any activities which the CIA may be engaged in which are important to the national security. I submit that is a very important statutory provision and a departure from what the situation is at the present time. When we speak about matters "vital to the national defense" we are then it seems to me restraining the agency from perhaps operating in antidrug programs or the agency could be prevented from conducting antiterrorist activities programs, among others. In my judgment it just is not the kind of constraint that it is desirable to apply with respect to the President and the CIA. The language offered has broad implications and should not be approved without careful and detailed consideration by appropriate committees prior to bringing the matter before the entire House under circumstances of very limited debate.

While I have a moment I would like for the purpose of clarification inquire of the chairman what his interpretation of the language in the bill relating to reporting to Congress by the CIA is, particularly as it relates to the understanding we reached with the Secretary of State and the Director of Central Intelligence.

Mr. MORGAN. If the gentleman will yield, it is my belief that the amendment contained in the committee bill carries out, and provides further statutory basis for the implementation of, the understanding to which the gentleman has referred as it applies to the foreign policy-related operations of the CIA.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Chairman, the committee adopted an amendment to bring the CIA under more effective congressional control and the author of the amendment, the gentleman from California (Mr. RYAN), is here. I yield to him to speak in opposition to this amendment.

Mr. RYAN. Mr. Chairman, I oppose this amendment for I think substantive reasons. This was my amendment in the committee and it was very carefully worked out. We deal here with a very sensitive area. It was my intention and the intention of the committee to try to bring the CIA under some kind of jurisdiction by the Foreign Affairs Com-

mittees because obviously the decisions of CIA have an enormous effect upon our foreign affairs.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to speak in opposition to the amendment. In my opinion we should have reservations about the language in the committee bill with respect to intelligence activities. And certainly we would be very unwise to change the language of "important to the national security" to "vital to national defense." This would preclude many activities which might well be needed in our own interest. I hope this amendment is soundly defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. HALEY).

(By unanimous consent, Mr. HALEY yielded his time to Mr. MORGAN.)

Mr. MORGAN. Mr. Chairman, I yield to the gentleman from California (Mr. RYAN).

Mr. RYAN. Mr. Chairman, I was about to say that present language in this bill is very carefully drawn to derive the maximum amount of support from the various elements involved. If we can get this language through for those who are interested in having some kind of closer supervision for the CIA activities, this particular amendment is one which members of the committee think will pass and which we would be able to have signed. Without this particular language I think we will have serious problems with supervision of the CIA by the Foreign Affairs Committee.

I am concerned about the manner in which this particular subject is approached. On the one hand we have to be careful and delicate and on the other hand we do need jurisdiction.

Mr. Chairman, I oppose the amendment of the gentlewoman from New York because I believe that the language we have now is as strong as we can get at this particular time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. HOLTZMAN).

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I do not have an amendment, but I would like to say that I intend to vote against this legislation. I intend to vote against it for many reasons, particularly so because we now owe \$503 billion. When we started this game of Godfather to all the world, we owed \$4 billion. The interest alone on our debt is as great as the budget was in 1940. There is no way under the Sun that this Nation can possibly grow all the food for the world, provide all the guns for the world, provide all the machinery for the world, and then provide a marketplace for all the world's goods.

We are as poor as any nation we are helping, when we consider the kind of life that we have become accustomed to

with our standard of living. If we really want to help some nation that is in eminent danger of collapse, one might suggest that we help the poverty-stricken country of Italy.

We sell this legislation many times with an argument that we are saving nations from communism.

Italy is on the brink of going Communist but no one in our Government seems to give it a thought.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I invite the House to reflect on the fact that we have expended at least \$260 billion on foreign aid since its inception. It seems to me that this kind of business, in terms of the condition of this country, is beyond all reason and is, in fact, financial insanity.

AMENDMENT OFFERED BY MR. CARNEY OF OHIO

Mr. CARNEY of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARNEY of Ohio: Page 30, after line 12, insert the following new section:

TEN PERCENT REDUCTION OF EACH AUTHORIZATION

SEC. 35. Notwithstanding any other provision of this Act, each amount authorized by any amendment made by this Act and each allocation and limitation of any such authorized amount shall be reduced by ten percent.

Mr. CARNEY of Ohio. Mr. Chairman, this amendment would reduce each of the authorizations, allocations and limitations contained in this act by 10 percent. It would save the American taxpayers \$260 million.

In recent months, the President has emphasized one overriding economic fact which threatens every American—an escalating inflation which is sapping our economic gains and, unless controlled, will destroy our Nation's economy. The President told us that everyone has a stake in combating inflation, that the Government must curtail excessive spending, and that we in the Congress have a responsibility for staying within the Federal budget by making prudent cuts.

It seems obvious to me, Mr. Chairman, that the one area where the most sensible and justifiable cuts can be made is in the area of foreign aid.

From 1945 through 1973, we spent \$185 billion of the taxpayers' money to help other nations—first to rehabilitate those ravaged by the war, then to help others withstand Communist subversion and aggression, and finally to help newly-independent nations find their place in the Sun, or at least provide the necessities of life for their own people.

Mr. Chairman, the time has come for us to exercise prudence in our overseas giving, and prudence demands that foreign aid be cut to the bare essentials. We must not be wasteful of our own substance when our own people stand in need.

This bill authorizes \$2.6 billion in fer-

Senate to act favorably on this amendment as well. Every State in this Nation has lost a great deal through the elimination of flour and oil commodities. At this time, Mr. President, I would ask unanimous consent that the estimated dollar value of commodities lost to the States as a result of the USDA action be printed in the Record at this point in my remarks.

There being no objection, the table was ordered to be printed in the Record, as follows:

Estimated dollar value of flour and oil commodities no longer received for school lunch programs in States

| | |
|----------------------|-------------|
| Alabama | \$6,963,000 |
| Alaska | 293,000 |
| Arizona | 1,772,000 |
| Arkansas | 2,675,000 |
| California | 15,447,000 |
| Colorado | 1,377,000 |
| Connecticut | 1,950,000 |
| Delaware | 1,330,000 |
| District of Columbia | 920,000 |
| Florida | 5,624 |
| Georgia | 7,223,000 |
| Hawaii | 7,773,000 |
| Idaho | 1,116,000 |
| Illinois | 5,290,000 |
| Indiana | 5,666,000 |
| Iowa | 2,662,000 |
| Kansas | 3,338,000 |
| Kentucky | 3,332,000 |
| Louisiana | 5,762,000 |
| Maine | 3,883,000 |
| Maryland | 2,860,000 |
| Massachusetts | 10,074,000 |
| Michigan | 5,566,000 |
| Minnesota | 3,248,000 |
| Mississippi | 3,896,000 |
| Missouri | 8,253,000 |
| Montana | 888,000 |
| Nebraska | 988,000 |
| Nevada | 629,000 |
| New Hampshire | 1,472,000 |
| New Jersey | 3,600,000 |
| New Mexico | 1,327,000 |
| New York | 8,117,000 |
| North Carolina | 6,580,000 |
| North Dakota | 1,019,000 |
| Ohio | 7,764,000 |
| Oklahoma | 7,044,000 |
| Oregon | 2,630,000 |
| Pennsylvania | 6,850,000 |
| Rhode Island | 633,000 |
| South Carolina | 2,844,000 |
| South Dakota | 1,513,000 |
| Tennessee | 4,291,000 |
| Texas | 12,712,000 |
| Utah | 1,560,000 |
| Vermont | 383,000 |
| Virginia | 7,123,000 |
| Washington | 2,230,000 |
| West Virginia | 1,284,000 |
| Wisconsin | 3,368,000 |
| Wyoming | 395,000 |

Mr. BIDEN. This amendment should not be necessary, but it seems to me that it is. Unfortunately, we are going to be exporting more, and there are domestic food programs which will not be getting the very things we are exporting. It is a very simple amendment.

Mr. President, I urge the adoption of my amendment.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. BIDEN. I yield.

Mr. HUMPHREY. Mr. President, I think the Senator's amendment is timely and necessary and appropriate. I certainly want to offer my support to it, and I think we can get it in this bill right now. It is a necessary addition, and I compliment the Senator for his foresight.

Mr. McGOVERN. Mr. President, this amendment is aimed at solving a problem which has arisen in the child nutrition programs across the Nation.

The school lunch programs in the United States are faced with the loss of essential commodities which have been used traditionally to support the nutritional level of the meals served to over 25 million American schoolchildren each day.

To be frank, Mr. President, this issue should not be before us today. I thought that we had solved the problem of commodity support for school lunch programs earlier in the year when we passed two bills through Congress which insured the continuation of commodity support for all the nutrition programs.

Since that time, however, the Department of Agriculture at the direction of Mr. Butz, has taken it upon itself to eliminate approximately one-half of the traditional commodity support for the schools of the country.

While it is true that we had, earlier in the year, increased the level of high protein foods supplied to the school lunch program, there was never any intent on the part of the sponsors of that legislation to allow this adjustment to act as a signal to reduce the other traditional commodity support for the school lunch program. Indeed, Mr. President, we recognize now more than ever the need to support these local nutritional programs with as much support as we are able to give.

The kinds of commodities that we are talking about restoring to the school lunch program with this amendment, Mr. President, include soy, flour, oats, bulgur, wheat flour and oil.

These are literally the bread-and-butter items of the national school lunch program. They form the backbone of the national school lunch program, and their loss will deal a substantial blow to the schools of America. They have, until this year, been available to the school lunch program on an open allocation basis. USDA's cutoff makes them totally unavailable. Over \$1 million of support to the schoolchildren of South Dakota will be lost to South Dakota if this decision is allowed to stand and other States will lose many millions more.

This dramatic and serious loss of support, which flies in the face of both the letter and intent of those commodity bills we have passed in the last few months, will force the schools to either pay more on the local retail market for their commodities or cut the children off from bread, butter, macaroni, salad oil, mayonnaise, and other things made with these commodities. It is obvious that the USDA decision has placed schools in an untenable position.

Mr. President, the parents of middle-America have supported this program with their tax dollars for many years. Since 1946, the national school lunch program has grown to be one of the most effective and low-cost programs that we have in the country today.

If the decision of the Department of Agriculture to cut off the commodities mentioned above is allowed to stand, the families of middle-America will have to fight another inflationary pressure, at a

time when they are already desperate with anxiety over existing budgetary pressures. If Mr. Butz and the Department of Agriculture merely followed the law, and used their existing authority, they could supply these commodities at the lowest costs to schools, and therefore at the lowest cost to children. By not doing this, forcing the schools and the children to pay higher prices for the same goods they received last year, the Department is contributing to the inflationary pressure which the administration is talking so much about fighting.

One irony of the USDA decision to cut off the basic commodity support for the school lunch program is that we are continuing to send these same goods overseas as part of our foreign aid program.

Mr. President, we do not argue with the use of food as part of our foreign aid program, and on the contrary, as you know, I have long been a supporter of continuation and expansion of this program.

However, the children of America deserve at least equal treatment at the hands of our Government as the children of overseas countries.

The same commodities we are shipping overseas daily—wheat, flour, rolled oats, bulgur, and others—have been denied our own children.

This amendment, Mr. President, guarantees that our schoolchildren will receive the same support we give the children overseas.

It assures that those section 416 price support commodities that have traditionally been used up until this last year to form the basis of our local nutrition programs will continue. This is not the time to put additional nutritional or budgetary pressures on the schoolchildren of America.

In effect, Mr. President, this amendment reminds the Department of Agriculture to obey the law that already exists and instructs them to continue this support program for middle-America that has existed for almost 30 years and which at this point should be strengthened, not weakened.

Thank you, Mr. President.

Mr. BIDEN. Mr. President, I yield back the remainder of my time.

Mr. HUMPHREY. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

Mr. ABOUREZK. Mr. President, does the Senator from Iowa wish to offer an amendment?

Mr. HUGHES. I have been waiting to offer one.

Mr. ABOUREZK. I yield to the Senator.

The PRESIDING OFFICER. The Senator from South Dakota yields the floor to the Senator from Iowa.

Mr. HUGHES. Mr. President, I send to the desk an unprinted amendment.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

At the end of the bill, add the following new section:

LIMITING INTELLIGENCE ACTIVITIES

Sec. 88. Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended by sections 17 (a) and 18 of this Act, is further amended by adding at the end thereof the following new section:

"Sec. 601. Limitations Upon Intelligence Activities.— (a) No funds appropriated under the authority of this or any other Act may be expended by or on behalf of the Central Intelligence Agency or any other agency of the United States Government for the conduct of covert action operations, other than operations intended solely for obtaining necessary intelligence. Notwithstanding the foregoing limitation, the President may authorize and direct that any covert action operation be resumed, or that any other covert action operation be initiated, and funds may be expended therefor, if, but not before, he (1) finds that such operation is vital to the defense of the United States, and (2) transmits a report of his finding, together with a detailed description of the nature and the scope of such operation, to any committee of Congress having jurisdiction to monitor and review the intelligence activities of the United States Government.

