

19 September 1986
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MEMORANDUM FOR: See Distribution

FROM: Office of Congressional Affairs

SUBJECT: Intelligence Authorization Act for FY 87
(H.R. 4759)/House Debate and Bill as Passed
with Amendments

1. Attached for your information is a copy of pages H7008 through H7043 of the Congressional Record for 17 September 1986. These pages reflect the debate and passage, with amendments, of the Intelligence Authorization Act for FY 87.

2. When the bill was reported from the House Intelligence Committee (HPSCI), section 107 would have restricted the use of funds to support military or paramilitary operations in Angola. Congressman Stump offered an amendment to strike section 107 of the bill. The Stump amendment to strike was adopted on a recorded vote of 229 to 186. Debate on the issue begins on page H7015 through H7043.

3. Two other significant amendments were adopted. Congressman Stokes offered an amendment which restricts and conditions intelligence cooperation with the government of South Africa. (see pages H7013-14) A similar but not identical provision was added to the Anti-Apartheid bill in the Senate, S. 2701. See Congressional Record for 15 August 1986, page S11812.

4. An amendment by Congressman Shaw was offered and adopted providing for a drug testing program for employees of the intelligence community. It appears from the language of the amendment that the head of each agency is afforded wide discretion in the implementation and administration of the testing program. See pages H7015-15, Congressional Record for 17 September.

5. According to SSCI staff the Senate is expected to take up its version of the bill (S. 2477) some time during the week of 22 September.

DD/A REGISTRY
FILE: 100-13

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Attachment:
as noted

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AUTHORIZATION ACT FOR FY 87

OCA/LEG, (19 Sept 86)

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BILL NICHOLS, whose foresight and leadership in this area have produced what future generations will herald as one of the most significant reforms of our national defense.

As it is with any major reform doubters and detractors abound. The Reorganization Act is no exception. When **IKK SKELTON**, a fellow colleague on the House Armed Services Committee, and I first discussed this proposal, I must admit I had my own doubts about its enactment. But today, Mr. Speaker, the primary sponsors of this bill have reached the summit. They have done much to earn the deepest respect and gratitude of this Chamber. I sincerely believe that this act will long be remembered as one of the most significant accomplishments of this Congress.

In an editorial entitled "The Defense Reform Congress", Baltimore Sun editor, Joseph Stern notes that:

If the military units can't handle limited operations in Iran, Lebanon, and Grenada, how would they do in a big war? That is the gnawing worry that led to the Pentagon reorganization bill. It was enough to alert the best military minds on Capitol Hill.

I am going to stop there because I think when he said that, he meant **BILL NICHOLS**.

I also want to commend Mr. **NICHOLS**, along with Mr. **HOPKINS**, Mr. **KASICH**, Mr. **ASPIN**, Mr. **SKELTON**, Col. Archie Barrett, and all the others who have done so much to bring this bill before us today.

[From the Baltimore Sun, Sept. 17, 1986]

DEFENSE REFORM CONGRESS

Defense reform may edge aside tax reform when historians look back to select the most important accomplishment of the 99th Congress. This week legislation is breezing through Congress that will do more to unify the armed services than all the reorganization moves of the past 40 years.

The chairman of the Joints Chiefs of Staff will become principal military adviser to the President, an officer with real strategic planning authority, rather than the chairman of a committee functioning through logrolling unanimity.

The unified commanders in chief (CINCs) in regional theaters of operation will finally get control of component service units whose loyalty in the past was mostly to their home offices back in Washington.

Service on assignment to the joint chiefs of staff will no longer be a drawback for officers with ambitions. They will be given a "joint officer" specialty that could lead to top commands.

Many factors had to come together to bring about these first real steps toward unification of the armed services since the present flawed structure was pasted together in 1947.

Procurement scandals had a role. Six-hundred-dollar toilet seats did much to awaken the public that something was wrong. Runaway budget deficits, linked to the huge defense buildup, had their effect. On Capitol Hill reform-minded military hawks defined national security not in lock-step support of every Pentagon proposal but in criticism of its efficiency and fighting posture.

But the key catalyst was the successful terrorist bombing attack on the U.S. Marines barracks in Beirut in October 1983. Congressional investigators soon found a

glimcrack command structure partly to blame for a lack of preparedness, poor liaison among the services and the fumbling response after the tragedy. When a so-called military victory came later in Grenada, stories soon leaked out that the component services couldn't even talk to one another by radio—a flaw that also bedeviled the botched rescue attempt in Iran in 1979.

