Public Law 94-11
94th Congress

An Act

Making appropriations for Foreign Assistance and related programs for the fiscal year ending June 30, 1975, and for other purposes.

Mar. 26, 1975
[H.R. 4592]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Foreign Assistance and related programs for the fiscal year ending June 30, 1975, and for the other purposes, namely:

Foreign Assistance and Related Programs Appropriations Act, 1975.

TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES

Funds Appropriated to the President

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, as amended, and for other purposes, to remain available until June 30, 1975, unless otherwise specified herein, as follows:

22 USC 2151 note.

ECONOMIC ASSISTANCE

Food and nutrition, Development Assistance: For necessary expenses to carry out the provisions of section 103, $300,000,000: *Provided*, That in addition to the amounts provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together all such amounts to remain available until expended.

22 USC 2151a.

22 USC 2163

Population planning and health, Development Assistance: For necessary expenses to carry out the provisions of section 104, $125,000,000: *Provided*, That in addition to the amounts provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together all such amounts to remain available until expended: *Provided further*, That not more than $110,000,000 appropriated or made available under this Act shall be used for the purposes of section 291 during the current fiscal year.

22 USC 2151b.

22 USC 2219.

Education and human resources development, Development Assistance: For necessary expenses to carry out the provisions of section 105, $82,000,000: *Provided*, That in addition to the amounts provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together all such amounts to remain available until expended.

22 USC 2151c.

Selected development problems, Development Assistance: For necessary expenses to carry out the provisions of section 106, $37,000,000, of which not more than $500,000 shall be available for the National Association of the Partners of the Alliance, Inc.: *Provided*, That in addition to the amount provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together all such amounts to remain available until expended.

22 USC 2151d.

Selected countries and organizations, Development Assistance: For necessary expenses to carry out the provisions of section 107, $30,000,000: *Provided*, That in addition to the amounts provided for loans to carry out the purposes of this paragraph, such amounts as are provided for under section 203 shall also be available for loans, together all such amounts to remain available until expended.

22 USC 2151e.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Loan allocation, Development Assistance: Of the new obligational authority appropriated under this Act to carry out the provisions of sections 103–107, not less than $175,000,000 shall be available for loans.

22 USC 2151a–2151e.

International organizations and programs: For necessary expenses to carry out the provisions of section 301, $125,000,000, of which not more than $17,000,000 shall be available for the United Nations Children's Fund: *Provided*, That none of the funds appropriated or made available pursuant to this Act shall be used to supplement the funds provided to the United Nations Development Program in fiscal year 1974.

22 USC 2221.

United Nations Environment Fund: For necessary expenses to carry out the provisions of section 2 of the United Nations Environment Program Participation Act of 1973, $5,000,000.

22 USC 287 note.

American schools and hospitals abroad: For necessary expenses to carry out the provisions of section 214, $17,500,000.

22 USC 2174.

American schools and hospitals abroad (special foreign currency program): For necessary expenses to carry out the provisions of section 214, $6,500,000 in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, to remain available until expended.

Indus Basin Development Fund, grants: For necessary expenses to carry out the provisions of section 302(b)(2) with respect to Indus Basin Development Fund, grants, $9,000,000: *Provided*, That no other funds appropriated or made available under this Act shall be used for the purposes of such section during the current fiscal year.

22 USC 2222.

Indus Basin Development Fund, loans: For expenses authorized by section 302(b)(1), $200,000, to remain available until expended: *Provided*, That no other funds appropriated or made available under this Act shall be used for the purposes of such section during the current fiscal year.

Contingency fund: For necessary expenses, $1,800,000, to be used for the purposes set forth in section 451.

22 USC 2261.

International narcotics control: For necessary expenses to carry out the provisions of section 481, $17,500,000.

22 USC 2291.

Famine or disaster relief assistance: For necessary expenses to carry out the provisions of section 639, $35,000,000: *Provided*, That of the funds appropriated under this paragraph, $25,000,000 shall be allocated to Cyprus.

Cyprus.
22 USC 2399.

Assistance to Portugal and Portuguese colonies in Africa gaining independence: For necessary expenses to carry out the provisions of section 496, $25,000,000: *Provided*, That of the funds appropriated under this paragraph, not less than $5,000,000 shall be allocated for the Cape Verde Islands and not less than $5,000,000 shall be allocated for Mozambique, Guinea-Bissau, and Angola.

22 USC 2293.

Transfer of funds: Payment to the Foreign Service Retirement and Disability Fund: For payment to the "Foreign Service retirement and disability fund," as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 1105–1106), $16,080,000, of which $15,600,000 is to be derived from the appropriation provided to the Department of State under this heading in the Department of State Appropriation Act, 1975, and $480,000 is to be derived by transfer from funds made available for development assistance for fiscal year 1975.