"(b) Notwithstanding the provisions of subsection (a) of this section, the President may authorize and direct the conduct of such covert action operations as he deems of immediate need and urgency during military operations initiated by the United States under a declaration of war by Congress or an exercise of powers by the President under the War Powers Resolution (Public Law 93-148)."

Mr. HUGHES. Mr. President, by way of explanation, let me say that this unprinted amendment is identical to my amendment No. 1948 which was submitted yesterday, with one major exception. Amendment No. 1948 did not make explicit my intention that notification to congressional committees about covert action and operations be made prior to the initiation of the operation. My unprinted amendment does make prior notification explicit.

Mr. President, since this amendment was prepared, it has been reported that Secretary Kissinger and CIA Director Colby have already given private assurances along the same lines as this amendment.

According to reports in the October 2 Washington Post and Philadelphia Inquirer, these officials have said that the United States has ended covert political operations abroad, though some may be necessary in the future, and that designated congressional subcommittees would be notified in advance of any future such operation.

I welcome these assurances. What this amendment would do, then, would be to write this procedure into permanent law.

Mr. President, the amendment I offer should be regarded as only a beginning toward the imperative of imposing some order and structure to the means by which the American people, through their elected representatives, can exercise a measure of control over the cloak-and-dagger operations of intelligence agencies of the U.S. Government.

A great deal more must be done in this regard, and I want to commend the distinguished majority leader (Mr. MANSFIELD), the Senator from Michigan (Mr. HART), and the Senator from South

Dakota (Mr. ABOUREZK), and the Senators from Tennessee (Mr. BAKER) and Connecticut (Mr. WEICKER) for their efforts.

I shall not take the time of the Senate to recount the recent disclosures that have provoked outrage at the audacity and contempt for democratic processes represented by covert action operations undertaken by our Government to interfere with the internal affairs of other nations. All of us in this body have heard of these scandalous activities and deplore them.

I shall content myself with simply stating that such covert operations, deliberately designed to provoke political revolution, rarely, if ever, can be justified.

Mr. President, the basis for my amendment was laid by the Director of the Central Intelligence Agency, Mr. Colby, in his address on September 13 to the conference on the CIA and covert operations. In that statement, he said:

It is advocated by some that the United States abandon covert action. This is a legitimate question, and in light of current American policy, as I have indicated, it would not have a major impact on our current activities or the current security of the United States. I believe, however, that a sovereign nation must look ahead to changing circumstances. I can envisage situations in which the United States might well need to conduct covert action in the face of some new threat that developed in the world.

Mr. President, I would admit that circumstances might develop in which covert action would be justified in time of war.

I find it impossible, however, to envisage any circumstances in time of peace that would justify them.

Parenthetically, I might note that this inability to conceive of a situation justifying covert operations may well be one result of the fact that most of my colleagues and I have had no opportunity to evaluate any of the surreptitious operations of our intelligence agencies. We are not conditioned to thinking in terms of the positive potential, if any, of these activities.

Proposals are under study in the Congress at this moment for improving congressional oversight of intelligence activities. These proposals deserve immediate and intensive study and implementation of the best of them at the earliest possible time.

Until then, however, I feel very strongly that the Congress must take initial steps to structure and bring some order to our oversight responsibility.

I believe the amendment I offer today is a modest step in the right direction.

The amendment would translate into statute the words of the Director of the Central Intelligence Agency. To abandon all covert action at this time, he said,

... would not have a major impact on our current activities.

The amendment, therefore, would terminate as of the effective date of this act all covert action operations, other than those intended solely for the purpose of gathering intelligence that is necessary to the national defense.

However, since Mr. Colby further asserts that he can:

... Envisage situations in which the United States might well need to conduct covert action in the face of some new threat that developed in the world. . . .

The amendment provides for a procedure under which existing covert actions may be resumed or others may be undertaken to meet a genuine requirement for national defense.

Under the language of the amendment, the President, before authorizing any covert action, would be required to make a finding that each such operation is vital to the defense of the United States.

Moreover, before authorizing such a secret project, he would be required to transmit a report of his finding, together with a report of the nature and the scope of each such operation, to the committees of the Congress having jurisdiction to review and monitor the intelligence activities of our Government.

Recognizing that, in time of war or national emergency, the President may be required to move instantly to deal with an imminent threat, the amendment further provides that he may do so without delay, notwithstanding the requirement for notification of Members of Congress.

Of course, the Congress will expect to be apprised by the President at the earliest practicable time of any such covert actions undertaken in time of war or armed hostilities.

Mr. President, some of my colleagues may question whether this amendment deals sufficiently with the problem of who, in the Congress, should have jurisdiction to receive the notices from the President.

As I have already indicated, this is a matter that is under current study, and it is my hope that the solution to be developed by the Congress will encompass a broad segment of the membership of both this and the other body.

For the moment, I believe we shall have to settle for something akin to the established order, if we are to succeed in taking this first step toward controlling the covert activities of our intelligence establishment.

Mr. President, it is fully acknowledged that the American people and the Congress are largely in the dark about the covert operations of the CIA and cannot judge with certainty whether or not some of these operations and the overall pattern of them can be justified in the public interest.

The central problem is that these operations have been conducted in a complete blackout of secrecy—not only from the American public, but from the responsible oversight of the congressional committees authorized by law to monitor them. And operations that have recently come to light give us such deep cause for concern that some immediate action is imperative.

In the light of this, it should be noted that this amendment is written in the spirit of restraint, not prohibition.

It provides a temporary arrangement, not a permanent one, recognizing that a permanent arrangement is in the process of being developed.

For the reassurance of our own people and other peoples of the world, it is a positive demonstration of faith at this

troubled time in our moral purpose as a people, the benign intent of our foreign policy, and of our continuing commitment to human rights for all peoples.

Mr. HUMPHREY. Mr. President, I should like to ask the Senator some questions.

This amendment, of course, does permit the President to direct covert operations. It says, however, that if he finds that such operations are vital to the defense of the United States, which would be the only reason we would want to have covert operations, I trust—

Mr. HUGHES. I hope that is the only reason.

Mr. HUMPHREY. Then the amendment reads:

Transmits a report of his findings, together with a detailed description of the nature and the scope of such operation.

I wonder whether that language goes beyond what might be necessary. I think there ought to be transmission of a report of his finding, but sometimes in a covert operation, even with all Senators and Representatives having the best of intentions, the lid might be blown off it by some inadvertent slip.

It may be that the President would want to give the detailed report, but I think that to have the requirement would be hazardous.

Mr. HUGHES. Is the Senator objecting to the word "detailed" or to the entire clause 2?

Mr. HUMPHREY. Not the entire clause 2. I think he should transmit a report of his finding. I just would leave it up to the President as to the quality or the detail or the minutia of that report, rather than having it there.

Mr. HUGHES. Would it not suffice just to strike the word "detailed"? Would it be sufficient just to have "description of the nature and the scope"?

Mr. HUMPHREY. I think the President should have the option, in light of the fact that something might go amiss and cause very grave trouble.

Mr. HUGHES. I really want to cooperate with the manager of the bill on this matter. I am not trying to be over-restrictive or less than necessarily restrictive. I certainly do not want the necessary intelligence of this Nation blown open by someone who is talking too much at the wrong place.

Mr. HUMPHREY. That is right.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SYMINGTON. Mr. President, I am ready to err on the side of too much publicity in this field. For too long we have not had enough knowledge on the part of the Senate or the House or the proper committees of what the CIA was doing. It is for that reason that I support, without reservation, the language of the amendment of the Senator from Iowa.

This matter has to be cleared up. Every day in the press we read of further troubles about the Central Intelligence Agency. It has no public relations department, as does the FBI or the Department of Defense. It is the sewer in which to drop something when you want to get rid of it. It is about time it was reprimanded when it is wrong, and defended when it is right. It cannot be reprimanded or defended if we do not have any interest in overseeing its activities.

Mr. HUMPHREY. I do not disagree with what the Senator has said. I am simply trying to find out how we can have, for example, a report by the President, in substance, that will give the appropriate committee of Congress, having appropriate jurisdiction, the information it needs, without going into the details. Sometimes details may be misinterpreted partially; some of the details may get out in part and cause great trouble.

It seems to me that we can say "transmits a report of his finding, with appropriate description," or "including appropriate description." Then the President would be at liberty to determine what was an appropriate description.

Mr. HUGHES. I have no objection. Subsection 2 would read: "transmits a report of his finding, including appropriate description of the nature and scope of such operation."

Mr. HUMPHREY. As he deems appropriate. Then the amendment reads: "to any joint committee of Congress."

Mr. HUGHES. I strike that. It now reads: "to any committee of Congress having jurisdiction to monitor and review the intelligence activities of the U.S. Government."

Mr. HUMPHREY. Would it not be satisfactory to say "to the committee of Congress having jurisdiction"?

Mr. HUGHES. There may be one in the House and one in the Senate.

Mr. HUMPHREY. I see what the Senator means.

Mr. STENNIS. The committees of both the House and the Senate.

If the Senator will yield, he has in the clause, whether intentionally or not, raised the whole question of jurisdiction, when the law is absolutely clear that the Committee on Armed Services is the one that has jurisdiction.

Mr. HUGHES. It is not intentional to raise the jurisdictional question.

Mr. STENNIS. I did not believe the Senator meant to raise that question and settle it in this amendment.

Mr. HUGHES. No, I did not.

Mr. STENNIS. The Senator could just say "report to the two Committees on Armed Services."

Mr. HUMPHREY. The only point is that there may be a change in that jurisdiction, which I am not advocating, but it may happen. That is why I think the Senator should say "to the committees of the House and the Senate having jurisdiction."

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HUGHES. Yes, I yield.

Mr. STENNIS. I should like to make the point here that that brings up the question of who does have jurisdiction, if we write a new law on the subject. It is already clear and plain now. If the Congress wants expressly to change it, that will be all right.

Mr. HUMPHREY. I see. Does the Senator mean for the future?

Mr. STENNIS. Yes, for the future.

Mr. HUGHES. Mr. President, may I suggest the absence of a quorum so that we may work this out?

Mr. CASE. Will the Senator withhold?

Mr. HUGHES. I withhold.

Mr. CASE. Mr. President, I ask unanimous consent that my assistant, Stephen Bryen, have the privilege of the floor during the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, I ask unanimous consent that Jon Steinberg, Ellen Frost, and Murray Flander may have the privilege of the floor during the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUGHES. Mr. President, I suggest the absence of a quorum, the time to be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HUGHES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUGHES. Mr. President, I send to the desk a modification.

The PRESIDING OFFICER. The clerk will state it.

The assistant legislative clerk proceeded to read the modification.

Mr. HUGHES. Mr. President, I ask unanimous consent that the reading of the modification be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUGHES. Mr. President, the managers of the bill and the interested parties in the debate on the floor have come to an agreement on the amendment. I have placed in the Record my statement on the amendment. If the manager of the bill would like to indicate his feeling about the amendment as modified, I think we can rapidly dispose of it.

Mr. HUMPHREY. Yes, Mr. President. So that we may be very clear, I am going to read the portions which were modified. It starts under section 661, where there is a numeral (1):

(1) finds that such operation is vital to the defense of the United States, and (2) transmits an appropriate report of his finding, together with an appropriate description of the nature and scope of such operation, to the committees of the Congress presently having jurisdiction to monitor and review the intelligence activities of the United States Government.

Is that the understanding?

Mr. HUGHES. That is the understanding.

Is there any difference in the copy at the desk?

The PRESIDING OFFICER. The Chair is advised there is a slight difference.

Mr. HUMPHREY. This is what we agreed to.

The PRESIDING OFFICER. Does the Senator from Iowa desire to have the amendment modified as it was read by the Senator from Minnesota?

Mr. HUGHES. I ask unanimous con-

sent further to modify the amendment by the language just sent to the desk by the manager of the bill, if there is any disagreement.

The PRESIDING OFFICER. The amendment is so modified. The amendment, as modified, is as follows:

At the end of the bill, add the following new section:

LIMITING INTELLIGENCE ACTIVITIES

SEC. 83. Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended by sections 17(a) and 18 of this Act, is further amended by adding at the end thereof the following new section:

"Sec. 881. Limitations Upon Intelligence Activities.—(a) No funds appropriated under the authority of this or any other Act may be expended by or on behalf of the Central Intelligence Agency or any other agency of the United States Government for the conduct of covert action operations, other than operations intended solely for obtaining necessary intelligence. Notwithstanding the foregoing limitation, the President may authorize and direct that any covert action operation be resumed, or that any other covert action operation be initiated, and funds may be expended therefor, if, but not before, he (1) finds that such operation is vital to the defense of the United States, and (2) transmits an appropriate report of his finding, together with an appropriate description of the nature and scope of such operation, to the committees of the Congress presently having jurisdiction to monitor and review the intelligence activities of the United States Government.

