value until such time as the States and the United States shall have had an opportunity to negotiate a compact, all departments, agencies, and instrumentalities of the United States shall consult with the Secretary concerning any plans, programs, projects, and grants under their jurisdiction within or affecting the Hudson Riverway. Any Federal department, agency, or instrumentality before which there is pending an application for a license for an activity which may affect the resources of the Hudson Riverway shall notify the Secretary and, before taking final action on such application, shall allow the Secretary ninety days to present his views on the matter. These requirements shall not apply to any applicant for a license which was pending and being actively pursued on July 1, 1966, and shall cease to apply three years after the date of this Act, or whenever a compact has been consented to or approved by the Congress, whichever occurs first.

Approved September 26, 1966.

Public Law 89-606

AN ACT

September 26, 1966
[H. R. 15005]

To amend title 10, United States Code, to increase the authorized numbers for the grade of major, lieutenant colonel, and colonel in the Air Force in order to provide active duty promotion opportunities for certain officers, and for other purposes.

Armed Forces.
Air Force officers, increase.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, beginning with the date of enactment of this Act through June 30, 1972, the columns under the headings "For colonels" and "For lieutenant colonels" contained in the table in section 8202(a) of title 10, United States Code, are suspended. For such period such columns shall read as follows:

70A Stat. 498.

"For colonels	For lieutenant colonels
3,500	6,500
3,859	7,706
4,218	8,911
4,577	10,116
4,936	11,321
5,295	12,527
5,654	13,732
6,013	14,937
6,372	16,142
6,730	17,348
7,089	18,533
7,449	19,758
7,807	20,963
8,166	22,169".

SEC. 2. For a period of six years after the effective date of this Act, the authorized strengths prescribed by section 8202 of title 10, United States Code, may be exceeded (1) by 1,000 for the grade of lieutenant colonel; and (2) by the following numbers for the grade of major:

Fiscal years following enactment:	Number to exceed authorized strength
First	9,500
Second	7,917
Third	6,334
Fourth	4,751
Fifth	3,168
Sixth	1,585

However, the authority to exceed the authorized strengths by 1,000 for the grade of lieutenant colonel, and 1,500 for the grade of major authorized by this section may be used only in the event that drastic reductions or increases in the authorized strength of the commissioned

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officers on active duty in the Air Force occur within a short period of time and that such changes seriously impede promotions to the grade of major and lieutenant colonel as determined by the Secretary of the Air Force, who shall notify the Committees on Armed Services of the Senate and of the House of Representatives not later than 60 days following the utilization of any of the numbers covered in this sentence.

Notice to Congress.

Approved September 26, 1966.

Public Law 89-607

September 27, 1966
[H. R. 3041]

AN ACT

To amend title 10, United States Code, to exempt certain contracts with foreign contractors from the requirement for an examination-of-records clause.

Certain contracts.
Examination-of-records clause, exemption.
70A Stat. 127.
70A Stat. 132; 72 Stat. 967; 76 Stat. 529.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 137 of title 10, United States Code, is amended as follows:

(1) Section 2310(b) is amended—

(A) by striking out the words "or section 2307(c)" and inserting the words "section 2307(c), or section 2313(c)" in place thereof; and

(B) by striking out the words "or (4)" and inserting the words "(4) clearly indicate why the application of section 2313(b) to a contract or subcontract with a foreign contractor or foreign subcontractor would not be in the public interest, or (5)".

(2) Section 2313 is amended—

(A) by striking out the word "Each" in subsection (b) and inserting the words "Except as provided in subsection (c), each" in place thereof; and

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

"(c) Subsection (b) does not apply to a contract or subcontract with a foreign contractor or foreign subcontractor if the head of the agency determines, with the concurrence of the Comptroller General or his designee, that the application of that subsection to the contract or subcontract would not be in the public interest. However, the concurrence of the Comptroller General or his designee is not required—

Exceptional conditions.

"(1) where the contractor or subcontractor is a foreign government or agency thereof or is precluded by the laws of the country involved from making its books, documents, papers, or records available for examination; and

"(2) where the head of the agency determines, after taking into account the price and availability of the property or services from United States sources, that the public interest would be best served by not applying subsection (b).

Report to Congress.

If subsection (b) is not applied to a contract or subcontract based on a determination under clause (2), a written report shall be furnished to the Congress."

SEC. 2. Section 304(c) of the Federal Property and Administrative Services Act of 1949, as added by the Act of October 31, 1951, chapter 652 (41 U.S.C. 254(c)), is amended by adding the following new sentences at the end thereof: "Under regulations to be prescribed by the Administrator, however, such clause may be omitted from contracts with foreign contractors or foreign subcontractors if the agency

65 Stat. 700.