88 Stat. 1187.

Administrative expenses: For necessary expenses, $40,000,000, to be used for the purposes set forth in section 637(a).

22 USC 2397.

Administrative and other expenses: For expenses authorized by section 637(b) of the Foreign Assistance Act of 1961, as amended,

and by section 305 of the Mutual Defense Assistance Control Act of 1951, as amended, $4,800,000. 22 USC 1613d.

Except for the Contingency Fund, unobligated balances as of June 30, 1974, of funds heretofore made available under the authority of the Foreign Assistance Act of 1961, as amended, except as otherwise provided by law, are hereby continued available for the fiscal year 1975, for the same general purposes for which appropriated and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961, as amended, for the same general purpose as any of the subparagraphs under "Economic Assistance," "Middle East Special Requirements Fund," "Security Supporting Assistance," and "Indochina Postwar Reconstruction Assistance," are hereby continued available for the same period as the respective appropriations in such subparagraphs for the same general purpose: *Provided*, That such unobligated balances as of June 30, 1974, and such amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of section 531 of the Foreign Assistance Act of 1961, as amended, are hereby continued available for the fiscal year 1975 for expenses to carry out the provisions of section 531 or section 801 of the Foreign Assistance Act of 1961, as amended: *Provided further*, That such purpose relates to a project or program previously justified to Congress and the Committees on Appropriations of the House of Representatives and the Senate are notified prior to the reobligation of funds for such projects or programs.

22 USC 2151 note.

31 USC 200.

22 USC 2346.

22 USC 2431.

INDOCHINA POSTWAR RECONSTRUCTION ASSISTANCE

Indochina postwar reconstruction assistance: For necessary expenses to carry out the provisions o. section 801 of the Foreign Assistance Act of 1961, as amended, and section 36(a) of the Foreign Assistance Act of 1974, $440,000,000. 22 USC 2432 note.

MIDDLE EAST SPECIAL REQUIREMENTS FUND

Middle East special requirements fund: For necessary expenses to carry out the provisions of section 901 and section 903 of the Foreign Assistance Act of 1961, as amended, $100,000,000. 22 USC 2441, 2443.

SECURITY SUPPORTING ASSISTANCE

Security supporting assistance: For necessary expenses to carry out the provisions of section 531 of the Foreign Assistance Act of 1961, as amended, $660,000,000: *Provided*, That of the funds appropriated under this paragraph, not less than $324,500,000 shall be allocated to Israel and not less than $250,000,000 shall be allocated to Egypt and not less than $77,500,000 shall be allocated to Jordan. Israel, Egypt, and Jordan, allocation of funds.

MILITARY ASSISTANCE

Military assistance: For necessary expenses to carry out the provisions of section 503 of the Foreign Assistance Act of 1961, as amended, including administrative expenses and purchase of passenger motor vehicles for replacement only for use outside of the United States, $475,000,000: *Provided*, That none of the funds contained in this paragraph shall be available for the purchase of new 22 USC 2311.

22 USC 2391 note.

automotive vehicles outside of the United States: *Provided further*, That the total number of flag and general officers of the United States Armed Forces assigned or detailed to military assistance advisory groups, military missions, or similar organizations, or performing duties primarily with respect to the Military Assistance Program and the Foreign Military Sales Program shall not exceed twenty after May 1, 1975.

OVERSEAS PRIVATE INVESTMENT CORPORATION

The Overseas Private Investment Corporation is authorized to make such expenditures within the limits of funds available to it and in accordance with law (including not to exceed $10,000 for entertainment allowances), and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the program set forth in the budget for the current fiscal year.

INTER-AMERICAN FOUNDATION

The Inter-American Foundation is authorized to make such expenditures within the limits of funds available to it and in accordance with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out its authorized programs during the current fiscal year: *Provided*, That not to exceed $10,000,000 shall be available to carry out the authorized programs during the current fiscal year.

GENERAL PROVISIONS

Flood control and related projects.

SEC. 101. None of the funds herein appropriated (other than funds appropriated for "International organizations and programs" and "Indus Basin Development Fund") shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the United States of America as per memorandum of the President dated May 15, 1962.

SEC. 102. Except for the appropriations entitled "Contingency fund", "Famine or disaster relief assistance", and appropriations of funds to be used for loans, not more than 20 per centum of any appropriation item made available by this title shall be obligated and/or reserved during the last month of availability.

SEC. 103. None of the funds herein appropriated nor any of the counterpart funds generated as a result of assistance hereunder or any prior Act shall be used to pay pensions, annuities, retirement pay, or adjusted service compensation for any persons heretofore or hereafter serving in the armed forces of any recipient country.

Procurement contracts, restriction. 22 USC 2151 note.