"(b) Notwithstanding the provisions of subsection (a) of this section, the President may authorize and direct the conduct of such covert action operations as he deems of immediate need and urgency during military operations initiated by the United States under a declaration of war by Congress or an exercise of powers by the President under the War Powers Resolution (Public Law 93-148)."

Mr. HUMPHREY. On that basis, I think the Senator from Iowa has made a distinct contribution to this difficult subject. I wish to commend him, and I personally, speaking as one Senator and manager of the bill, am pleased to accept the amendment.

I have said to the Senator, and I want to say to him publicly here, that it would be the intention of the Senator from Minnesota, if he were on the conference committee, to insist upon this amendment.

However, I want the Senator to know that if there is a word, for example, that would be considered in any way to result in jeopardizing what we might call the security interests of the country, while I do not see it, I hope he would realize that one might want to see that modified. That would be done, may I say, only after consultation with the author of the amendment.

Mr. HUGHES. Mr. President, the Senator from Iowa has absolute faith in the Senator from Minnesota on matters dealing with the subject matter under discussion. Naturally, he represents me as well as the other Members of the Senate on any conference committee, and he has my trust.

I believe we have been reasonable in this matter in insisting that the appropriate committees of the Senate and the House have jurisdiction over this subject matter, while at the same time affording leeway to any administration in conduct-

ing necessary intelligence gathering and, in times of war, such covert activities as may be necessary for the national defense of this country.

Mr. HUMPHREY. I thank the Senator. Mr. President, I am ready to accept the amendment.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. STENNIS. Mr. President, I think the intentions and the planning of the Senator from Iowa have been in good faith, and he has been very reasonable about making some modifications as he sees them.

I point out, though, that this amendment, as I understand, has not been printed. It is a highly important amendment. I have a printed copy here, but I have understood later that the amendment offered is not the same.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. STENNIS. Yes.

Mr. HUGHES. As the Speaker knows, the amendment was printed yesterday. In an attempt to make the amendment more acceptable to the manager of the bill, the Senator from Iowa sent to the desk today a slight modification.

Mr. STENNIS. That clears it up. I did not intend to be critical of the Senator from Iowa.

Anyway, I just wanted to point out the rather casual way that we are adopting this amendment. For my part, I would want the matter further analyzed by experts in language in this particular field, and I cannot support it. I wish to reserve my rights in that respect.

I do not mean to pursue the matter now to the 7th degree, or call for a roll-call vote, or anything like that. But I do not agree to it and I do not accept it; I want to make that clear.

Mr. McCLELLAN. Let us have a roll-call.

Mr. STENNIS. I want to ask the Senator from Iowa, as the amendment is written now, the Senator recognizes the present jurisdiction of the two Armed Services Committees, as I understand and any change in that could be made by subsequent legislation, but not by this amendment; is that correct?

Mr. HUGHES. I recognize the jurisdiction of the present Armed Services Committees and the present subcommittees handling the oversight of matters of intelligence and the CIA, yes. There is no attempt, in this amendment, to change or alter any jurisdictional matters in either House.

Mr. STENNIS. That is a fair response. One other matter: the language now says "appropriate report." As long as it was just as the rest of the amendment provides, the President, he would have a matter of discretion whether he would have a written report or whether it would be an oral report to one of his men.

Mr. HUGHES. I would think that as long as the matter was before the committee, the "appropriate report" would be for the determination of the reporting officer by agreement of the committee, and I would think in matters of intelligence or any other necessary covert activity, that might be the best way under certain circumstances.

Mr. STENNIS. The amendment does not require a written report?

Mr. HUGHES. No, it does not.

Mr. STENNIS. I thank the Senator.

Mr. HUGHES. Mr. President, I would like to say, before the question is put, that I hope some day to see the distinguished chairman of the Armed Services Committee support legislation that will require an absolute oversight by Congress of CIA and other intelligence operations. I realize that absolute cooperation in defense of the country requires, between the President and the intelligence agencies, that they have a certain latitude; but I am just as convinced, as an individual Senator and citizen, that in the interests of the citizens of the country it is our responsibility, in the structures of the committees, to represent them, to make certain that we are conducting the activities of these committees in the public interest of this country, regardless of the operations at any designated point on Earth.

I would encourage the chairman of the Armed Services Committee to be as concerned about that as about the relationships in the administrative branches of the Government.

I thank the distinguished chairman for the exchange on clarification, and for his cooperation, even though he cannot support the amendment as such; and I thank the distinguished manager of the bill for his acceptance and support of the amendment, and the distinguished senior Senator from Missouri, who has long expressed his concerns about these matters and in whose opinion, I suspect, I have already modified the amendment too far. At the same time, I believe it is a matter of cooperation between us to arrive at some designated point of oversight that will be employed, hopefully, in the basic interests of the people of this country.

Mr. STENNIS. Mr. President, if the Senator will yield to me, I do not care to make any more statements, but the Senator directed rather sharp words, in a way, at the activities of the Senator from Mississippi.

Let the matter rest on this: It is not an easy job that I have had on this matter. I will not relate the incidents that have come up. It was my duty, and that was it. After all, we are working for the same country.

Mr. HUGHES. Mr. President, if the Senator will yield, if there was any indication in the words or tone of the Senator from Iowa that he cast, in any way, any adverse reflection on the distinguished chairman, it was not his intention to do so. I would not want to do that.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. HUGHES. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. As long as the distinguished Senator mentioned my name, I would like to present to the Senate why I am heartily in favor of this amendment, at the risk of being somewhat redundant.

At the time of the Kennedy administration, there were several ambassadors who complained that the CIA head in their country was operating without their knowledge and consent, and, as a re-

sult, the so-called Kennedy letter was sent to all embassies. That letter stated that the head of the CIA would report to the ambassador in the country in question.

The way the organization is set up back here in Washington, however, despite the fact that the head of the CIA in the country in question reports to the ambassador, the Committee on Foreign Relations often does not have any knowledge of CIA activities in a foreign country or much less the right of review of said activities. Inasmuch as at least 95 percent of the work of the CIA is done in countries with which we are not at war, for many years I have felt that the Foreign Relations Committee should have some right of review of the activities of the Central Intelligence Agency in those countries.

It appeared to me that the amendment of the Senator from Iowa, who serves on the Armed Services Committee, as do I—and we have discussed this matter before—was getting at the meat of this problem, or at least some of the meat of the problem, with this amendment.

So, without any criticism of any member of the Armed Services Committee, especially its chairman, I think it is time that we recognize that if the CIA representatives in all these countries all over the world are to report to the ambassadors, when the matter comes back here, the ambassador's responsibility being to the State Department, the Senate Foreign Relations Committee should have some say with respect to what is being done by the Central Intelligence Agency.

I might say I commend the able Senator from Tennessee for much of the work that he has done in recent months in this particular field. Although at times it was difficult to understand what was going on, it became clear that much of the work of the CIA was not known to the Members of Congress.

I believe that this amendment helps clarify many of these matters, and that is the reason I support it.

Mr. HUGHES. I thank my distinguished colleague from Missouri. I am prepared to yield back the remainder of my time.

Mr. BAKER. Mr. President, will the distinguished Senator yield?

Mr. HUGHES. Yes.

Mr. BAKER. May I express my gratitude to the distinguished Senator from Missouri who has always been conscientious in his efforts at arriving at an understanding of the activities of this agency of Government.

He has been, in my judgment, both loyal to his mandate as a member of the jurisdictional committee having oversight of the CIA, and loyal to himself in his determination to know what was going on.

I commend him for his perseverance and for his efforts in that respect.

I also commend the distinguished Senator from Iowa for his initiative in this respect.

While I previously expressed reservations about supporting other amendments, particularly the Abourezk amendment on the floor without other infor-

mation, I believe that in this amendment we should support because it states the possibilities that arise in reports to us and to Congress on the activities of his agency.

So I intend to vote for this amendment.

Mr. HUGHES. Mr. President, I appreciate the remarks of the Senator from Tennessee.

Mr. SYMINGTON. I appreciate the remarks of the Senator from Tennessee, for what he said.

Mr. HUMPHREY. Mr. President, I want to say that I support the amendment and commend the Senator from Iowa and all those participating in this discussion. I think it is helpful. It is a forward step, and I suggest we proceed with it. I am prepared to yield back my time.

Mr. HUGHES. Mr. President, I move the adoption of the amendment as modified, and I yield back the remainder of my time.

The PRESIDING OFFICER. All time has expired and been yielded back. The question is on agreeing to the amendment, as modified, of the Senator from Iowa (putting the question).

The amendment, as modified, was agreed to.

Mr. HUMPHREY. Mr. President, I move to reconsider the vote by which the amendment, as modified, was agreed to.

Mr. HUGHES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1928

Mr. JOHNSTON. Mr. President, I have an amendment at the desk, No. 1928, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated:

The assistant legislative clerk proceeded to read the amendment.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Insert the following new section at the end of the bill:

INVOLVEMENT OF PUERTO RICO IN THE CARIBBEAN DEVELOPMENT BANK

SEC. ——. (a) The President is authorized to transmit to the Caribbean Development Bank an instrument stating that the Commonwealth of Puerto Rico has the authority to conclude an agreement of accession with such bank and to assume rights and obligations pursuant to such agreement. However, such agreement shall be subject to the prior approval of the United States Department of State.

(b) The instrument transmitted by the President to the Caribbean Development Bank under subsection (a) shall state that the United States shall not assume any financial or other responsibility for the performance of any obligation incurred by the Commonwealth of Puerto Rico pursuant to such agreement of accession or pursuant to any other aspect of its membership or participation in such bank.

(c) Such agreement of accession shall provide that the Commonwealth of Puerto Rico may not receive from the Caribbean Development Bank any funds provided to the bank by the United States.

Mr. JOHNSTON. Mr. President, this amendment, very simply, grants to Puerto Rico the ability to join the Caribbean Development Bank, a regional economic bank. The bank is unique in a number of respects. It is an economic bank. It is regional. Puerto Rico is particularly suited to give it expertise and help and, because of its uniqueness, this serves as no precedent for the larger question of whether or not Puerto Rico ought to be allowed to take part in foreign affairs. That larger question is being considered by the Ad Hoc Advisory Group on Puerto Rico and, therefore, this serves as no precedent for that. But this is supported by the State Department which believes that this is a proper role for Puerto Rico to play.

Mr. HUMPHREY. I want to say to the Senator I think the amendment is timely. It will be very helpful, and I am pleased he has brought it to our attention. It should be included in this legislation.

I, speaking for the committee as best I can here—I see the distinguished Senator from Vermont here—

Mr. AIKEN. Mr. President, I have an amendment and I hope it will be accepted.

Mr. HUMPHREY. Mr. President, I yield back the time on this amendment.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from Louisiana. (Putting the question.)

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. AIKEN. I send an amendment to the desk and I would like it read.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

On page 55 after line 17 insert the following:

Ecc. 33. No country may receive any funds authorized to be appropriated by this Act if such country pays in whole or in part any expenses which are directly or indirectly related to travel abroad by Members of Congress, their families or congressional employees.

Mr. AIKEN. Mr. President, if I may speak briefly on this amendment, it is becoming altogether too common practice for countries which are dependent on U.S. aid and to which we have contributed most heavily, to send invitations to Members of Congress inviting them to come to their country for rather extended visits with the country that invites them agreeing to pay all expenses from the time they leave Washington until they get there and then, perhaps, a week or two of entertainment and travel around that country, and then have their expenses paid back to Washington.

I think it is time we stopped that. I would not offer this amendment if I had not received such invitations myself. I am not trying to make it retroactive in any way, but when you accept one of those invitations you are supposed to come back here and support legislation which is favorable to that country.

I know they have sometimes told visitors, "We will take care of your hotel bill." But now they are more generous.



Public Law 93-559
93rd Congress, S. 3394
December 30, 1974

An Act

88 STAT. 1795

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

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 1974".

Foreign
Assistance
Act of 1974.
22 USC 2151
note.

FOOD AND NUTRITION

SEC. 2. Section 103 of the Foreign Assistance Act of 1961 is amended—

22 USC 2151a.

(1) by inserting the subsection designation "(a)" immediately before "In";

(2) by striking out "\$291,000,000 for each of the fiscal years 1974 and 1975" and inserting in lieu thereof "\$291,000,000 for the fiscal year 1974, and \$500,000,000 for the fiscal year 1975"; and

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

"(b) The Congress finds that, due to rising world food, fertilizer, and petroleum costs, human suffering and deprivation are growing in the poorest and most slowly developing countries. The greatest potential for significantly expanding world food production at relatively low cost lies in increasing the productivity of small farmers who constitute a majority of the nearly one billion people living in those countries. Increasing the emphasis on rural development and expanded food production in the poorest nations of the developing world is a matter of social justice as well as an important factor in slowing the rate of inflation in the industrialized countries. In the allocation of funds under this section, special attention should be given to increasing agricultural production in the countries with per capita incomes under \$300 a year and which are the most severely affected by sharp increases in worldwide commodity prices."