If U.S. military units can't handle limited operations in Iran, Lebanon and Grenada, how would they do in a big war? That is the gnawing worry that led to the new Pentagon reorganization bill. It was enough to alert the best military minds on Capitol Hill. It prodded President Reagan into the appointment of a commission that largely agreed with congressional defense reformers. And it overcame the footdragging of Defense Secretary Caspar W. Weinberger and the outright opposition of Navy Secretary John Lehman.

Greater unification of the armed services must not be considered a panacea. But it may provide the framework for a military establishment with a sharper fighting edge, greater cohesion and an agility to deal with the myriad threats to U.S. security in today's world.

Mr. **NICHOLS**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one provision of the bill would require consolidation of certain functions in the Office of the Secretary of each of the military departments. One of the named functions required to be consolidated is "legislative affairs." In fact, with respect to legislative affairs this provision is merely a codification of the status quo. The legislative affairs function has been consolidated under the service secretaries for many years.

A question has arisen concerning the relationship between each military department comptroller office and the Defense Subcommittee of the Committee on Appropriations. It was not the intent of the conferees to alter the existing arrangements. The term "legislative affairs" as used in the conference report refers to the function performed by the existing legislative affairs offices.

Mr. Speaker, in closing, let me say that I am most appreciative of the many accolades that have been handed to me personally and to the committee that I am honored to Chair by my colleagues here in the House.

I would be very negligent, however, if I did not, as we conclude what has been the climax of about 5 years of legislative effort on the part of the committee toward reform if I failed to duly acknowledge the service performed by one member of the staff of the House Armed Services Committee.

I refer to Mr. Arch Barrett, a distinguished military graduate of the U.S. Military Academy in the year 1957. Mr. Barrett wrote the book on reorganization. Without his efforts throughout the August recess when he worked tirelessly, including Labor Day, and I am sure he did not get double pay for that, he came down to my home in Alabama 2 weeks ago and spent a day with me going over the bill. I fed him a good lunch of crowder peas and okra and a little corn bread and blackberry

pie for his efforts. But I want to publicly express my deep appreciation, and I am sure that goes for my colleague Mr. **HOPKINS**, and all of us on the committee for the fine service that he rendered.

Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. **NICHOLS**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report on H.R. 3622.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1987

The **SPEAKER** pro tempore. Pursuant to House Resolution 545 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4759.

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IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4759) to authorize appropriations for fiscal year 1987 for intelligence and intelligence-related activities of the U.S. Government, the intelligence community staff, and the Central Intelligence Agency retirement and disability system, and for other purposes, with Mr. **MURTHA** in the chair.

The Clerk read the title of the bill.

The **CHAIRMAN**. When the Committee of the Whole rose on Tuesday, September 16, all time for general debate had expired.

Pursuant to House Resolution 545, the bill shall be considered by titles for the purpose of amendment under the 5-minute rule, except for section 107, and each title is considered as having been read.

The amendments recommended by the Permanent Select Committee on Intelligence and by the Committee on Post Office and Civil Service now printed in the bill are considered as having been adopted.

Section 107 shall not be considered for amendment until the remainder of the bill is considered for amendment.

No amendments to section 107 or amendments which affect the subject matter of section 107 are in order

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except one motion to strike the section. If offered by Representative STUMP, or his designee, which shall be debatable for 2 hours equally divided and controlled by the proponent and a Member opposed thereto.

The Clerk will designate section 1.

Mr. HAMILTON. Mr. Chairman, I ask unanimous consent that the bill be printed in the RECORD, and that, except for section 107, it be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The text of H.R. 4759, as amended by amendments considered to have been adopted, pursuant to House Resolution 545, is as follows:

H.R. 4759

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "Intelligence Authorization Act for Fiscal Year 1987".

TITLE I—INTELLIGENCE ACTIVITIES

AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Funds are hereby authorized to be appropriated for fiscal year 1987 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Central Intelligence Agency.
- (2) The Department of Defense.
- (3) The Defense Intelligence Agency.
- (4) The National Security Agency.
- (5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (6) The Department of State.
- (7) The Department of the Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The Drug Enforcement Administration.

CLASSIFIED SCHEDULE OF AUTHORIZATIONS

Sec. 102. The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1987, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared by the Permanent Select Committee on Intelligence to accompany H.R. 4759 of the Ninety-ninth Congress. That Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

PERSONNEL CEILING ADJUSTMENTS

Sec. 103. The Director of Central Intelligence may authorize employment of civilian personnel in excess of the numbers authorized for fiscal year 1987 under sections 102 and 202 of this Act when he determines that such action is necessary to the performance of important intelligence functions, except that such number may not, for any element of the Intelligence Community, exceed 2 per centum of the number of civilian personnel authorized under such sections for such element. The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he exercises the authority granted by this section.

