

Public Law 89-175

AN ACT

September 9, 1965
[H. R. 5280]

To provide for exemptions from the antitrust laws to assist in safeguarding the balance of payments position of the United States.

International
balance of pay-
ments.

Voluntary agree-
ment program.

Consultation
with financial
interests.

Formulation of
agreements.

Publication in
Federal Register.

38 Stat. 717;
52 Stat. 117.
15 USC 58.

Approval of
agreements.

Program review
by Attorney Gen-
eral.

Publication in
Federal Register.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is declared to be the policy of Congress to safeguard the position of the United States with respect to its international balance of payments. To effectuate this policy the President shall undertake continuous surveillance over the private flow of dollar funds from the United States to foreign countries, the solicitation of cooperation by banks, investment bankers and companies, securities brokers and dealers, insurance companies, finance companies, pension funds, charitable trusts and foundations, and educational institutions, to curtail expansion of such flow, and the authorization of such voluntary agreements or programs as may be necessary and appropriate to safeguard the position of the United States with respect to its international balance of payments.

SEC. 2. (a) The President is authorized to consult with representatives of persons described in section 1 to stimulate voluntary efforts to aid in the improvement of the balance of payments position of the United States.

(b) When the President finds it necessary and appropriate to safeguard the United States balance of payments position, he may request persons described in section 1 to discuss the formulation of voluntary agreements or programs to achieve such objective. When such a request is made, a notice shall be promptly published by the President in the Federal Register, listing the persons invited to attend and the time and place at which the discussion is to be held. If the President makes such a request, no such discussion nor the formulation of any voluntary agreement or program in the course of such discussion shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States: *Provided*, That no act or omission to act in effectuation of such voluntary agreement or program is taken until after such voluntary agreement or program is approved in accordance with the provisions of subsections (c) and (d) hereof: *And provided further*, That any meeting or discussion comply with the requirements of subsection (e).

(c) The President may approve, subject to such conditions as he may wish to impose, any voluntary agreement or program among persons described in section 1 that he finds to be necessary and appropriate to safeguard the United States balance-of-payments position. No act or omission to act which occurs pursuant to any approved voluntary agreement or program by a person described in section 1 who has accepted a request of the President to participate shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act: *Provided*, That any meeting or discussion pursuant to any such agreement or program comply with the requirements of subsection (e).

(d) No voluntary agreement or program shall be approved except after submission to the Attorney General for his review as to its effect on competition and a finding by the Attorney General after consultation with the delegate of the President that the actual or potential detriment to competition is outweighed by the benefits of such agreement or program to the safeguarding of the United States balance-of-payments position. The finding of the Attorney General, together with his reasons, shall be published in the Federal Register not later than the time required by section 3 for publication of any approved agreement or program: *Provided, however*, That where the President

finds that the balance-of-payments position of the United States requires immediate approval of an agreement or program he may waive the requirement for a finding by the Attorney General and may approve such agreement or program.

(e) Any meeting of representatives of persons described in section 1 requested by the President pursuant to any approved voluntary agreement or program or meetings or discussions pursuant to a request made in accordance with subsection (b), shall comply with each of the following conditions: (1) The Attorney General shall be given reasonable notice prior to any meeting, with such notice to include a copy of the agenda, a list of the participants, and the time and place of the meeting; (2) meetings shall be held only at the call of a full-time salaried officer or employee of such department or agency as the President shall designate, and only with an agenda formulated by such officer or employee; (3) meetings shall be presided over by an officer or employee of the type mentioned in (2), who shall have the authority and be required to adjourn any meeting whenever he or a representative of the Attorney General considers adjournment to be in the public interest; (4) a verbatim transcript shall be kept of all proceedings at each meeting, including the names of all persons present, their affiliations, and the capacity in which they attend; and (5) a copy of each transcript shall be promptly provided for retention by the Attorney General.

Meetings of
financial in-
terests.
Conditions.