CEILING ON FERTILIZERS TO SOUTH VIETNAM

SEC. 3. (a) None of the moneys made available under the Foreign Assistance Act of 1961 or the Foreign Assistance Act of 1974 may be used, beginning on the date of enactment of this section, during fiscal year 1975 to procure agricultural fertilizers for, or to provide such fertilizers to, South Vietnam.

22 USC 2175a.
22 USC 2151
note.
Supra.

(b) During each fiscal year after fiscal year 1975, of the total amount obligated or expended for such fiscal year under the Foreign Assistance Act of 1961 to procure agricultural fertilizers for, or to provide such fertilizers to, foreign countries, not more than one-third of such amount may be obligated or expended to procure such fertilizers for, or provide such fertilizers to, South Vietnam.

POPULATION PLANNING

SEC. 4. The Foreign Assistance Act of 1961 is amended as follows:

(1) In section 104, strike out "\$145,000,000 for each of the fiscal years 1974 and 1975" and insert in lieu thereof "\$145,000,000 for the fiscal year 1974, and \$165,000,000 for the fiscal year 1975".

22 USC 2151b.

(2) In section 292, strike out "\$130,000,000" and insert in lieu thereof "\$150,000,000".

22 USC 2219a.

EDUCATION AND HUMAN RESOURCES DEVELOPMENT

22 USC 2151c. SEC. 5. Section 105 of the Foreign Assistance Act of 1961 is amended by striking out "\$90,000,000 for each of the fiscal years 1974 and 1975" and inserting in lieu thereof "\$90,000,000 for the fiscal year 1974, and \$92,000,000 for the fiscal year 1975".

DISPOSITION OF LOAN RECEIPTS

22 USC 2163. SEC. 6. Section 203 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following:
"On and after July 1, 1975, none of the dollar receipts paid during any fiscal year from loans made pursuant to this part or from loans made under predecessor foreign assistance legislation are authorized to be made available during any fiscal year for use for purposes of making loans under chapter 1 of this part. All such receipts shall be deposited in the Treasury as miscellaneous receipts."

22 USC 2151.

HOUSING GUARANTIES

22 USC 2181. SEC. 7. The Foreign Assistance Act of 1961 is amended as follows:
(1) In section 221, strike out "\$305,000,000" and insert in lieu thereof "\$355,000,000".
22 USC 2183. (2) In section 223 (i), strike out "June 30, 1975" and insert in lieu thereof "June 30, 1976".

AGRICULTURAL CREDIT PROGRAMS

22 USC 2181. SEC. 8. (a) Title III of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended—
(1) by striking out the title heading and inserting in lieu thereof the following:

"TITLE III—HOUSING AND OTHER CREDIT GUARANTY PROGRAMS";

(2) by inserting immediately after section 222 the following new section:
22 USC 2182a. "SEC. 222A. Agricultural and Productive Credit and Self-Help Community Development Programs.—(a) It is the sense of the Congress that in order to stimulate the participation of the private sector in the economic development of less-developed countries in Latin America, the authority conferred by this section should be used to establish pilot programs in not more than five Latin American countries to encourage private banks, credit institutions, similar private lending organizations, cooperatives, and private nonprofit development organizations to make loans on reasonable terms to organized groups and individuals residing in a community for the purpose of enabling such groups and individuals to carry out agricultural credit and self-help community development projects for which they are unable to obtain financial assistance on reasonable terms. Agricultural credit and assistance for self-help community development projects should include, but not be limited to, material and such projects as wells, pumps, farm machinery, improved seed, fertilizer, pesticides, vocational training, food industry development, nutrition projects, improved breeding stock for farm animals, sanitation facilities, and looms and other handicraft aids.

Guaranties.
22 USC 2151. (b) To carry out the purposes of subsection (a), the agency primarily responsible for administering part I is authorized to issue guar-

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anties, on such terms and conditions as it shall determine, to private lending institutions, cooperatives, and private nonprofit development organizations in not more than five Latin American countries assuring against loss of not to exceed 50 per centum of the portfolio of such loans made by any lender to organized groups or individuals residing in a community to enable such groups or individuals to carry out agricultural credit and self-help community development projects for which they are unable to obtain financial assistance on reasonable terms. In no event shall the liability of the United States exceed 75 per centum of any one loan.

“(c) The total face amount of guaranties issued under this section outstanding at any one time shall not exceed \$15,000,000. Not more than 10 per centum of such sum shall be provided for any one institution, cooperative, or organization. Limitation.

“(d) The Inter-American Foundation shall be consulted in developing criteria for making loans eligible for guaranty coverage in Latin America under this section.

“(e) Not to exceed \$3,000,000 of the guaranty reserve established under section 223 (b) shall be available to make such payments as may be necessary to discharge liabilities under guaranties issued under this section or any guaranties previously issued under section 240 of this Act. 22 USC 2183.
22 USC 2200.

“(f) Funds held by the Overseas Private Investment Corporation pursuant to section 236 may be available for meeting necessary administrative and operating expenses for carrying out the provisions of this section through June 30, 1976. 22 USC 2196.

“(g) The Overseas Private Investment Corporation shall, upon enactment of this subsection, transfer to the agency primarily responsible for administering part I all obligations, assets, and related rights and responsibilities arising out of, or related to the predecessor program provided for in section 240 of this Act. Transfer of obligations and assets.

“(h) The authority of this section shall continue until December 31, 1977. Termination of authority.

“(i) Notwithstanding the limitation in subsection (c) of this section, foreign currencies owned by the United States and determined by the Secretary of the Treasury to be excess to the needs of the United States may be utilized to carry out the purposes of this section, including the discharge of liabilities under this subsection. The authority conferred by this subsection shall be in addition to authority conferred by any other provision of law to implement guaranty programs utilizing excess local currency. Excess foreign currency, use.

“(j) The President shall, on or before January 15, 1976, make a detailed report to the Congress on the results of the program established under this section, together with such recommendations as he may deem appropriate.”: Report to Congress.

(3) by striking out “section 221 or section 222” in section 223 (a) and inserting “section 221, 222, or 222A” in lieu thereof; 22 USC 2183.

(4) by striking out “this title” in section 223 (b) and inserting “section 221 and section 222” in lieu thereof; and 22 USC 2183.

(5) by striking out “section 221 or section 222” in section 223 (d) and inserting “section 221, 222, 222A, or previously under section 240 of this Act” in lieu thereof. 22 USC 2183.

(b) Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended by striking out section 240. 22 USC 2200.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

22 USC 2222. SEC. 9. (a) Section 302 of the Foreign Assistance Act of 1961 is amended—

(1) by striking out “for the fiscal year 1975, \$150,000,000” in subsection (a) and inserting in lieu thereof “for the fiscal year 1975, \$165,000,000”; and

International Atomic Energy Agency.

(2) by adding at the end thereof the following new subsections:
“(g) Of the funds made available to carry out this chapter for fiscal year 1975, in addition to any other such funds to be made available for contributions to the International Atomic Energy Agency, not less than \$500,000 shall be made available to such Agency as technical assistance in kind. However, a reasonable amount of funds authorized under this section shall be made available in fiscal year 1975 to strengthen international procedures which are designed to prevent the unauthorized dissemination or use of nuclear materials. The President shall report to the Congress not later than July 1, 1975, concerning actions taken by the United States to strengthen the procedures described under the preceding sentence.

Report to Congress.

United Nations Educational, Scientific, and Cultural Organization.

“(h) Congress directs that no funds should be obligated or expended, directly or indirectly, to support the United Nations Educational, Scientific, and Cultural Organization until the President certifies to the Congress that such Organization (1) has adopted policies which are fully consistent with its educational, scientific, and cultural objectives, and (2) has taken concrete steps to correct its recent actions of a primarily political character.”

MILITARY ASSISTANCE AUTHORIZATIONS

22 USC 2312. SEC. 10. Section 504(a) of the Foreign Assistance Act of 1961 is amended—

(1) by striking out “\$512,500,000 for the fiscal year 1974” and inserting in lieu thereof “\$600,000,000 for the fiscal year 1975”; and

(2) by striking out “(other than training in the United States)” and inserting in lieu thereof “(other than (1) training in the United States, or (2) for Western Hemisphere countries, training in the United States or in the Canal Zone)”.

SPECIAL AUTHORITY

22 USC 2318. SEC. 11. Section 506(a) of the Foreign Assistance Act of 1961 is amended—

(1) by striking out “the fiscal year 1974” in each place it appears and inserting in lieu thereof “the fiscal year 1975” in each such place; and

(2) by striking out “\$250,000,000” and inserting in lieu thereof “\$150,000,000”.

MILITARY ASSISTANCE AUTHORIZATIONS FOR SOUTH VIETNAM

22 USC 2321f. SEC. 12. Section 513 of the Foreign Assistance Act of 1961 is amended as follows:

(1) Strike out “Thailand and Laos” in the caption and insert in lieu thereof “Thailand and Laos, and South Vietnam”.

(2) At the end thereof add the following new subsection:

“(c) After June 30, 1976, no military assistance shall be furnished by the United States to South Vietnam directly or through any other foreign country unless that assistance is authorized under this Act or the Foreign Military Sales Act.”

22 USC 2751 note.

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EXCESS DEFENSE ARTICLES

SEC. 13. (a) Section 8 of the Act entitled "An Act to amend the Foreign Military Sales Act, and for other purposes", approved January 12, 1971 (22 U.S.C. 2321b), is amended—

(1) by striking out "\$150,000,000" in subsection (b) and inserting "\$100,000,000" in lieu thereof; and

(2) by inserting immediately before the period in subsection (c) the following: "; except that for any excess defense article such term shall not include a value for any such article which is less than 33 $\frac{1}{3}$ percent of the amount the United States paid for such article when the United States acquired it".

EXCESS DEFENSE ARTICLE VALUE IN ANNUAL REPORT

SEC. 14. Section 634(d) of the Foreign Assistance Act of 1961 is amended by striking out "including economic assistance and military grants and sales" and inserting in lieu thereof the following: "including economic assistance, military grants (and including for any such grant of any excess defense article, the value of such article expressed in terms of its acquisition cost to the United States), and military sales".

22 USC 2394.

STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

SEC. 15. Chapter 2 of part II of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 514. Stockpiling of Defense Articles for Foreign Countries.—(a) Notwithstanding any other provision of law, no funds, other than funds made available under this chapter or section 401 (a) of Public Law 89-367 (80 Stat. 37), or any subsequent corresponding legislation, may be obligated for the purpose of stockpiling any defense article or war reserve material, including the acquisition, storage, or maintenance of any war reserve equipment, secondary items, or munitions, if such article or material is set aside, reserved, or in any way earmarked or intended for future use by any foreign country under this Act or such section.

22 USC 2321h.

"(b) The cost of any such article or material set aside, reserved, or in any way earmarked or intended by the Department of Defense for future use by, for, or on behalf of the country referred to in section 401 (a) (1) of Public Law 89-367 (80 Stat. 37) shall be charged against the limitation specified in such section or any subsequent corresponding legislation, for the fiscal year in which such article or material is set aside, reserved, or otherwise earmarked or intended; and the cost of any such article or material set aside, reserved or in any way earmarked or intended for future use by, for, or on behalf of any other foreign country shall be charged against funds authorized under this chapter for the fiscal year in which such article or material is set aside, reserved, or otherwise earmarked. No such article or material may be made available to or for use by any foreign country unless such article or material has been charged against the limitation specified in such section, or any subsequent corresponding legislation, or against funds authorized under this chapter, as appropriate."

MILITARY ASSISTANCE ADVISORY GROUPS AND MISSIONS

SEC. 16. Chapter 2 of part II of the Foreign Assistance Act of 1961 is further amended by adding at the end thereof the following new section:

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22 USC 23211. "SEC. 515. Military Assistance Advisory Groups and Missions.—
22 USC 2312. Effective July 1, 1976, an amount equal to each sum expended under
any provision of law, other than section 504 of this Act, with respect to
any military assistance advisory group, military mission, or other
organization of the United States performing activities similar to
such group or mission, shall be deducted from the funds made avail-
able under such section 504, and (1) if reimbursement of such amount
is requested by the agency of the United States Government making
the expenditure, reimbursed to that agency, or (2) if no such reim-
bursement is requested, deposited in the Treasury as miscellaneous
receipts."

REVIEW OF MILITARY ASSISTANCE PROGRAM

22 USC 2311 SEC. 17. (a) It is the sense of Congress that the policies and purposes
note. of the military assistance program conducted under chapter 2 of part
22 USC 2311. II of the Foreign Assistance Act of 1961 should be reexamined in light
of changes in world conditions and the economic position of the United
States in relation to countries receiving such assistance; and that the
program, except for military education and training activities, should
be reduced and terminated as rapidly as feasible consistent with the
security and foreign policy requirements of the United States.