SEC. 104. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used for making payments on any contract for procurement to which the United States is a party entered into after the date of enactment of this Act which does not contain a provision authorizing the termination of such contract for the convenience of the United States.

Capital projects financed by U.S.
22 USC 2151 note.

SEC. 105. None of the funds appropriated or made available under this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to make payments with respect to any capital project financed by loans or grants from the United States where the United States has not directly approved the terms of the contracts and the firms to provide engineering, procurement, and construction services on such projects.

SEC. 106. Of the funds appropriated or made available pursuant to this Act, not more than $12,000,000 may be used during the fiscal year ending June 30, 1975, in carrying out research under section 241 of the Foreign Assistance Act of 1961, as amended.

22 USC 2201.

United Nations members, assessments, dues.

SEC. 107. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

Construction in underdeveloped countries.

SEC. 108. None of the funds made available by this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be obligated for financing, in whole or in part, the direct costs of any contract for the construction of facilities and installations in any underdeveloped country, unless the President shall have promulgated regulations designed to assure, to the maximum extent consistent with the national interest and the avoidance of excessive costs to the United States, that none of the funds made available by this Act and thereafter obligated shall be used to finance the direct costs under such contracts for construction work performed by persons other than qualified nationals of the recipient country or qualified citizens of the United States: *Provided, however*, That the President may waive the application of this section if it is important to the national interest.

Waiver.

Iron and steel products for Vietnam.

SEC. 109. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to finance the procurement of iron and steel products for use in Vietnam containing any component acquired by the producer of the commodity, in the form in which imported into the country of production, from sources other than the United States.

SEC. 110. None of the funds contained in title I of this Act may be used to carry out the provisions of sections 209(d) and 251(h) of the Foreign Assistance Act of 1961, as amended.

22 USC 2169, 2211.

North Vietnam, assistance.

SEC. 111. None of the funds appropriated or made available pursuant to this Act shall be used to provide assistance to the Democratic Republic of Vietnam (North Vietnam).

South Vietnam, police or prison construction.

SEC. 112. None of the funds appropriated or made available pursuant to this Act, and no local currencies generated as a result of assistance furnished under this Act, may be used for the support of police, or prison construction and administration within South Vietnam, for training, including computer training, of South Vietnamese with respect to police, criminal, or prison matters, or for computers or computer parts for use for South Vietnam with respect to police, criminal, or prison matters.

SEC. 113. None of the funds made available under this Act for "Food and Nutrition, Development Assistance," "Population Planning and Health, Development Assistance," "Education and Human Resources Development, Development Assistance," "Selected Development Problems, Development Assistance," "Selected Countries and Organizations, Development Assistance," "International Organizations and Programs," "United Nations Environment Fund," "American Schools and Hospitals Abroad," "Indus Basin Development Fund," "International Narcotics Control," "Assistance to Portugal and Portuguese

colonies in Africa gaining independence," "Administrative expenses, Agency for International Development," "Indochina postwar reconstruction assistance," "Security supporting assistance," "Middle East special requirements fund," "Military assistance," "Inter-American Foundation," "Peace Corps," "Migration and refugee assistance," "Assistance to Refugees From the Soviet Union," or "Assistance to Palestinian Refugees" shall be available for obligation for activities, programs, projects, countries, or other operations unless the Committees on Appropriations of the Senate and House of Representatives are previously notified fifteen days in advance.

TITLE II—FOREIGN MILITARY CREDIT SALES

Foreign Military Credit Sales

For expenses not otherwise provided for, necessary to enable the President to carry out the provisions of the Foreign Military Sales Act, $300,000,000: *Provided*, That of the amount provided for the total aggregate credit sale ceiling during the current fiscal year, not less than $300,000,000 shall be allocated to Israel.

22 USC 2751 note.

TITLE III—FOREIGN ASSISTANCE (OTHER)

Independent Agency

Action—International Programs

PEACE CORPS

For expenses necessary for Action to carry out the provisions of the Peace Corps Act (75 Stat. 612), as amended, $77,000,000: *Provided*, That of this amount $44,500,000 shall be available only for the direct support of volunteers.

22 USC 2501 note.

Department of Health, Education, and Welfare

ASSISTANCE TO REFUGEES IN THE UNITED STATES

For expenses necessary to carry out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87-510), relating to aid to refugees within the United States, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, $90,000,000.

22 USC 2601 note.

Department of State

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for European Migration and the United Nations High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); allowances as authorized by 5 U.S.C. 5921-5925; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; $8,420,000, of which not to exceed $8,080,000 shall remain available until December 31, 1975: *Provided*, That no funds herein appropriated

22 USC 801 note.

shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on reasonable standards to insure against Communist infiltration in the Western Hemisphere.

ASSISTANCE TO REFUGEES FROM THE SOVIET UNION

For necessary expenses to carry out the provisions of section 101(b) of the Foreign Relations Authorization Act of 1972, $40,000,000. 86 Stat. 489.