(f) The Attorney General shall continuously review the operation of any agreement or program approved pursuant to this Act, and shall recommend to the President the withdrawal or suspension of such approval if in his judgment after consultation with the delegate of the President its actual or potential detriment to competition outweighs its benefit to the safeguarding of the United States balance-of-payments position.

Review of
agreements.

(g) The Attorney General shall have the authority to require the production of such books, records, or other information as shall have a direct bearing upon such agreement or program and the implementation thereof from any participant in a voluntary agreement or program as he may determine reasonably necessary for the performance of his responsibilities under this Act.

Records.

(h) The President may withdraw any request or finding made hereunder or approval granted hereunder, in which case, or upon termination of this Act, the provisions of this section shall not apply to any subsequent act or omission to act.

Withdrawal of
approval.

SEC. 3. On or before January 1, 1966, and at least once every six months thereafter, the Attorney General shall submit to the Congress and to the President reports on the performance of his responsibilities under this Act. In such reports the Attorney General shall indicate, among other things, the extent to which his review of approved agreements or programs has disclosed any actual or potential detriment to competition. The full text of each voluntary agreement or program approved pursuant to this Act shall be transmitted to the Attorney General immediately upon the approval thereof, and shall be published by the President in the Federal Register not less than three days prior to its effective date unless the President finds that publication of the full text of any agreement or program would be inconsistent with the national interest in which case only a summary need be published.

Reports to Pres-
ident and Con-
gress.

Publication in
Federal Reg-
ister.

SEC. 4. The President may require such reports as he deems necessary to carry out the policy of this Act from any person, firm, or corporation within the United States concerning any activities authorized by the provisions of this Act.

Reports.

SEC. 5. The President may delegate the authority granted him by this Act, except that the authority granted may be delegated only to

Authority
delegation;
limitation.

officials appointed by the President, with the advice and consent of the Senate, whether acting singly or jointly or as a committee or board: *Provided, however,* That the President may not delegate his authority under section 2(d) to waive the requirements for a finding by the Attorney General and approve an agreement or program where he has found that the balance-of-payments position of the United States requires immediate approval.

Termination.

SEC. 6. This Act and all authority conferred thereunder shall terminate twenty months after it becomes law, or on such date prior thereto as the President shall find that the authority conferred by this Act is no longer necessary as a means of safeguarding the balance-of-payments position and shall by proclamation so declare.

"Person."

SEC. 7. As used in this Act the word "person" includes corporations, companies, associations, firms, partnerships, societies, and joint stock companies, as well as individuals, satisfying the description contained in section 1.

Approved September 9, 1965.

Public Law 89-176

AN ACT

September 10, 1965
[H. R. 6964]

To amend section 4082 of title 18, United States Code, to facilitate the rehabilitation of persons convicted of offenses against the United States.

U.S. prisoners,
rehabilitation.
62 Stat. 850.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4082 of title 18, United States Code, is amended to read:

"§ 4082. Commitment to Attorney General; residential treatment centers; extension of limits of confinement; work furlough

"(a) A person convicted of an offense against the United States shall be committed, for such term of imprisonment as the court may direct, to the custody of the Attorney General of the United States, who shall designate the place of confinement where the sentence shall be served.

"(b) The Attorney General may designate as a place of confinement any available, suitable, and appropriate institution or facility, whether maintained by the Federal Government or otherwise, and whether within or without the judicial district in which the person was convicted, and may at any time transfer a person from one place of confinement to another.

"(c) The Attorney General may extend the limits of the place of confinement of a prisoner as to whom there is reasonable cause to believe he will honor his trust, by authorizing him, under prescribed conditions, to—

"(1) visit a specifically designated place or places for a period not to exceed thirty days and return to the same or another institution or facility. An extension of limits may be granted only to permit a visit to a dying relative, attendance at the funeral of a relative, the obtaining of medical services not otherwise available, the contacting of prospective employers, or for any other compelling reason consistent with the public interest; or

"(2) work at paid employment or participate in a training program in the community on a voluntary basis while continuing as a prisoner of the institution or facility to which he is committed, provided that—