Reduction and (b) In order to give effect to the sense of Congress expressed in sub-
elimination section (a), the President is directed to submit to the first session of
plan, sub- the 94th Congress a detailed plan for the reduction and eventual
mittal to elimination of the present military assistance program.
Congress.

SECURITY SUPPORTING ASSISTANCE

22 USC 2346a. SEC. 18. Section 532 of the Foreign Assistance Act of 1961 is amended
by striking out "for the fiscal year 1974 not to exceed \$125,000,000, of
which not less than \$50,000,000 shall be available solely for Israel" and
inserting in lieu thereof "for the fiscal year 1975 not to exceed
\$660,000,000".

TRANSFER BETWEEN ACCOUNTS

22 USC 2360. SEC. 19. (a) Section 610 of the Foreign Assistance Act of 1961 is
amended as follows:

(1) In subsection (a), immediately after "any other provision
of this Act", insert "(except funds made available under chapter
2 of part II of this Act)".

(2) Add at the end thereof the following new subsection:

Post, p. 1801. "(c) Any funds which the President has notified Congress pursuant
to section 653 that he intends to provide in military assistance to any
country may be transferred to, and consolidated with, any other funds
he has notified Congress pursuant to such section that he intends to
provide to that country for development assistance purposes."

22 USC 2364. (b) Section 614 of such Act is amended by adding at the end of sub-
section (a) the following: "The authority of this section shall not be
used to waive the limitations on transfers contained in section 610(a)
of this Act."

Supra.

LIMITATION ON USE OF FUNDS

22 USC 2151m. SEC. 20. Chapter 1 of part I of the Foreign Assistance Act of 1961 is
amended by adding at the end thereof the following new section:

"SEC. 115. Prohibiting Use of Funds for Certain Countries.—(a)
None of the funds made available to carry out this chapter may be
used in any fiscal year for any country to which assistance is furnished
in such fiscal year under chapter 4 of part II (security supporting

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assistance), part V (assistance for relief and reconstruction of South Vietnam, Cambodia, and Laos), part VI (assistance for Middle East peace) of this Act, or section 36 of the Foreign Assistance Act of 1974.

“(b) The prohibition contained in subsection (a) may not be waived under section 614(a) of this Act or under any other provision of law.

“(c) This section shall not apply to funds made available under section 104 for purposes of title X of chapter 2 of this part (programs relating to population growth), funds made available for humanitarian assistance through international organizations, and funds obligated for regional programs.”

22 USC 2346,
2431.
Post, p. 1812.
Post, p. 1807.
22 USC 2364.
Ante, p. 1795.
22 USC 2219.

CHANGE IN ALLOCATION OF FOREIGN ASSISTANCE

SEC. 21. Section 653 of the Foreign Assistance Act of 1961 is amended—

22 USC 2413.

(1) by striking out all after the period at the end of the first sentence of subsection (a); and

(2) by redesignating subsection (b) as subsection (c) and by inserting immediately after subsection (a) the following new subsection:

“(b) Notwithstanding any other provision of law, no military grant assistance security supporting assistance, assistance under chapter 1 of part I of this Act, or assistance under part V of this Act, may be furnished to any country or international organization in any fiscal year, if such assistance exceeds by 10 percent or more the amount of such military grant assistance, security supporting assistance, assistance under chapter 1 of part I of this Act, or assistance under part V of this Act, as the case may be, set forth in the report required by subsection (a) of this section, unless—

22 USC 2151,
2431.

“(1) the President reports to the Congress, at least ten days prior to the date on which such excess funds are provided, the country or organization to be provided the excess funds, the amount and category of the excess funds, and the justification for providing the excess funds; and

Report to
Congress.

“(2) in the case of military grant assistance or security supporting assistance, the President includes in the report under paragraph (1) his determination that it is in the security interest of the United States to provide the excess funds.

This subsection shall not apply if the excess funds provided in any fiscal year to any country or international organization for any category of assistance are less than \$1,000,000.”

SUSPENSION OF MILITARY ASSISTANCE TO TURKEY

SEC. 22. Section 620 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

22 USC 2370.

“(x) All military assistance, all sales of defense articles and services (whether for cash or by credit, guaranty, or any 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 Turkey, shall be suspended on the date of enactment of this subsection unless and until the President determines and certifies to the Congress that the Government of Turkey is in compliance with the Foreign Assistance Act of 1961, the Foreign Military Sales Act, and any agreement entered into under such Acts, and that substantial progress toward agreement has been made regarding military forces in Cyprus: *Provided*, That the President is authorized to suspend the provisions of this section and such Acts if he

22 USC 2151
note.
22 USC 2751
note.

88 STAT. 1802

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determines that such suspension will further negotiations for a peaceful solution of the Cyprus conflict. Any such suspension shall be effective only until February 5, 1975, and only if, during that time, Turkey shall observe the ceasefire and shall neither increase its forces on Cyprus nor transfer to Cyprus any United States supplied implements of war."

PROHIBITIONS ON AID TO NATIONS TRADING WITH NORTH VIETNAM

22 USC 2370.

SEC. 23. Section 620 of the Foreign Assistance Act of 1961 is amended by inserting before the period in subsection (n) the following: "unless the President determines that such loans, credits, guaranties, grants, other assistance, or sales are in the national interest of the United States".

ASSISTANCE TO GREECE

Repeal.

SEC. 24. Section 620(v) of the Foreign Assistance Act of 1961 is repealed.

LIMITATION UPON ASSISTANCE TO OR FOR CHILE

22 USC 2370
note.
22 USC 2151
note, 2751
note.

SEC. 25. Notwithstanding any other provision of law, the total amount of assistance that may be made available for Chile under the Foreign Assistance Act of 1961, and the Foreign Military Sales Act during fiscal year 1975, may not exceed \$25,000,000, none of which may be made available for the purpose of providing military assistance (including security supporting assistance, sales, credit sales, or guaranties or the furnishing by any means of excess defense articles or items from stockpiles of the Department of Defense).

LIMITATION ON MILITARY ASSISTANCE AND EXCESS DEFENSE ARTICLES TO KOREA

22 USC 2370
note.

SEC. 26. (a) The aggregate amount of—

22 USC 2311.

(1) funds obligated or reserved for military assistance, including supply operations, under chapter 2 of part II of the Foreign Assistance Act of 1961;

22 USC 2301.

(2) the acquisition cost of excess defense articles, if any, ordered under part II of the Foreign Assistance Act of 1961 and not charged against appropriations for military assistance;

22 USC 2763.

(3) credits, including participations in credits, extended pursuant to section 23 of the Foreign Military Sales Act; and

22 USC 2764.

(4) the principal amount of loans guaranteed pursuant to section 24(a) of the Foreign Military Sales Act;

Report to
Congress.

with respect to South Korea shall not exceed \$145,000,000 for fiscal year 1975 until the President submits a report to the Congress after the date of enactment of this Act stating that the government of South Korea is making substantial progress in the observance of internationally recognized standards of human rights.

(b) After the submission of the report under subsection (a), the aggregate amount described in paragraphs (1), (2), (3), and (4) of such subsection with respect to South Korea shall not exceed \$165,000,000 for fiscal year 1975.

22 USC 2318,
2364.

(c) The provisions of section 506 and section 614 of the Foreign Assistance Act of 1961, or of any other law, may not be used to exceed the limitation under subsection (a) or (b).

LIMITATION ON ASSISTANCE FOR INDIA

22 USC 2370
note.

SEC. 27. The total amount of assistance provided under the Foreign Assistance Act of 1961 and of credit sales made or guaranteed under

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88 STAT. 1803

the Foreign Military Sales Act for India shall not exceed \$50,000,000 in fiscal year 1975.

22 USC 2751 note.

FAMINE OR DISASTER RELIEF

SEC. 28. (a) Section 639 of the Foreign Assistance Act of 1961, dealing with famine or disaster relief, is amended to read as follows:

22 USC 2399.

"SEC. 639. Famine or Disaster Relief.—Notwithstanding any other provision of this or any other Act, the President may provide famine or disaster relief assistance to any foreign country on such terms and conditions as he may determine. For fiscal year 1975 there is authorized to be appropriated not to exceed \$40,000,000, to provide such assistance. The President shall submit quarterly reports during such fiscal year to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and to the Speaker of the House of Representatives on the programing and obligation of funds under this section."

Appropriation.

Presidential reports to congressional committees and Speaker of the House.

(b) Of the funds appropriated to carry out section 639 of the Foreign Assistance Act of 1961, during fiscal year 1975 not less than \$25,000,000 shall be made available to Cyprus for the purposes of such section 639.

Cyprus, assistance. 22 USC 2399 note.

(c) Section 451 of the Foreign Assistance Act of 1961, dealing with the contingency fund, is amended to read as follows:

22 USC 2261.

"SEC. 451. Contingency Fund.—(a) There is authorized to be appropriated to the President for the fiscal year 1975 not to exceed \$5,000,000, to provide assistance authorized by this part or by section 639 for any emergency purpose only in accordance with the provisions applicable to the furnishing of such assistance.

"(b) The President shall submit quarterly reports to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Speaker of the House of Representatives on the programing and obligation of funds under this section.

Presidential reports to congressional committees and Speaker of the House. Restriction.

"(c) No part of this fund shall be used to pay for any gifts to any officials of any foreign government made heretofore or hereafter."

ACCESS TO CERTAIN MILITARY BASES ABROAD

SEC. 29. (a) Chapter 3 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 659. Access to Certain Military Bases Abroad.—None of funds authorized to be appropriated for foreign assistance (including foreign military sales, credit sales, and guaranties) under this Act may be used to provide any kind of assistance to any foreign country in which a military base is located if—

22 USC 2419.

"(1) such base was constructed or is being maintained or operated with funds furnished by the United States; and

"(2) personnel of the United States carry out military operations from such base;

unless and until the President has determined that the government of such country has, consistent with security authorized access, on a regular basis, to bona fide news media correspondents of the United States to such military base."

(b) Section 29 of the Foreign Assistance Act of 1973 is repealed.

Repeal. 22 USC 2151 note.

PROHIBITING POLICE TRAINING

SEC. 30. (a) Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended by section 23(a) of this Act, is further amended by adding at the end thereof the following new section:

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22 USC 2420. Pub. Law 93-559 - 10 - December 30, 1974

“SEC. 660. Prohibiting Police Training.—(a) On and after July 1, 1975, none of the funds made available to carry out this Act, and none of the local currencies generated under this Act, shall be used to provide training or advice, or provide any financial support, for police, prisons, or other law enforcement forces for any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government within the United States or abroad.

“ (b) Subsection (a) of this section shall not apply—

42 USC 3763. “ (1) with respect to assistance rendered under section 515 (c) of the Omnibus Crime Control and Safe Streets Act of 1968, with respect to any authority of the Drug Enforcement Administration or the Federal Bureau of Investigation which relates to crimes of the nature which are unlawful under the laws of the United States, or with respect to assistance authorized under section 482 of this Act; or

22 USC 2291a. “ (2) to any contract entered into prior to the date of enactment of this section with any person, organization, or agency of the United States Government to provide personnel to conduct, or assist in conducting, any such program.

Notwithstanding clause (2), subsection (a) shall apply to any renewal or extension of any contract referred to in such paragraph entered into on or after such date of enactment.”

Repeal. (b) Section 112 of the Foreign Assistance Act of 1961 is repealed.
22 USC 2151j.

REIMBURSABLE DEVELOPMENT PROGRAMS

22 USC 2421. SEC. 31. The Foreign Assistance Act of 1961 is amended by adding at the end of part III the following new section:

“SEC. 661. Reimbursable Development Programs.—The President is authorized to use up to \$1,000,000 of the funds made available for the purposes of this Act in each of the fiscal years 1975 and 1976 to work with friendly countries, especially those in which United States development programs have been concluded or those not receiving assistance under part I of this Act, in (1) facilitating open and fair access to natural resources of interest to the United States and (2) stimulation of reimbursable aid programs consistent with part I of this Act. Any funds used for purposes of this section may be used notwithstanding any other provision of this Act.”

22 USC 2151.

INTELLIGENCE ACTIVITIES AND EXCHANGES OF MATERIALS

22 USC 2422. SEC. 32. The Foreign Assistance Act of 1961 is amended by adding at the end of part III the following new sections:

“SEC. 662. Limitation on Intelligence Activities.—(a) No funds appropriated under the authority of this or any other Act may be expended by or on behalf of the Central Intelligence Agency for operations in foreign countries, other than activities intended solely for obtaining necessary intelligence, unless and until the President finds that each such operation is important to the national security of the United States and reports, in a timely fashion, a description and scope of such operation to the appropriate committees of the Congress, including the Committee on Foreign Relations of the United States Senate and the Committee on Foreign Affairs of the United States House of Representatives.

“ (b) The provisions of subsection (a) of this section shall not apply during military operations initiated by the United States under a declaration of war approved by the Congress or an exercise of powers by the President under the War Powers Resolution.

Presidential report to Congress.

