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THE WHITE HOUSE
WASHINGTON

March 31, 1975

Presidential Determination
No. 75-12

MEMORANDUM FOR THE SECRETARY OF STATE
THE SECRETARY OF AGRICULTURE

SUBJECT: Finding and Determination under Sections
103(d) (3) and (4) of the Agricultural Trade
Development and Assistance Act of 1954,
as amended - Egypt

Pursuant to the authority vested in me under the Agricultural Trade Development and Assistance Act of 1954, as amended (hereinafter "the Act"), I hereby:

(a) Find, pursuant to Section 103(d) (3) of the Act, that the making of an agreement with the Government of Egypt for the sale, under Title I of the Act, of 300 thousand metric tons of wheat/wheat flour (wheat grain equivalent) is in the national interest of the United States; and

(b) Determine, pursuant to Section 103(d) (4) of the Act, that the sale to Egypt of wheat/wheat flour in furtherance of such an agreement is in the national interest of the United States.

This Determination shall be published in the Federal Register.

HR 9
Gerald R. Ford

THE WHITE HOUSE

WASHINGTON

Statement of Reasons that Sales Under Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480) to Egypt are in the National Interest

Egypt is central to our efforts to achieve a just and lasting peace in the Middle East. Our ultimate success will depend in part on Egyptian confidence in our intention to develop a broad and constructive bilateral relationship with that country. Continuation of a program for concessional sales of agricultural commodities to Egypt will constitute a tangible demonstration of our intended role.

In response to current Egyptian needs, it is proposed to export to that country 300 thousand metric tons of wheat/wheat flour (wheat grain equivalent) financed under Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended (P. L. 480). Added to previous allocations, the total amount of wheat/wheat flour (wheat grain equivalent) provided to Egypt under Title I in FY-75 will be 600 thousand metric tons. This amount is based on Egypt's needs for not more than one fiscal year.

In order to enter into an agreement with the Government of Egypt for such a sale under Title I, it is necessary that the President find and determine that such sales would be in the national interest of the United States. Section 103(d) (3) of P. L. 480 prohibits the sale of agricultural commodities under Title I of the Act to any nation which sells or furnishes or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam any equipment, materials, or commodities (so long as those countries are governed by Communist regimes). However, if such activities are limited to furnishing, selling, or selling and transporting to Cuba medical supplies, non-strategic agricultural or food commodities, sales agreements may be made if the President finds they are in the national interest of the United States. Section 103(d) (4) also prohibits sales of commodities under Title I to Egypt unless the President determines such sales are in the national interest of the United States.

The considerations noted above, however, make the proposed sale important to the national interest of the United States notwithstanding the prohibitions contained in Sections 103(d) (3) and (4) of P. L. 480.

Section 410 of P. L. 480 prohibits sales under Title I of P. L. 480 to a country in violation of Section 620(e) of the Foreign Assistance Act of 1961, as amended, which concerns expropriation or nationalization of property of Americans without taking appropriate steps to discharge its obligations under international law. Egypt agreed to the establishment of a Joint Committee to discuss compensation of American nationals and, on July 15, Secretary Kissinger determined that such an agreement constituted appropriate steps under Section 620(e). The Department is currently verifying and developing valid United States claims for negotiation in the Joint Committee. Therefore, no waiver of that provision is required to permit this additional sale of wheat/wheat flour to Egypt under Title I of P. L. 480.

Gerald R. Ford

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