

Public Law 88-258

AN ACT

Making appropriations for Foreign Aid and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

January 6, 1964
[H. R. 9499]

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, 1964, namely:

Foreign Aid and
Related Agencies
Appropriation Act,
1964.

TITLE I—FOREIGN AID (MUTUAL SECURITY)

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, to remain available until June 30, 1964, unless otherwise specified herein, as follows:

75 Stat. 424.
22 USC 2151
note.

ECONOMIC ASSISTANCE

Development grants: For expenses authorized by section 212, \$155,000,000.

22 USC 2172.
Ante, p. 381.

American schools and hospitals abroad: For expenses authorized by section 214(c), \$14,300,000.

22 USC 2174.

American hospitals and schools abroad (special foreign currency program): For expenses authorized by section 214(c), \$4,700,000, to be used to purchase foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

International organizations and programs: For expenses authorized by section 302, \$116,000,000.

22 USC 2222.

Supporting assistance: For expenses authorized by section 402, \$330,000,000.

22 USC 2242.

Contingency fund: For expenses authorized by section 451(a), \$50,000,000.

22 USC 2261.

Inter-American social and economic cooperation program: For expenses authorized by section 2 of the Latin American Development Act (74 Stat. 870), as amended, \$135,000,000, to remain available until expended.

22 USC 1943.

Alliance for Progress, development loans: For assistance authorized by section 252, \$375,000,000, to remain available until expended.

76 Stat. 258.
22 USC 2212.

Alliance for Progress, development grants: For expenses authorized by section 252, \$80,000,000.

Development loans: For expenses authorized by section 202(a), \$687,300,000, to remain available until expended: *Provided*, That no part of this appropriation may be used to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended.

22 USC 2162.

Administrative expenses: For expenses authorized by section 637(a), \$50,000,000.

22 USC 2165.
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, \$2,700,000.

75 Stat. 463.
22 USC 1613d.

Unobligated balances as of June 30, 1963, 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 1964 for the same general purposes for which appropriated and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obli-

68 Stat. 830.
31 USC 200.

22 USC 1751
note.
22 USC 2151
note.

Notification of
congressional
committees.

gated against appropriations heretofore made under the authority of the Mutual Security Act of 1954, as amended, and the Foreign Assistance Act of 1961, as amended, for the same general purpose as any of the subparagraphs under "Economic Assistance", are hereby continued available for the same period as the respective appropriations in such subparagraphs for the same general purpose: *Provided*, 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.

MILITARY ASSISTANCE

22 USC 2312.
22 USC 2396.

Military assistance: For expenses authorized by section 504(a) of the Foreign Assistance Act of 1961, as amended, including administrative expenses authorized by section 636(g)(1) of such Act, which shall not exceed \$24,000,000 for the current fiscal year, and purchase of passenger motor vehicles for replacement only for use outside the United States: *Provided*, That none of the funds contained in this paragraph shall be available for the purchase of new automotive vehicles outside of the United States, \$1,000,000,000.

GENERAL PROVISIONS

Flood control and
reclamation pro-
grams, etc.

SEC. 101. 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 memorandum of the President dated May 15, 1962.

Engineering and
architectural fees.

Reports to
Congress.

SEC. 102. 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.

Restrictions.

SEC. 103. 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. 104. 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.

Seating of Com-
munist China in
U.N., opposition.

SEC. 105. 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

Notification of
Congress by the
President.

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. 106. 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. 107. (a) No assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country which sells, furnishes, or permits any ships under its registry to carry to Cuba, so long as it is governed by the Castro regime, in addition to those items contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended, any arms, ammunition, implements of war, atomic energy materials, or any other articles, materials, or supplies of primary strategic significance used in the production of arms, ammunition, and implements of war or of strategic significance to the conduct of war, including petroleum products.

Cuba.
Restrictions on assistance to certain countries.
22 USC 2151 note.

22 USC 1611-1611d.

(b) No economic assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country which sells, furnishes, or permits any ships under its registry to carry items of economic assistance to Cuba, so long as it is governed by the Castro regime, unless the President determines that the withholding of such assistance would be contrary to the national interest and reports such determination to the Foreign Relations and Appropriations Committees of the Senate and the Foreign Affairs and Appropriations Committees of the House of Representatives. Reports made pursuant to this subsection shall be published in the Federal Register within seven days of submission to the committees and shall contain a statement by the President of the reasons for such determination.

Presidential determination.
Report to Congress.

Publication in F. R.

SEC. 108. 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, as amended, that foreign procurement will not adversely affect the economy of the United States.

Procurement outside U.S.
Report to Congress.

22 USC 2354.

SEC. 109. (a) No assistance shall be furnished to any nation, whose government is based upon that theory of government known as communism under the Foreign Assistance Act of 1961, as amended, for any arms, ammunition, implements of war, atomic energy materials, or any articles, materials, or supplies, such as petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements of war, contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended.

