

Public Law 87-329

AN ACT

Making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

September 30, 1961
[H. R. 9033]

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 the fiscal year ending June 30, 1962, namely:

Foreign Assistance and Related Agencies Appropriation Act, 1962.

TITLE I—FOREIGN ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, to remain available until June 30, 1962, unless otherwise specified herein, as follows:

Ante, p. 424.

ECONOMIC ASSISTANCE

Development loans: For expenses authorized by section 202(a), \$1,112,500,000, to remain available until expended.

Development grants: For expenses authorized by section 212, including \$2,800,000 for ocean freight, \$2,000,000 for Atoms for Peace, and \$22,600,000 for the malaria eradication program, \$296,500,000.

Development grants, special authorization: For assistance authorized by section 214(b) at the discretion of the President for an American sponsored school in Poland, \$100,000, to be used to purchase foreign currencies which the Department of the Treasury may determine to be excess to the normal requirements of the United States.

Surveys of investment opportunities: For expenses authorized by section 232, \$1,500,000.

International organizations and programs: For expenses authorized by section 302, \$153,500,000.

Supporting assistance: For expenses authorized by section 402, \$425,000,000, including \$15,000,000 for supporting assistance for Spain as authorized by section 402.

Contingency fund: For expenses authorized by section 451(a), \$275,000,000.

Administrative expenses: For expenses authorized by section 637(a), including the purchase of not to exceed twenty-five passenger motor vehicles for use outside the United States, \$47,500,000.

MILITARY ASSISTANCE

Military assistance: For expenses authorized by section 504(a), including administrative expenses authorized by section 636(g)(1), which shall not exceed \$24,500,000 for the current fiscal year, and purchase of passenger motor vehicles for replacement only for use outside the United States, \$1,600,000,000: *Provided*, That to the extent that these funds have not been otherwise previously programmed amounts equivalent to the value of orders issued pursuant to the special authority granted in section 510(a) shall be used to reimburse the appropriations financing the replacement of goods or services furnished pursuant to such orders.

DEPARTMENT OF STATE

Ante, p. 460.
65 Stat. 547.
22 USC 1515.

Administrative and other expenses: For expenses authorized by section 637(b) of the Foreign Assistance Act of 1961 and by section 305 of the Mutual Defense Assistance Control Act of 1951, as amended, \$3,000,000.

68 Stat. 832.
22 USC 1751
note.

Unobligated balances (not to exceed \$69,533,000) as of June 30, 1961, of funds heretofore made available under the authority of the Mutual Security Act of 1954, as amended, are, except as otherwise provided by law, hereby continued available for the fiscal year 1962 for the same general purposes for which appropriated.

GENERAL PROVISIONS

68 Stat. 830.
31 USC 200.

SEC. 101. 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 Mutual Security Act of 1954, as amended, for the same general purpose as any of the subparagraphs under "Economic Assistance" except the subparagraph of this title for "Administrative expenses", are hereby continued available for the same period as the respective appropriations in such subparagraphs for the same general purpose.

SEC. 102. None of the funds herein appropriated (other than funds appropriated under the authorization for "International organizations and programs") 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 circular A-47 of the Bureau of the Budget, dated December 31, 1952.

Report to Congress.

SEC. 103. Obligations made from funds herein appropriated for engineering and architectural fees and services to any individual or group of engineering and architectural firms on any one project in excess of \$25,000 shall be reported to the Committees on Appropriations of the Senate and House of Representatives at least twice annually.

Exception.

SEC. 104. Except for the appropriations entitled "Contingency fund" and "Development 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. 105. 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.

SEC. 106. None of the funds herein appropriated shall be used to finance any of the activities under the Investment Incentive Fund Program.

Seating of Communist China in U. N., opposition.

Notification of Congress by the President.

SEC. 107. The Congress hereby reiterates its opposition to the seating in the United Nations of the Communist China regime as the representative of China, and it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be recognized to represent China in the United Nations. In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations, the President is requested

to inform the Congress insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States and our foreign relationships, including that created by membership in the United Nations, together with any recommendations which he may have with respect to the matter.

SEC. 108. It is the sense of Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is repugnant to our principles; and in all negotiations between the United States and any foreign state arising as a result of funds appropriated under this title these principles shall be applied as the President may determine.

Distinctions because of race or religion.

SEC. 109. None of the funds provided in this title shall be available for assistance to any country, the government of which sells arms, ammunition, or implements of war to the Castro regime, or which furnishes, by grant or loan, any military or economic aid to that regime, unless the President determines that the withholding of such assistance to such country would be contrary to the national interest.