50 USC 1541 note.

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"SEC. 663. Exchanges of Certain Materials.—(a) Notwithstanding any other provision of law, whenever the President determines it is in the United States national interest, he shall furnish assistance under this Act or shall furnish defense articles or services under the Foreign Military Sales Act pursuant to an agreement with the recipient of such assistance, articles, or services which provides that such recipient may only obtain such assistance, articles, or services in exchange for any necessary or strategic raw material controlled by such recipient. For the purposes of this section, the term 'necessary or strategic raw material' includes petroleum, other fossil fuels, metals, minerals, or any other natural substance which the President determines is in short supply in the United States.

22 USC 2423.

22 USC 2751
note.

"Necessary or
strategic raw
material."

"(b) The President shall allocate any necessary or strategic raw material transferred to the United States under this section to any appropriate agency of the United States Government for stockpiling, sale, transfer, disposal, or any other purpose authorized by law.

"(c) Funds received from any disposal of materials under subsection (b) shall be deposited as miscellaneous receipts in the United States Treasury."

WAIVER OF PROHIBITION AGAINST ASSISTANCE TO COUNTRIES ENGAGING
IN CERTAIN TRADE OR SHIPPING

SEC. 33. Chapter 3 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 664. Waiver of Prohibition Against Assistance to Countries Engaging in Certain Trade.—Any provision of this Act which prohibits assistance to a country because that country is engaging in trade with a designated country, or because that country permits ships or aircraft under its registry to transport any equipment, materials, or commodities to or from such designated country, may be waived by the President if he determines that such waiver is in the national interest and reports such determination to the Congress."

22 USC 2424.

POLICY WITH RESPECT TO INDOCHINA

SEC. 34. (a) The Congress finds that the cease-fire provided for in the Paris Agreement on Ending the War and Restoring Peace in Vietnam has not been observed by any of the Vietnamese parties to the conflict. Military operations of an offensive and defensive nature continue throughout South Vietnam. In Cambodia, the civil war between insurgent forces and the Lon Nol government has intensified, resulting in widespread human suffering and the virtual destruction of the Cambodian economy.

22 USC 2431
note.

24 UST 1.

(b) The Congress further finds that continuation of the military struggles in South Vietnam and Cambodia are not in the interest of the parties directly engaged in the conflicts, the people of Indochina or world peace. In order to lessen the human suffering in Indochina and to bring about a genuine peace there, the Congress urges and requests the President and the Secretary of State to undertake the following measures:

(1) to initiate negotiations with representatives of the Soviet Union and the People's Republic of China to arrange a mutually agreed-upon and rapid de-escalation of military assistance on the part of the three principal suppliers of arms and material to all Vietnamese and Cambodian parties engaged in conflict;

(2) to urge by all available means that the Government of the Khmer Republic enter in negotiations with representatives of the

Khmer Government of National Union for the purpose of arranging an immediate cease-fire and political settlement of the conflict; and to use all available means to establish contact with the Khmer Government of National Union, and to urge them to participate in such negotiations. The United States should urge all Cambodian parties to use the good offices of the United Nations or a respected third country for the purpose of bringing an end to hostilities and reaching a political settlement;

(3) to utilize any public or private forum to negotiate directly with representatives of the Democratic Republic of Vietnam, the Provisional Revolutionary Government, and the Republic of Vietnam to seek a new cease-fire in Vietnam and full compliance with the provisions of the Paris Agreement on Ending the War and Restoring Peace in Vietnam, including a full accounting for Americans missing in Indochina;

24 UST 1.

Report to Congress.

(4) to reconvene the Paris Conference to seek full implementation of the provisions of the Agreement of January 27, 1973, on the part of all Vietnamese parties to the conflict; and

(5) to maintain regular and full consultation with the appropriate committees of the Congress and report to the Congress and the Nation at regular intervals on the progress toward obtaining a total cessation of hostilities in Indochina and a mutual reduction of military assistance to that area.

PRINCIPLES GOVERNING ECONOMIC AID TO INDOCHINA

22 USC 2431 note.

SEC. 35. (a) Congress calls upon the President and Secretary of State to take the following actions designed to maximize the benefit of United States economic assistance:

(1) to organize a consortium to include multilateral financial institutions to help plan for Indochina reconstruction and development; to coordinate multilateral and bilateral contributions to the area's economic recovery; and to provide continuing advice to the recipient nations on the use of their own and outside resources;

(2) to develop, in coordination with the recipient governments, other donors, and the multilateral financial institutions, a comprehensive plan for Indochina reconstruction and economic development;

(3) to develop country-by-country reconstruction and development plans, including detailed plans for the development of individual economic sectors, that can be used to identify and coordinate specific economic development projects and programs and to direct United States resources into areas of maximum benefits;

(4) to shift the emphasis of United States aid programs from consumption-oriented expenditures to economic development;

(5) to identify possible structural economic reforms in areas such as taxation, exchange rates, savings mechanisms, internal pricing, income distribution, land tenure, budgetary allocations and corruption, which should be undertaken if Indochinese economic development is to progress;

(6) to include in Indochina economic planning and programming specific performance criteria and standards which will enable the Congress and the executive branch to judge the adequacy of the recipient's efforts and to determine whether, and what amounts of, continued United States funding is justified; and

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(7) to provide humanitarian assistance to Indochina wherever practicable under the auspices of and by the United Nations and its specialized agencies, other international organizations or arrangements, multilateral institutions, and private voluntary agencies with a minimum presence and activity of United States Government personnel.

(b) This section shall not be construed to imply continuation of a United States financial commitment beyond the authorization provided for in this Act or amendments made by this Act.

INDOCHINA POSTWAR RECONSTRUCTION

SEC. 36. (a) There are authorized to be appropriated to the President to furnish assistance for the relief and reconstruction of South Vietnam, Cambodia, and Laos, in addition to funds otherwise available for such purposes, for the fiscal year 1975 not to exceed \$617,000,000. Of the amount appropriated for fiscal year 1975—

Appropriation.
22 USC 2432
note.

(1) \$449,900,000 shall be available only for the relief and reconstruction of South Vietnam in accordance with section 38 of this Act;

(2) \$100,000,000 shall be available only for the relief and reconstruction of Cambodia in accordance with section 39 of this Act;

(3) \$40,000,000 shall be available only for the relief and reconstruction of Laos in accordance with section 40 of this Act;

(4) \$4,100,000 shall be available only for the regional development program;

(5) \$16,000,000 shall be available only for support costs for the agency primarily responsible for carrying out this part; and

(6) \$7,000,000 shall be available only for humanitarian assistance through international organizations.

Such amounts are authorized to remain available until expended.

(b) The authority of section 610(a) of the Foreign Assistance Act of 1961 may not be used in fiscal year 1975 to transfer funds made available for any provision of such Act of 1961 into funds made available for part V of such Act for South Vietnam, Cambodia, or Laos under this section.

22 USC 2360.
22 USC 2431.

(c) No assistance may be provided to South Vietnam, Cambodia, or Laos in fiscal year 1975 under part I (including chapter 4 of part II) of the Foreign Assistance Act of 1961. This prohibition may not be waived under section 614(a) of such Act of 1961 or any other provision of law.

22 USC 2151.
22 USC 2364.

(d) Notwithstanding subsection (b) of this section, funds made available under any provision of this or any other law for the purpose of providing military assistance for South Vietnam, Laos, or Cambodia during fiscal year 1975 may be transferred to, and consolidated with, any funds made available to that country for war relief, reconstruction, or general economic development, if such transfer does not result in a greater amount than is allocated for such country under paragraph (1), (2), or (3) of subsection (a).

Transfer of
funds.

(e) To the extent not inconsistent with the provisions of this Act, all prohibitions, restrictions, limitations, and authorities contained in the Foreign Assistance Act of 1961 which are applicable to part V of such Act of 1961 shall apply with respect to the assistance authorized by this section.

22 USC 2151
note.

ASSISTANCE TO SOUTH VIETNAMESE CHILDREN

22 USC 2433
note.

SEC. 37. (a) It is the sense of the Congress that inadequate provision has been made (1) for the establishment, expansion and improvement of day care centers, orphanages, hostels, school feeding programs, health and welfare programs, and training related to these programs which are designed for the benefit of South Vietnamese children, disadvantaged by hostilities in Vietnam or conditions related to those hostilities, and (2) for the adoption by United States citizens of South Vietnamese children who are orphaned or abandoned, or whose parents or sole surviving parent, as the case may be, has irrevocably relinquished all parental rights, particularly children fathered by United States citizens.

(b) The President is, therefore, authorized to provide assistance, on terms and conditions he considers appropriate, for the purposes described in clauses (1) and (2) of subsection (a) of this section. Of the funds appropriated pursuant to section 36(a) of this Act, \$10,000,000, or its equivalent in local currency, shall be available until expended solely to carry out this section. Not more than 10 per centum of the funds made available to carry out this section may be expended for the purposes referred to in clause (2) of subsection (a). Assistance provided under this section shall be furnished, to the maximum extent practicable, under the auspices of and by international agencies or private voluntary agencies.

LIMITATIONS WITH RESPECT TO SOUTH VIETNAM

22 USC 2431
note.

SEC. 38. (a) The \$449,900,000 made available in accordance with section 36(a) (1) of this Act shall be allocated as follows:

(1) \$90,000,000 for humanitarian assistance, of which there shall be available—

- (A) \$70,000,000 for refugee relief;
- (B) \$10,000,000 for child care; and
- (C) \$10,000,000 for health care;

(2) \$154,500,000 for agricultural assistance, of which there shall be available—

- (A) \$85,000,000 for fertilizer;
- (B) \$12,000,000 for POL (for agriculture);
- (C) \$6,000,000 for insecticides and pesticides;
- (D) \$10,000,000 for agricultural machinery and equipment (including spare parts);
- (E) \$3,500,000 for agricultural advisory services;
- (F) \$20,000,000 for rural credit;
- (G) \$10,000,000 for canal dredging;
- (H) \$4,000,000 for low-lift pumps; and
- (I) \$4,000,000 for fish farm development;

(3) \$139,800,000 for industrial development assistance of which there shall be available—

- (A) \$124,000,000 for commodities;
- (B) \$10,000,000 for industrial credit; and
- (C) \$5,800,000 for industrial advisory services (including feasibility studies);

(4) \$65,600,000 for miscellaneous assistance, of which there shall be available—

- (A) \$47,900,000 for the service sector (including POL, machinery equipment, and spare parts); and
- (B) \$17,700,000 for technical services and operating expenses.

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(b) (1) No funds made available in accordance with section 36(a) (1) may be transferred to, or consolidated with, the funds made available for military assistance, nor may more than 20 per centum of the funds made available under paragraph (1), (2), (3), or (4) of subsection (a) of this section be transferred to, or consolidated with, the funds made available under any other such paragraph.

(2) Whenever the President determines it to be necessary in carrying out this section, any funds made available under any subparagraph of paragraph (1), (2), (3), or (4) of subsection (a) of this section may be transferred to, and consolidated with, the funds made available under any other subparagraph of that same paragraph.

(3) The President shall fully inform the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate of each transfer he intends to make under paragraph (1) or (2) of this subsection prior to making such transfer.

(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 South Vietnam in any fiscal year beginning after June 30, 1975, 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.

(d) After the date of enactment of this section, whenever any request is made to the Congress for the appropriation of funds for use in, to, for, or on behalf of South Vietnam 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.

(e) 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, 1974, a written report showing the total amount of funds obligated in, to, for, or on behalf of South Vietnam 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.

(f) (1) Effective six months after the date of enactment of this section, the total number of civilian officers and employees, including contract 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 present in South Vietnam shall not at any one time exceed four thousand, not more than two thousand five hundred of whom shall be members of such armed forces and direct hire and contract employees of the Department of Defense. Effective one year after the date of enactment of this section, such total number shall not exceed at any one time three thousand, not more than one thousand five hundred of whom shall be members of such armed forces and direct hire and contract employees of the Department of Defense.

(2) Effective six months after the date of enactment of this section, the United States shall not, at any one time, pay in whole or in part, directly or indirectly, the compensation or allowances of more than eight hundred individuals in South Vietnam who are citizens of countries other than South Vietnam or the United States. Effective one year after the date of enactment of this section, the total number of individuals whose compensation or allowance is so paid shall not exceed at any one time five hundred.

Transfer, notification to the Speaker and congressional committee.

Presidential report to Congress.

Presidential report to Congress.

U.S. civilian officers and employees in South Vietnam, limitation.

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"Executive agency of the United States Government."

Nonapplicability.

(3) For purposes of this subsection, "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.

(4) This subsection shall not be construed to apply with respect to any individual in South Vietnam who (A) is an employee or volunteer worker of a voluntary private, nonprofit relief organization or is an employee or volunteer worker of the International Committee of the Red Cross, and (B) engages only in activities providing humanitarian assistance in South Vietnam.

(g) This section shall not be construed as a commitment by the United States to South Vietnam for its defense.

