

Notice to Congress.

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.

Approved September 26, 1966.

Public Law 89-607

AN ACT

September 27, 1966
[H. R. 3041]

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

Certain con-
tracts.
Examination-of-
records clause,
exemption.

70A Stat. 127.
70A Stat. 132;
72 Stat. 967;
76 Stat. 529.

Exceptional
conditions.

Report to
Congress.

65 Stat. 700.

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—

“(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).

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

head determines, with the concurrence of the Comptroller General of the United States or his designee, that the omission will serve the best interests of the United States. However, the concurrence of the Comptroller General of the United States or his designee is not required for the omission of such clause—

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 agency head 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 the omission of the clause.

If the clause is omitted based on a determination under clause (2) a written report shall be furnished to the Congress. The power of the agency head to make the determination specified in the preceding sentences shall not be delegable.”

Report to Congress.

SEC. 3. Section 3(b) of the Act of August 28, 1958 (50 U.S.C. 1433(b)) is amended by adding the following new sentences at the end thereof: “Under regulations to be prescribed by the President, however, such clause may be omitted from contracts with foreign contractors or foreign subcontractors if the agency head determines, with the concurrence of the Comptroller General of the United States or his designee, that the omission will serve the best interests of the United States. However, the concurrence of the Comptroller General of the United States or his designee is not required for the omission of such clause—

72 Stat. 972.

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 agency head 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 the omission of the clause.

If the clause is omitted based on a determination under clause (2), a written report shall be furnished to the Congress.”

Report to Congress.

Approved September 27, 1966.

Public Law 89-608

AN ACT

September 30, 1966
[H. R. 11979]

To extend the authority for the payment of special allowances to evacuated dependents of members of the uniformed services, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of May 22, 1965, 79 Stat. 117, is amended by striking out “June 30, 1966” and substituting in lieu thereof “June 30, 1971”.

Uniformed services.
37 USC 405a
note.

SEC. 2. Section 405a(a) of title 37, United States Code, is amended by striking out “from places outside the United States to places inside the United States”.

Approved September 30, 1966.