Communist nations.
Restriction on military assistance.

(b) No economic assistance shall be furnished to any nation whose government is based upon that theory of government known as communism under the Foreign Assistance Act of 1961, as amended (except section 214(b)), unless the President determines that the withholding of such assistance would be contrary to the national interest and reports such determination to the Foreign Affairs and Appropriations Committees of the House of Representatives and Foreign Relations

Restriction on economic assistance.

22 USC 2174.

Report to Congress.

Publication in
F. R.

and Appropriations Committees of the Senate. Reports made pursuant to this subsection shall be published in the Federal Register within seven days of submission to the committees and shall contain a statement by the President of the reasons for such determination.

75 Stat. 424.
22 USC 2151.
note.

SEC. 110. 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.

Contracts out-
side U.S.

SEC. 111. 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 contract for the performance of services outside the United States by United States citizens where such citizens have not been investigated for loyalty and security in the same manner and to the same extent as would apply if they were regularly employed by the United States.

Capital proj-
ects.

SEC. 112. 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 project.

22 USC 2201.
U. N. dues, re-
striction.

SEC. 113. Of the funds appropriated or made available pursuant to this Act not more than \$6,000,000 may be used during the fiscal year ending June 30, 1964, in carrying out section 241 of the Foreign Assistance Act of 1961, as amended.

SEC. 114. 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.

68 Stat. 456;
71 Stat. 345.
7 USC 1704.

SEC. 115. Foreign currencies not to exceed \$200,000, made available for loans pursuant to section 104(e) of the Agricultural Trade Development and Assistance Act of 1954, as amended, shall be available during the current fiscal year for expenses incurred incident to such loans.

SEC. 116. None of the administrative expense or other funds herein appropriated shall be available in connection with the use of receipts of United States dollars, derived from loan repayments and interest collections, in the Development Loan Fund and Alliance for Progress revolving funds.

SEC. 117. Receipts of United States dollars in the Development Loan Fund and Alliance for Progress revolving funds, derived from loan repayments and interest collections, may hereafter, when so specified in appropriation Acts, be used for the purposes for which such revolving funds are available.

SEC. 118. None of the funds made available by this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be obligated on or after April 30, 1964, 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, on or before such date, 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 amendment if it is important to the national interest.

TITLE II—FOREIGN AID (OTHER)

FUNDS APPROPRIATED TO THE PRESIDENT

PEACE CORPS

For expenses necessary to enable the President to carry out the provisions of the Peace Corps Act (75 Stat. 612), as amended, including purchase of not to exceed five passenger motor vehicles for use outside the United States, \$92,100,000, together with the unobligated balance of the appropriation under this head for the fiscal year 1963, of which not to exceed \$19,900,000 shall be available for administration and program support costs.

Ante, p. 359.
22 USC 2502.

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), as amended (76 Stat. 742); 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 \$4,000 for contingencies for the High Commissioner, to be expended in his discretion; hire of passenger motor vehicles and aircraft; purchase of six passenger motor vehicles, of which four shall be for replacement only; and construction, repair, and maintenance of buildings, utilities, facilities, and appurtenances; \$10,000,000, of which not to exceed \$2,300,000 shall be available for administrative and information expenses, and \$2,000,000 shall be available for transfer to the Ryukyu Domestic Water Corporation for construction of a portion of the integrated island water system: *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 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.

60 Stat. 810.

40 USC 255;
31 USC 529.

70A Stat. 269.

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 section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$39,717,137, together with the unobligated balance of the appropriation under this head for the fiscal year 1963.

76 Stat. 121.
22 USC 2601
note.

60 Stat. 810.

DEPARTMENT OF STATE

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Contributions to international organizations", \$18,374,000.

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide assistance to refugees, as authorized by law, including contributions to the Intergovernmental Committee for European Migration and the United Nations High Commissioner for Refugees; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); hire of passenger motor vehicles; and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); \$10,550,000: *Provided*, That no funds herein appropriated 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.

60 Stat. 999.

FUNDS APPROPRIATED TO THE PRESIDENT

INVESTMENT IN INTER-AMERICAN DEVELOPMENT BANK

For payment of subscriptions to the Inter-American Development Bank for expansion of the Fund for Special Operations, \$50,000,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon enactment into law of authorizing legislation.

SUBSCRIPTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

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

TITLE III—EXPORT-IMPORT BANK OF WASHINGTON

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:

61 Stat. 584.
31 USC 849.

LIMITATION ON OPERATING EXPENSES

Not to exceed \$1,314,366,000 (of which not to exceed \$963,500,000 shall be for development loans) shall be authorized during the current fiscal year for other than administrative expenses.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$3,500,000 (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, purchase of one passenger motor vehicle (for replacement only) at not to exceed \$3,000, and not to exceed \$9,000 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 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.

