

Public Law 90-266

AN ACT

March 12, 1968
[S. 1727]

To authorize the consolidation and use of funds arising from judgments in favor of the Apache Tribe of the Mescalero Reservation and of each of its constituent groups.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds or the share of the funds, which are or hereafter may be deposited in the Treasury of the United States to the credit of the Mescalero Apache Tribe, the portion of the Chiricahua Apache Tribe on the Mescalero Reservation, and the Lipan Apache Tribe (certain constituent groups of the Apache Tribe of the Mescalero Reservation), or any other constituent group of the Apache Tribe of the Mescalero Reservation, or the Apache Tribe of the Mescalero Reservation, to pay any judgments arising out of proceedings instituted before the Indian Claims Commission in dockets numbered 22-B, 22-C, 22-G, 30, 48, 49, and 182 and the interest on said funds, after payment of attorney fees and expenses, shall be consolidated and credited to the account of the Apache Tribe of the Mescalero Reservation, and the judgment recovered in docket numbered 22-B, and the interest thereon, may be advanced, expended, deposited, invested, or reinvested for any purpose that is authorized by the tribal governing body of the Apache Tribe of the Mescalero Reservation and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribes shall not be subject to Federal or State income tax.

Apache Tribe of
Mescalero Reserva-
tion.
Judgment funds.

Approved March 12, 1968.

Public Law 90-267

AN ACT

March 13, 1968
[S. 1155]

To amend the Export-Import Bank Act of 1945, as amended, to change the name of the Bank, to extend for five years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, to restrict the financing by the Bank of certain transactions, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Export-Import Bank Act of 1945 is amended—

(a) By changing "Export-Import Bank of Washington", wherever that name refers to the legal entity created by the Export-Import Bank Act of 1945, to "Export-Import Bank of the United States".

(b) Section 2 of such Act is amended by striking subsection (b) thereof and by substituting in lieu thereof the following:

"(b)(1) It is the policy of the Congress that the Bank in the exercise of its functions should supplement and encourage and not compete with private capital; that loans, so far as possible consistently with carrying out the purposes of subsection (a), shall generally be for specific purposes, and, in the judgment of the Board of Directors, offer reasonable assurance of repayment; and that in authorizing such loans the Board of Directors should take into account the possible adverse effects upon the United States economy."

Export-Import
Bank Act of 1945,
amendment.
59 Stat. 526.
12 USC 635
note.

(c) Section 2(b) of such Act is further amended by adding the following at the end thereof:

Exports to Communist countries, prohibitions.

"(2) The Bank in the exercise of its functions shall not guarantee, insure, or extend credit, or participate in any extension of credit—

76 Stat. 261;
78 Stat. 1013.
22 USC 2370.

"(A) in connection with the purchase or lease of any product by a Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended), or agency or national thereof, or

"(B) in connection with the purchase or lease of any product by any other foreign country, or agency, or national thereof, if the product to be purchased or leased by such other country, agency, or national is, to the knowledge of the Bank, principally for use in, or sale or lease to, a Communist country (as so defined),

Presidential determination; report to Congress.

except that the prohibitions contained in this paragraph shall not apply in the case of any transaction which the President determines would be in the national interest if he reports that determination to the Senate and House of Representatives within thirty days after making the same.

"(3) The Bank shall not guarantee, insure, or extend credit, or participate in the extension of credit in connection with the purchase of any product, technical data, or other information by a national or agency of any nation—

"(A) which engages in armed conflict, declared or otherwise, with armed forces of the United States; or

"(B) which furnishes by direct governmental action (not including chartering, licensing or sales by non-wholly-owned business enterprises) goods, supplies, military assistance, or advisers to a nation described in subparagraph (A);

nor shall the Bank guarantee, insure, or extend credit, or participate in the extension of credit in connection with the purchase by any nation (or national or agency thereof) of any product, technical data, or other information which is to be used principally by or in a nation described in subparagraph (A) or (B).

78 Stat. 827.
26 USC 4916.

78 Stat. 809;
81 Stat. 145.

Presidential determination; report to Congress.

"(4) The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit in connection with any credit sale of defense articles and defense services to any country designated under section 4916 of the Internal Revenue Code of 1954 as an economically less developed country for purposes of the tax imposed by section 4911 of that Code. The prohibitions set forth in this paragraph shall not apply with respect to any transaction the consummation of which the President determines would be in the national interest and reports such determination (within thirty days after making the same) to the Senate and House of Representatives. In making any such determination the President shall take into account, among other considerations, the national interest in avoiding arms races among countries not directly menaced by the Soviet Union or by Communist China; in avoiding arming military dictators who are denying social progress to their own peoples; and in avoiding expenditures by developing countries of scarce foreign exchange needed for peaceful economic progress.

12 USC 635e.

"(5) In no event shall the Bank have outstanding at any time in excess of 7½ per centum of the limitation imposed by section 7 of this Act for such guarantees, insurance, credits or participation in credits with respect to exports of defense articles and services to countries

which, in the judgment of the Board of Directors of the Bank, are less developed."

(c) By changing in section 2(c) of that Act, "\$2,000,000,000" to read "\$3,500,000,000".

75 Stat. 673;
77 Stat. 128.
12 USC 635.
Compensation,
travel expenses.
68 Stat. 677.
12 USC 635a.

(d) By changing the last sentence in section 3(d) of that Act to read: "Members, not otherwise in the regular full-time employ of the United States, may be compensated at rates not exceeding the per diem equivalent of the rate for grade 18 of the General Schedule (5 U.S.C. 5332) for each day spent in travel or attendance at meetings of the Committee, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently."

80 Stat. 499.

(e) By changing, in section 7 of that Act, "\$9,000,000,000" to read "\$13,500,000,000".

12 USC 635e.

(f) By changing, in section 8 of that Act, "June 30, 1968" to read "June 30, 1973".

12 USC 635f.

Approved March 13, 1968.

Public Law 90-268

AN ACT

March 16, 1968
[S. 2419]

To amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, 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 212 of the Merchant Marine Act, 1936 (46 U.S.C. 1122) is amended by (1) striking out "and" at the end of clause (d), (2) striking out the period at the end of clause (e) and inserting in lieu thereof a semicolon and "and", (3) redesignating clause (f) as clause (g), and (4) inserting before such clause a new clause as follows:

Merchant Marine
Act, 1936, amend-
ment.
49 Stat. 1990.

"(f) To study means and methods of encouraging the development and implementation of new concepts for the carriage of cargo in the domestic and foreign commerce of the United States, and to study the economic and technological aspects of the use of cargo containers as a method of carrying out the declaration of policy set forth in title I of this Act, and in carrying out the provisions of this clause and such policy the United States shall not give preference as between carriers upon the basis of length, height, or width of cargo containers or length, height, or width of cargo container cells and this requirement shall be applicable to all existing container vessels and any container vessel to be constructed or rebuilt."

SEC. 2. Section 303(a) of the Act of June 30, 1949 (41 U.S.C. 253 (a)), as amended, is amended by adding a new sentence as follows: "No advertisement or invitation to bid for the carriage of Government property in other than Government-owned cargo containers shall specify carriage of such property in cargo containers of any stated length, height, or width."

63 Stat. 395;
66 Stat. 594.

SEC. 3. Section 2305(a) of title 10 of the United States Code is amended by adding a new sentence as follows: "Except in a case where the Secretary of Defense determines that military requirements necessitate specification of container sizes, no advertisement or invitation to bid for the carriage of Government property in other than Government-owned cargo containers shall specify carriage of such property in cargo containers of any stated length, height, or width."

70A Stat. 130.