ASSISTANCE TO PALESTINIAN REFUGEES

For necessary expenses to provide assistance to Palestinian Refugees, $10,000,000.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

INVESTMENT IN ASIAN DEVELOPMENT BANK

For payment by the Secretary of the Treasury of the United States to be contributed to the Asian Development Bank $74,126,982, to remain available until expended, of which $50,000,000 will be contributed to the Special Funds Resources of the Bank as authorized by the Act of March 10, 1972, as amended (Public Law 92-245), and of which $24,126,982 will be paid for an increase in the United States subscription to the paid-in capital of the Ordinary Capital of the Bank, as authorized by the Act of December 22, 1974 (Public Law 93-537). 86 Stat. 57. 22 USC 285i-285p. 88 Stat. 1735. 22 USC 285q, 285r.

INVESTMENT IN INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States share of the increase in the resources of the Fund for Special Operations authorized by the Acts of December 30, 1970 (Public Law 91-599), and March 10, 1972 (Public Law 92-246), $225,000,000, to remain available until expended: *provided*, that of this amount $25,000,000 shall be made available only to responsible cooperatives whose primary purpose is to increase the productive capacity of rural and urban citizens at the most economically disadvantaged level: *provided further*, that $10,000,000 of this amount shall be made available only to local credit unions or national or regional federations thereof, whose primary purpose is to increase the productive capacity of rural and urban citizens at the most economically disadvantaged level: *provided further*, that $15,000,000 of this amount shall be made available only to responsible savings and loan associations or other mortgage credit institutions, or national or regional federations thereof, whose primary purpose is to provide basic housing to rural and urban citizens at the most economically disadvantaged level. 84 Stat. 1657. 86 Stat. 59. 22 USC 283p-283s.

INVESTMENT IN INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment by the Secretary of the Treasury of the third installment of the United States contribution to the third replenishment of the resources of the International Development Association as authorized by the Act of March 10, 1972 (Public Law 92-247), $320,000,000, to remain available until expended. 86 Stat. 60. 22 USC 284i-284k.

TITLE IV—EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is hereby authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, except as hereinafter provided.

31 USC 849.

Limitation on Program Activity

Not to exceed $6,403,086,000 (of which not to exceed $3,395,000,000 shall be for equipment and services loans) shall be authorized during the current fiscal year for other than administrative expenses.

Limitation on Administrative Expenses

Not to exceed $10,242,000 (to be computed on an accrual basis) shall be available during the current fiscal year for administrative expenses, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, and not to exceed $24,000 for entertainment allowances for members of the Board of Directors: *Provided*, That (1) fees or dues to international organizations of credit institutions engaged in financing foreign trade, (2) necessary expenses (including special services performed on a contract or a fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, and (3) expenses (other than internal expenses of the Bank) incurred in connection with the issuance and servicing of guarantees, insurance, and reinsurance, shall be considered as nonadministrative expenses for the purposes hereof.

TITLE V—GENERAL PROVISIONS

Publicity or propaganda.

Sec. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

Inspector General, Foreign Assistance.

Sec. 502. No part of any appropriation contained in this Act shall be used for expenses of the Inspector General, Foreign Assistance, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering foreign assistance legislation, appropriations, or expenditures, has delivered to the Office of the Inspector General, Foreign Assistance, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in the custody or control of the Inspector General, Foreign Assistance, relating to any review, inspection or audit arranged for, directed, or conducted by him, unless and until there has been furnished to the General Accounting Office or to such committee or subcommittee, as the case may be, (A) the document, paper, communication, audit, review, finding, recommendation, report, or

other material so requested or (B) a certification by the President, personally, that he has forbidden the furnishing thereof pursuant to such request and his reason for so doing.

Fiscal year limitation.

SEC. 503. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Petroleum fuels to Southeast Asia.

SEC. 504. None of the funds contained in this Act shall be used to furnish petroleum fuels produced in the continental United States to Southeast Asia for use by non-United States nationals.

Space and services.

SEC. 505. No part of any appropriation, funds, or other authority contained in this Act shall be available for paying to the Administrator of the General Services Administration in excess of 90 per centum of the standard level user charge established pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended, for space and services.

40 USC 490.

Short title.

This Act may be cited as the "Foreign Assistance and Related Programs Appropriations Act, 1975".

Approved March 26, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORTS No. 94-53 (Comm. on Appropriations) and
No. 94-108 (Comm. of Conference).
SENATE REPORT No. 94-39 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 121 (1975):
Mar. 13, considered and passed House.
Mar. 19, considered and passed Senate, amended.
Mar. 24, House and Senate agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 11, No. 13:
Mar. 27, Presidential statement.