60 Stat. 810.

None of the funds made available because of the provisions of this Title shall be used by the Export-Import Bank to either guarantee the payment of any obligation hereafter incurred by any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or national, in connection with the purchase of any product by such country, agency, or national, except when the President determines that such guarantees would be in the national interest and reports each such determination to the House of Representatives and the Senate within 30 days after such determination.

Extension of credit to Communist countries, restriction.

76 Stat. 261.
22 USC 2370.

Presidential determination.

TITLE IV—LEGISLATIVE BRANCH

SENATE

For payment to Nancy P. Kefauver, widow of Estes Kefauver, late a Senator from the State of Tennessee, \$22,500.

CONTINGENT EXPENSES OF THE SENATE

Miscellaneous Items

For an additional amount for "Miscellaneous items", fiscal year 1963, \$190,000.

Miscellaneous Items

For an additional amount for "Miscellaneous items", \$215,000: *Provided*, That effective January 1, 1964, the paragraph relating to official long-distance telephone calls to and from Washington, District of Columbia, under the heading "Contingent Expenses of the Senate" in Public Law 479, Seventy-ninth Congress (2 U.S.C. 46c), as amended, is amended by striking out the words "one hundred and

70 Stat. 360.

twenty" and inserting in lieu thereof "one hundred and sixty" and by striking out the words "six hundred" and inserting in lieu thereof "eight hundred".

Stationery (Revolving Fund)

For an additional amount for stationery, \$60,600: *Provided*, That commencing with the fiscal year 1964 and thereafter the allowance for stationery for each Senator and the President of the Senate shall be at the rate of \$2,400 per annum.

HOUSE OF REPRESENTATIVES

For payment to Mae Doyle Walter, widow of Francis E. Walter, late a Representative from the State of Pennsylvania, \$22,500.

For payment to Clara H. Nygaard, widow of Hjalmar C. Nygaard, late a Representative from the State of North Dakota, \$22,500.

For payment to Susan G. Gavin, widow of Leon H. Gavin, late a Representative from the State of Pennsylvania, \$22,500.

CONTINGENT EXPENSES OF THE HOUSE

Miscellaneous Items

For an additional amount for "Miscellaneous items", \$925,000.

Reporting Hearings

For an additional amount for "Reporting hearings", \$48,000.

Special and Select Committees

For an additional amount for "Special and select committees", \$665,500.

Telegraph and Telephone

For an additional amount for "Telegraph and telephone", \$515,000.

Stationery (Revolving Fund)

For an additional amount for "Stationery (revolving fund)", to remain available until expended: first session of the Eighty-eighth Congress, \$261,600; second session of the Eighty-eighth Congress, \$261,600.

Postage Stamps

For an additional amount for "Postage stamps", to remain available until expended: first session of the Eighty-eighth Congress, \$45,710; second session of the Eighty-eighth Congress, \$45,710.

JOINT ITEMS

Education of Pages

For an additional amount for "Education of pages", \$2,655, which amount shall be advanced and credited to the applicable appropriation of the District of Columbia.

TITLE V—CLAIMS AND JUDGMENTS

FEDERAL FUNDS

CLAIMS AND JUDGMENTS

For payment of claims as settled and determined by departments and agencies in accord with law, and judgments rendered against the United States by the United States Court of Claims and United States district courts, as set forth in House Document Numbered 182, Eighty-eighth Congress, \$12,982,095, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall have become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided, further*, That, unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of this Act.

DISTRICT OF COLUMBIA FUNDS

SETTLEMENT OF CLAIMS AND SUITS

For the payment of claims in excess of \$250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (45 Stat. 1160; 46 Stat. 500; 65 Stat. 131), \$22,238, which shall be payable from the general fund of the District of Columbia.

D.C. Code
1-902 to 1-906.

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.

Publicity or
propaganda.

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.

Restriction.

SEC. 603. Appropriations and other funds made available in acts making appropriations for the fiscal year ending June 30, 1964, shall be reserved and withheld from obligation through the apportionment procedure prescribed by law (31 U.S.C. 665) to the maximum extent possible, as determined by the Director of the Bureau of the Budget, on account of savings arising from enactment of any such acts after the beginning of such fiscal year. Nothing herein shall be construed to limit existing authority of law for reserving appropriations.

Reservation of
funds from obligation.

Restriction.

SEC. 604. No part of any appropriation contained in this Act shall be used to conduct or assist in conducting any program (including but not limited to the payment of salaries, administrative expenses, and the conduct of research activities) related directly or indirectly to the establishment of a national service corps or similar domestic peace corps type of program.

Short title.

This Act may be cited as the "Foreign Aid and Related Agencies Appropriation Act, 1964".

Approved January 6, 1964.