SEC. 110. Any obligation made from funds provided in this title for procurement outside the United States of any commodity in bulk and in excess of \$100,000 shall be reported to the Committees on Appropriations of the Senate and the House of Representatives at least twice annually: *Provided*, That each such report shall state the reasons for which the President determined, pursuant to criteria set forth in section 604(a) of the Foreign Assistance Act of 1961, that foreign procurement will not adversely affect the economy of the United States.

Report to congressional committees.

Ante, p. 439.

SEC. 111. Public Law 87-195, approved September 4, 1961, is amended by inserting the following after the enacting clause: "That this Act may be cited as 'The Foreign Assistance Act of 1961'".

Ante, p. 424.

SEC. 112. It is the sense of Congress that in the administration of these funds great attention and consideration should be given to those nations which share the view of the United States on the world crisis.

Administration of funds.

TITLE II—DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

RYUKYU ISLANDS, ARMY

ADMINISTRATION

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government of the Ryukyu Islands, as authorized by the Act of July 12, 1960 (74 Stat. 461); services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), of individuals not to exceed ten in number; not to exceed \$3,500 for contingencies for the High Commissioner, to be expended in his discretion; hire of passenger motor vehicles and aircraft; purchase of four passenger motor vehicles for replacement only; and construction, repair, and maintenance of buildings, utilities, facilities, and appurtenances; \$7,089,000, of which not to exceed \$1,722,000 shall be available for administrative and information expenses: *Provided*, That expenditures from this appropriation may be made outside continental United States when necessary to carry out its purposes, without regard to sections 355 and 3648, Revised Statutes, as amended, section 4774(d) of title 10, United

60 Stat. 810.

40 USC 255; 31 USC 529.

70A Stat. 269.

States Code, civil service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States: *Provided further*, That funds appropriated hereunder may be used, insofar as practicable, and under such rules and regulations as may be prescribed by the Secretary of the Army to pay ocean transportation charges from United States ports, including territorial ports, to ports in the Ryukyus for the movement of supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid or of relief packages consigned to individuals residing in such areas: *Provided further*, That the President may transfer to any other department or agency any function or functions provided for under this appropriation, and there shall be transferred to any such department or agency without reimbursement and without regard to the appropriation from which procured, such property as the Director of the Bureau of the Budget shall determine to relate primarily to any function or functions so transferred.

TITLE III—EXPORT-IMPORT BANK OF WASHINGTON

61 Stat. 584.
31 USC 849.

The Export-Import Bank of Washington 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 programs set forth in the budget for the current fiscal year for such corporation, except as hereinafter provided:

LIMITATION ON OPERATING EXPENSES

Not to exceed \$1,300,000,000 (of which not to exceed \$800,000,000 shall be for development loans) shall be obligated during the current fiscal year for other than administrative expenses.

LIMITATION ON ADMINISTRATIVE EXPENSES

60 Stat. 810.

68 Stat. 454.
7 USC 1691 note.

Not to exceed \$3,010,000 (to be computed on an accrual basis) shall be available during the current fiscal year for administrative expenses, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates not to exceed \$75 per diem for individuals, and not to exceed \$9,000 for entertainment allowances for members of the Board of Directors; and, in addition, not to exceed the equivalent of \$200,000 of the aggregate amount of foreign currencies made available to the Export-Import Bank for loans pursuant to the Agricultural Trade Development and Assistance Act of 1954, as amended, shall be available during the current fiscal year for expenses incurred by the Export-Import Bank incident to such loans: *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 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 IV—TREASURY DEPARTMENT

INVESTMENT IN INTER-AMERICAN DEVELOPMENT BANK

For payment of subscriptions to the Inter-American Development Bank, to remain available until expended, \$110,000,000 of which \$60,000,000 is for the second installment on paid-in capital stock and \$50,000,000 is for payment of the second installment of the subscription of the United States to the fund for special operations.

SUBSCRIPTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment of the second installment of the subscription of the United States to the International Development Association, \$61,656,000, to remain available until expended.

TITLE V—PEACE CORPS

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Peace Corps Act, including purchase of not to exceed sixteen passenger motor vehicles for use outside the United States, \$30,000,000.

Ante, p. 612.

TITLE VI—GENERAL PROVISIONS

SEC. 601. 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.

Restrictions on use of funds.

SEC. 602. None of the funds herein appropriated 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.

SEC. 603. This Act may be cited as the "Foreign Assistance and Related Agencies Appropriation Act, 1962".

Short title.

Approved September 30, 1961.