LIMITATIONS WITH RESPECT TO CAMBODIA

22 USC 2415.

SEC. 39. (a) Section 655 of the Foreign Assistance Act of 1961 is amended as follows:

(1) by striking out "\$341,000,000" in subsection (a) and inserting "\$377,000,000" in lieu thereof.

(2) by striking out "1972" in subsection (a) and inserting "1975. Of that sum, there shall be available no more than \$200,000,000 for military assistance. In addition to such \$377,000,000, defense articles and services may be ordered under section 506 of this Act for Cambodia in an amount not to exceed \$75,000,000 in fiscal year 1975." in lieu thereof.

(3) by striking out "\$341,000,000" in subsection (b) and inserting "\$377,000,000" in lieu thereof.

(4) by striking out "1972" in subsection (b) and inserting "1975" in lieu thereof.

22 USC 2416.

(b) Section 656 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following sentence: "This section shall not be construed to apply with respect to any individual in Cambodia who (A) is an employee or volunteer worker of a voluntary private, nonprofit relief organization or is an employee or volunteer worker of the International Committee of the Red Cross, and (B) engages only in activities providing humanitarian assistance in Cambodia."

Allocation.
22 USC 2415
note.

(c) The \$100,000,000 made available in accordance with section 36(a)(2) of this Act shall be allocated as follows:

(1) \$20,000,000 for humanitarian assistance;

(2) \$63,000,000 for commodity import assistance;

(3) \$15,000,000 for multilateral stabilization assistance; and

(4) \$2,000,000 for technical support and participant training.

Restrictions.
22 USC 2415
note.

(d) No funds made available in accordance with section 36(a)(2) may be transferred to, or consolidated with, the funds allocated for military assistance to Cambodia under section 655(a) of the Foreign Assistance Act of 1961, nor may more than 20 per centum of the funds made available under any paragraph of subsection (c) of this section be transferred to, or consolidated with, the funds made available under any other such paragraph.

22 USC 2415
note.

(e) No funds may be obligated for any of the purposes described in section 655(a) of the Foreign Assistance Act of 1961 in, to, for, or on behalf of Cambodia in any fiscal year beginning after June 30, 1975, 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.

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(f) This section shall not be construed as a commitment by the United States to Cambodia for its defense.

88 STAT. 1811
22 USC 2415
note.

LIMITATIONS WITH RESPECT TO LAOS

SEC. 40. (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 \$70,000,000 during the fiscal year ending June 30, 1975, 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 Laos. Of that amount, there shall be available—

22 USC 2431
note.

- (1) \$30,000,000 for military assistance; and
- (2) \$40,000,000 only for economic assistance, of which there shall be available—

- (A) \$11,000,000 for humanitarian assistance;
- (B) \$6,500,000 for reconstruction and development assistance;
- (C) \$16,100,000 for stabilization assistance; and
- (D) \$6,400,000 for technical support.

(b) No funds made available under paragraph (2) of subsection (a) of this section may be transferred to, or consolidated with, the funds made available under paragraph (1) of such subsection, nor may more than 20 per centum of the funds made available under any subparagraph of paragraph (2) be transferred to, or consolidated with, the funds made available under any other such subparagraph.

(c) In computing the limitations on obligation authority under subsection (a) of this section with respect to such fiscal year, there shall be included in the computation the value of any goods, supplies, materials, equipment, services, personnel, or advisers provided, to, for, or on behalf of Laos in such fiscal year by gift, donation, loan, lease or otherwise. 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 Laos but in no case less than 33 $\frac{1}{3}$ per centum of the amount the United States paid at the time such goods, supplies, materials, or equipment were acquired by the United States.

"Value."

(d) No funds may be obligated for any of the purposes described in subsection (a) of this section in, to, for, or on behalf of Laos in any fiscal year beginning after June 30, 1975, 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.

(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, to, for, or on behalf of Laos, 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.

Report 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, 1974, a written report showing the total amount of funds obligated in, to, for, or on behalf of Laos 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.

Presidential
report to
Congress.

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(g) This section shall not be construed as a commitment by the United States to Laos for its defense.

POPULATION, NARCOTICS, INTERNATIONAL HUMANITARIAN AND REGIONAL PROGRAMS

SEC. 41. Part V of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

22 USC 2435.

Ante, pp. 1807,
1808, 1810,
1811.

22 USC 2219.
22 USC 2291a.

“Sec. 806. Population, Narcotics, International Humanitarian and Regional Programs.—The provisions of sections 36 (c), 38, 39, and 40 of the Foreign Assistance Act of 1974 shall not apply to: (1) funds obligated for purposes of title X of chapter 2 of part I (programs relating to population growth); (2) funds made available under section 482 (programs relating to narcotics control); (3) funds made available for humanitarian assistance through international organizations; or (4) funds obligated for regional programs.”

ASSISTANCE TO THE MIDDLE EAST

SEC. 42. The Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new part:

“PART VI

22 USC 2441.

“Sec. 901. Statement of Policy.—The Congress recognizes that a peaceful and lasting resolution of the divisive issues that have contributed to tension and conflict between nations in the Middle East is essential to the security of the United States and the cause of world peace. The Congress declares and finds that the United States can and should play a constructive role in securing a just and durable peace in the Middle East by facilitating increased understanding between the Arab nations and Israel, and by assisting the nations in the area in their efforts to achieve economic progress and political stability, which are the essential foundations for a just and durable peace. It is the sense of Congress that United States assistance programs in the Middle East should be designated to promote mutual respect and security among the nations in the area and to foster a climate conducive to increased economic development, thereby contributing to a community of free, secure, and prospering nations in the Middle East.

“It is further the sense of Congress that none of the funds authorized by this Act should be provided to any nation which denies its citizens the right or opportunity to emigrate.

22 USC 2442.

22 USC 2311.

“Sec. 902. Allocations.—(a) Of the funds appropriated to carry out chapter 2 of part II of this Act during the fiscal year 1975, not to exceed \$100,000,000 may be made available for military assistance in the Middle East.

22 USC 2346.

“(b) Of the funds appropriated to carry out chapter 4 of part II of this Act during the fiscal year 1975, not to exceed \$652,000,000 may be made available for security supporting assistance in the Middle East.

22 USC 2771.

“(c) Of the aggregate ceiling on credits and guaranties established by section 31 (b) of the Foreign Military Sales Act during the fiscal year 1975, not to exceed \$380,000,000 shall be available for countries in the Middle East.

22 USC 2443.

“Sec. 903. (a) Special Requirements Fund.—There are authorized to be appropriated to the President for the fiscal year 1975 not to exceed \$100,000,000 to furnish assistance under part I of this Act to meet special requirements arising from time to time in carrying out the purposes of this part, in addition to funds otherwise available for such purposes. The funds authorized to be appropriated by this section shall

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be available for use by the President for assistance authorized by such part in accordance with the provisions applicable to the furnishing of such assistance. Such funds are authorized to remain available until expended.

“(b) The President may only obligate or expend, for each foreign country or international organizations, funds authorized under this section—

“(1) after he reports to the Speaker of House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate concerning (A) the name of such foreign country or international organizations, (B) the amount of such funds to be made available to such country or organization, and (C) the purpose for which such funds are to be made available to such country or organization; and

Presidential report to Speaker of the House and congressional committee.

“(2) unless the Congress, within thirty calendar days after receiving any report under paragraph (1), adopts a concurrent resolution stating in substance that it does not favor the provisions of the report provided by clauses (A), (B), and (C) of paragraph (1).

“(c) Of the amount authorized under subsection (a), not less than \$6,000,000 shall constitute a contribution by the United States toward the settlement of the deficit of the United Nations Relief and Works Agency for Palestine Refugees in the Middle East, if the President determines that a reasonable number of other countries will contribute a fair share toward the settlement of such deficit within a reasonable period of time after the date of enactment of the Foreign Assistance Act of 1974. In determining such fair share, the President shall take into consideration the economic position of each such country. Such \$6,000,000 shall be in addition to any other contribution to such Agency by the United States pursuant to any other provision of law.”

NUCLEAR POWERPLANTS

SEC. 43. None of the funds authorized by this Act may be used to finance the construction of, the operation or maintenance of, or the supply of fuel for any nuclear powerplant in Israel or Egypt, which has been approved under an agreement for cooperation between the United States and either such country.

22 USC 2406 note.

ASSISTANCE TO UNITED ARAB REPUBLIC

SEC. 44. Section 620(p) of the Foreign Assistance Act of 1961 is repealed.

Repeal.
22 USC 2370.

FOREIGN MILITARY SALES ACT AMENDMENTS

SEC. 45(a). The Foreign Military Sales Act is amended as follows:

(1) Section 3(d) is amended to read as follows:

22 USC 2753.

“(d) A country shall remain ineligible in accordance with subsection (c) of this section until such time as the President determines that such violation has ceased, that the country concerned has given assurances satisfactory to the President that such violation will not recur, and that, if such violation involved the transfer of sophisticated weapons without the consent of the President, such weapons have been returned to the country concerned.”

(2) Section 23 is amended to read as follows:

22 USC 2763.

“SEC. 23. Credit Sales.—The President is authorized to finance procurements of defense articles and defense services by friendly foreign

countries and international organizations on terms requiring the payment to the United States Government in United States dollars of—

“(1) the value of such articles or services within a period not to exceed ten years after the delivery of such articles or the rendering of such services; and

“(2) interest on the unpaid balance of that obligation for payment of the value of such articles or services, at a rate equivalent to the current average interest rate, as of the last day of the month preceding the financing of such procurement, that the United States Government pays on outstanding marketable obligations of comparable maturity, unless the President certifies to Congress that the national interest requires a lesser rate of interest and states in the certification the lesser rate so required and the justification therefor.”

22 USC 2764.

(3) In subsections (a) and (b) of section 24, the parenthetical phrase in each is amended to read as follows: “(excluding United States Government agencies other than the Federal Financing Bank)”.

(4) Section 24(c) is amended by striking out “25” both times it appears and inserting “10” both such times in lieu thereof.

(5) Section 35(b) is repealed, and section 36 is amended by inserting before subsection (c) the following new subsections:

Repeal.
22 USC 2775,
2776.
Sale of de-
fense arti-
cles or serv-
ices, re-
ports to
Speaker of
the House
and con-
gressional
committee.

“(a) The President shall submit to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate quarterly reports containing—

“(1) a listing of all letters of offer to sell any defense articles or services under this Act, if such offer has not been accepted or canceled;

“(2) a cumulative listing of all such letters of offer to sell that have been accepted during the fiscal year in which such report is submitted;

“(3) the cumulative dollar amounts, by foreign country and international organization, of credit sales under section 23 and guaranty agreements under section 24 made before the submission of such quarterly report and during the fiscal year in which such report is submitted; and

“(4) projections of the cumulative dollar amounts, by foreign country and international organization, of credit sales under section 23 and guaranty agreements under section 24 to be made in the quarter of the fiscal year immediately following the quarter for which such report is submitted.

22 USC 2763.

For each letter of offer to sell under paragraphs (1) and (2), the report shall specify (A) the foreign country or international organization to which the defense article or service is offered, (B) the dollar amount of the offer to sell under paragraph (1) or of the completed sale under paragraph (2), (C) a brief description of the defense article or service offered, (D) the United States armed force which is making the offer to sell, (E) the date of such offer, and (F) the date of any acceptance under paragraph (2).

Presidential
statement,
submittal to
Speaker of
the House
and con-
gressional
committee.

“(b) In the case of any letter of offer to sell any defense articles or services under this Act for \$25,000,000 or more, before issuing such letter of offer the President shall submit to the Speaker of the House of Representatives and to the Chairman of the Committee on Foreign Relations of the Senate a statement with respect to such offer to sell containing the information specified in subparagraphs (A) through (E) in subsection (a). The letter of offer shall not be issued if the Congress, within twenty calendar days after receiving any such statement, adopts a concurrent resolution stating in effect that it objects

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to such proposed sale, unless the President in his statement certifies that an emergency exists which requires such sale in the national security interests of the United States."

(6) Section 31(a) is amended by striking out "\$325,000,000 for the fiscal year 1974" and inserting in lieu thereof "\$405,000,000 for the fiscal year 1975". 22 USC 2771.

(7) In section 31(b)—

(A) strike out "\$730,000,000 for the fiscal year 1974" and insert in lieu thereof "\$872,500,000 for the fiscal year 1975"; and

(B) add at the end thereof the following new sentence: "Of the funds made available under subsection (a) of this section, \$100,000,000 shall first be obligated with respect to financing the procurement of defense articles and defense services by Israel under section 23 of this Act, except that Israel shall be released from contractual liability to repay the United States Government for the defense articles and defense services so financed."

Ante, p. 1813.

(8) In section 33—

(A) subsection (a) is repealed;

(B) subsection (b) is redesignated as subsection (a); and

(C) a new subsection (b) is added as follows:

22 USC 2773.
Repeal.

"(b) The President may waive the limitations of this section when he determines it to be important to the security of the United States and promptly so reports to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate."

(b) The amendment made by paragraph (4) of subsection (a) shall take effect on July 1, 1974. Obligations initially charged against appropriations made available for purposes authorized by section 31(a) of the Foreign Military Sales Act after June 30, 1974, and prior to the enactment of this section in an amount equal to 25 per centum of the principal amount of contractual liability related to guaranties issued pursuant to section 24(a) of that Act shall be adjusted to reflect such amendment with proper credit to the appropriations made available in the fiscal year 1975 to carry out that Act.

Presidential waiver of limitations. Report to Speaker of the House and congressional committee. Effective date. 22 USC 2764 note. 22 USC 2764.

SECURITY ASSISTANCE AND HUMAN RIGHTS

SEC. 46. Chapter 1 of part II of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 502B. Human Rights.—(a) It is the sense of Congress that, except in extraordinary circumstances, the President shall substantially reduce or terminate security assistance to any government which engages in a consistent pattern of gross violations of internationally recognized human rights, including torture or cruel, inhuman or degrading treatment or punishment; prolonged detention without charges; or other flagrant denials of the right to life, liberty, and the security of the person.

22 USC 2304.

"(b) Whenever proposing or furnishing security assistance to any government falling within the provisions of paragraph (a), the President shall advise the Congress of the extraordinary circumstances necessitating the assistance.

"(c) In determining whether or not a government falls within the provisions of subsection (a), consideration shall be given to the extent of cooperation by such government in permitting an unimpeded investigation of alleged violations of internationally recognized human rights by appropriate international organizations, including the International Committee of the Red Cross and any body acting under the authority of the United Nations or of the Organization of American States.

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"Security assistance."
22 USC 2311, 2346, 2431.
Ante, p. 1812.

"(d) For purposes of this section, 'security assistance' means assistance under chapter 2 (military assistance) or chapter 4 (security supporting assistance) of this part, assistance under part V (Indochina Postwar Reconstruction) or part VI (Middle East Peace) of this Act, sales under the Foreign Military Sales Act, or assistance for public safety under this or any other Act."

22 USC 2751 note.

GORGAS MEMORIAL INSTITUTE

22 USC 278.

SEC. 47. The first section of the Act entitled "An Act to authorize a permanent annual appropriation for the maintenance and operation of the Gorgas Memorial", approved May 7, 1928, is amended by striking out "\$500,000" and inserting "\$2,000,000" in lieu thereof.

INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION IN VIETNAM

Appropriation,
22 USC 2431 note.

SEC. 48. (a) There are authorized to be appropriated to the Department of State for fiscal year 1975 not to exceed \$16,526,000 for payments by the United States to help meet expenses of the International Commission of Control and Supervision in Vietnam. Funds appropriated under this subsection are authorized to be made available for reimbursement to the Agency for International Development of amounts expended by the Agency during fiscal year 1975 as interim United States payments to help meet expenses of the International Commission of Control and Supervision.

(b) There are authorized to be appropriated to the Department of State not to exceed \$11,200,000 for reimbursement to the Agency for International Development of amounts expended by the Agency for International Development to help meet expenses of the International Commission on Control and Supervision in fiscal year 1974.

(c) Reimbursements received by the Agency for International Development under this section may be credited to applicable appropriations of the Agency and shall be available for the purposes for which such appropriations are authorized to be used during fiscal year 1975.

POLICY ON ASSISTANCE TO AFRICA

22 USC 2166 note.

SEC. 49. The President is requested to review the regional allocation of economic development assistance and to increase Africa's share of the Agency for International Development loans and grants. A special effort should be made to provide more assistance to the sixteen of the world's twenty-five least developed countries that are in Africa and to the fourteen African nations that are judged to be most seriously affected by rising costs of food and fuel. The President is requested to make a report to Congress on action taken to provide the developing countries of Africa with an equitable share of United States economic assistance at the time that the Agency for International Development's operational year budget for fiscal year 1975 is submitted to Congress and again with the submission to Congress of the proposed Agency for International Development budget for fiscal year 1976.

Presidential report to Congress.

POLICY ON THE INDEPENDENCE OF ANGOLA, MOZAMBIQUE, AND GUINEA-BISSAU

22 USC 2166 note.

SEC. 50. (a) (1) Congress finds that the Government of Portugal's recognition of the right to independence of the African territories of Angola, Mozambique, and Guinea-Bissau marks a significant advance toward the goal of self-determination for all the peoples of Africa, without which peace on the continent is not secure.

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(2) Congress finds that progress toward independence for the Portuguese African territories will have a significant impact on the international organizations and the community of nations.

(3) Congress commends the Portuguese Government's initiatives on these fronts as evidence of a reaffirmation of that Government's support for her obligations under both the United Nations Charter and the North Atlantic Treaty Organization.

(b) Therefore, Congress calls upon the President and the Secretary of State to take the following actions designed to make clear United States support for a peaceful and orderly transition to independence in the Portuguese African territories:

(1) An official statement should be issued of United States support for the independence of Angola, Mozambique, and Guinea-Bissau, and of our desire to have good relations with the future governments of the countries.

(2) It should be made clear to the Government of Portugal that we view the efforts toward a peaceful and just settlement of the conflict in the African territories as consistent with Portugal's obligations under the North Atlantic Treaty Organization partnership.

(3) The United States should encourage United Nations support for a peaceful transition to independence, negotiated settlement of all differences, and the protection of human rights of all citizens of the three territories.

(4) The United States should open a dialog with potential leaders of Angola, Mozambique, and Guinea-Bissau and assure them of our commitment to their genuine political and economic independence.

(5) The economic development needs of the three territories will be immense when independence is achieved. Therefore, it is urged that the United States Agency for International Development devote attention to assessing the economic situation in Angola, Mozambique, and Guinea-Bissau and be ready to cooperate with the future governments in providing the kind of assistance that will help make their independence viable. In addition, the United States Government should take the initiative among other donors, both bilateral and multilateral, in seeking significant contribution of development assistance for the three territories.

(6) In light of the need of Angola, Mozambique, and Guinea-Bissau for skilled and educated manpower, a priority consideration should be given to expanding current United States programs of educational assistance to the territories as a timely and substantive contribution to their independence.

(c) Reports should be submitted to the Congress on the implementation of the proposals set forth in subsection (b) and Congress should be kept fully informed on developments in United States policy toward the independence of the Portuguese African territories.

Reports to
Congress.

CONVENTIONAL ARMS TRADE

SEC. 51. (a) It is the sense of the Congress that the recent growth in international transfers of conventional arms to developing nations—

(1) is a cause for grave concern for the United States and other nations in that in particular areas of the world it increases the danger of potential violence among nations, and diverts scarce world resources from more peaceful uses; and

(2) could be controlled progressively through negotiations and agreements among supplier and recipient nations.

22 USC 2551
note.

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Report to
Congress.

(b) Therefore, the President is urged to propose to the Geneva Conference of the Committee on Disarmament that it consider as a high priority agenda item discussions among participating nations of that Conference for the purposes of—

(1) agreeing to workable limitations on conventional arms transfers; and

(2) establishing a mechanism through which such limitations could be effectively monitored.

(c) The President shall transmit to the Congress not later than six months after the enactment of this Act a report setting forth the steps he has taken to carry out this section.

INVOLVEMENT OF PUERTO RICO IN THE CARIBBEAN DEVELOPMENT BANK

SEC. 52. (a) The President may transmit to the Caribbean Development Bank an instrument stating that the Commonwealth of Puerto Rico has the authority to conclude an agreement of accession with such Bank and to assume rights and obligations pursuant to such agreement. However, such agreement may only be concluded after it has been approved by the United States Secretary of State.

(b) The instrument transmitted by the President to the Caribbean Development Bank under subsection (a) shall state that the United States shall not assume any financial or other responsibility for the performance of any obligation incurred by the Commonwealth of Puerto Rico pursuant to such agreement of accession or pursuant to any other aspect of its membership or participation in such Bank.

(c) Such agreement of accession shall provide that the Commonwealth of Puerto Rico may not receive from the Caribbean Development Bank any funds provided to the Bank by the United States.

ASSISTANCE TO PORTUGAL AND PORTUGUESE COLONIES IN AFRICA GAINING INDEPENDENCE

SEC. 53. Part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following:

“Chapter X—Assistance to Portugal and Portuguese Colonies in Africa Gaining Independence

22 USC 2293.

“SEC. 496. Assistance to Portugal and Portuguese Colonies in Africa Gaining Independence.—There are authorized to be appropriated to the President for the fiscal year 1975, in addition to funds otherwise available for such purposes, not to exceed—

“(1) \$5,000,000 to make grants; and

“(2) \$20,000,000 to make loans;

to remain available until expended, for use by the President in providing economic assistance, on such terms and conditions as he may determine, for Portugal and the countries and colonies in Africa which were, prior to April 25, 1974, colonies of Portugal.”

INTEGRATION OF WOMEN

SEC. 54. Chapter 3 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

22 USC 2225.

“SEC. 305. Integration of Women.—The President is requested to instruct each representative of the United States to each international organization of which the United States is a member (including but not limited to the International Bank for Reconstruction and Development, the Asian Development Bank, the Inter-American Development

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Bank, the International Monetary Fund, the United Nations, and the Organization for Economic Cooperation and Development) to carry out their duties with respect to such organizations in such a manner as to encourage and promote the integration of women into the national economies of member and recipient countries and into professional and policy-making positions within such organizations, thereby improving the status of women.”

POLICY WITH RESPECT TO COUNTRIES MOST SERIOUSLY AFFECTED BY
FOOD SHORTAGES

Sec. 55. (a) The United Nations has designated thirty-two countries as “Most Seriously Affected” by the current economic crisis. These are countries without the internal food production capability or the foreign exchange availability to secure food to meet their immediate food requirements. The Congress calls upon the President and Secretary of State to take the following actions designed to mobilize appropriate resources to meet the food emergency:

22 USC 2175
note.

(1) Review and make appropriate adjustments in the level of programming of our food and fertilizer assistance programs with the aim of increasing to the maximum extent feasible the volume of food and fertilizer available to those countries most seriously affected by current food shortages.

(2) Call upon all traditional and potential new donors of food, fertilizer, or the means of financing these commodities to immediately increase their participation in efforts to address the emergency food needs of the developing world.

(3) Make available to these most seriously affected countries the maximum feasible volume of food commodities, with appropriate regard to the current domestic price and supply situations.

(4) Maintain regular and full consultation with the appropriate committees of the Congress and report to the Congress and the Nation on steps which are being taken to help meet this food emergency. In accordance with this provision, the President shall report to the Congress on a global assessment of food needs for fiscal year 1975, specifying expected food grain deficits and currently planned programming of food assistance, and steps which are being taken to encourage other countries to increase their participation in food assistance or the financing of food assistance. Such report should reach the Congress promptly and should be supplemented quarterly for the remainder of fiscal year 1975.

(5) The Congress directs that during the fiscal year ending June 30, 1975, not more than 30 percent of concessional food aid should be allocated to countries other than those which are most seriously affected by current food shortages, unless the President demonstrates to the appropriate Committees of the Congress that the use of such food assistance is solely for humanitarian food purposes.

(6) The Congress calls upon the President to proceed with the implementation of resolutions and recommendations adopted by the World Food Conference. The Congress believes that it is incumbent upon the United States to take a leading role in assisting in the development of a viable and coherent world food policy which would begin the task of alleviating widespread hunger and suffering prevalent in famine-stricken nations. The President shall report to the Congress within 120 days of enactment of this Act on the implementation of the resolutions and the extent to which the United States is participating in the

Presidential
report to
Congress.

implementation of resolutions adopted at the World Food Conference.

REPAYMENT OF LOANS IN DEFAULT

22 USC 2370
note.
22 USC 2151
note.

SEC. 56. It is the sense of the Congress that any country receiving assistance under the Foreign Assistance Act of 1961 which is in default, at least 90 days prior to the date of enactment of this Act, of any payment of principal or interest due on any loan or credit received from the United States shall promptly pay all such principal and interest. It is further the sense of the Congress that the President shall promptly enter into negotiations with each such country to help effectuate the payment of such principal and interest, or to effectuate the transfer by such country to the United States of goods, services, concessions, or actions beneficial to the United States, in lieu of the payment of such principal and interest.

Approved December 30, 1974.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 93-1471 accompanying H.R. 17234 (Comm. on Foreign Affairs) and No. 93-1610 (Comm. of Conference).
SENATE REPORTS: Nos. 93-1134 and 93-1299 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD, Vol. 120 (1974):
Sept. 24, Oct. 1, 2, Dec. 3, 4, considered and passed Senate.
Dec. 10, 11, considered and passed House, amended, in lieu of H.R. 17234.
Dec. 17, Senate agreed to conference report.
Dec. 18, House agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 11, No. 1:
Dec. 30, Presidential statement.

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