AUTHORITY FOR THE CONDUCT OF INTELLIGENCE ACTIVITIES

Sec. 104. The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or laws of the United States.

INCREASES IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW

Sec. 105. Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

RESTRICTION ON SUPPORT FOR MILITARY OR PARAMILITARY OPERATIONS IN NICARAGUA

Sec. 106. Funds available to the Central Intelligence Agency, the Department of Defense, or any other agency or entity of the United States involved in intelligence activities may be obligated and expended during fiscal year 1987 to provide funds, materiel, or other assistance to the Nicaraguan democratic resistance to support military or paramilitary operations in Nicaragua only as authorized in section 101 and as specified in the classified Schedule of Authorizations referred to in section 102, or pursuant to section 502 of the National Security Act of 1947, or pursuant to any provision of law specifically providing such funds, materiel, or assistance.

RESTRICTION ON SUPPORT FOR MILITARY OR PARAMILITARY OPERATIONS IN ANGOLA

Sec. 107. During fiscal year 1987, the Central Intelligence Agency, the Department of Defense, or any other agency or entity of the United States involved in intelligence activities may obligate or expend funds—

- (1) to conduct, directly or indirectly, military or paramilitary operations in Angola, or
- (2) to provide any financial, material, or other assistance, directly or indirectly, to any group engaged in military or paramilitary operations in Angola, only if the use of funds for that purpose is the openly acknowledged policy of the United States Government, as determined in accordance with section 2(b), and consistent with the conditions of section 2(c) and section 2(d), of H.R. 4276 of the Ninety-ninth Congress as reported by the Permanent Select Committee on Intelligence of the House of Representatives.

TITLE II—INTELLIGENCE COMMUNITY STAFF

AUTHORIZATION OF APPROPRIATIONS

Sec. 201. There is authorized to be appropriated for the Intelligence Community Staff for fiscal year 1987 the sum of \$21,700,000.

AUTHORIZATION OF PERSONNEL END-STRENGTH

Sec. 202. (a) The Intelligence Community Staff is authorized two hundred and thirty-five full-time personnel as of September 30, 1987. Such personnel of the Intelligence Community Staff may be permanent employees of the Intelligence Community Staff or personnel detailed from other elements of the United States Government.

(b) During fiscal year 1987, personnel of the Intelligence Community Staff shall be selected so as to provide appropriate representation from elements of the United States Government engaged in intelligence and intelligence-related activities.

(c) During fiscal year 1987, any officer or employee of the United States or a member of the Armed Forces who is detailed to the Intelligence Community Staff from another element of the United States Government

shall be detailed on a reimbursable basis except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

INTELLIGENCE COMMUNITY STAFF ADMINISTERED IN SAME MANNER AS CENTRAL INTELLIGENCE AGENCY

Sec. 203. During fiscal year 1987, activities and personnel of the Intelligence Community Staff shall be subject to the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.) and the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) in the same manner as activities and personnel of the Central Intelligence Agency.

TITLE III—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND RELATED MATTERS

AUTHORIZATION OF APPROPRIATIONS

Sec. 301. There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1987 the sum of \$125,800,000.

SURVIVOR BENEFITS FOR CERTAIN FORMER SPOUSES OF CIA EMPLOYEES

Sec. 302. (a) Part C of title II of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees is amended by adding at the end thereof the following new section:

"SURVIVOR BENEFITS FOR CERTAIN OTHER FORMER SPOUSES

"Sec. 224. (a)(1) Any individual who was a former spouse of a participant or former participant on November 15, 1982, shall be entitled, to the extent of available appropriations, and except to the extent such former spouse is disqualified under subsection (b), to a survivor annuity equal to 55 per centum of the greater of—

"(A) the full amount of the participant's or former participant's annuity, as computed under section 221(a); or

"(B) the full amount of what such annuity as so computed would be if the participant or former participant had not withdrawn a lump-sum portion of contributions made with respect to such annuity.

"(2) A survivor annuity payable under this section shall be reduced by an amount equal to the amount of retirement benefits, not including benefits under title II of the Social Security Act, received by the former spouse which are attributable to previous employment of such former spouse by the United States.

"(b) A former spouse shall not be entitled to a survivor annuity under this section if—

"(1) an election has been made with respect to such former spouse under section 223;

"(2) the former spouse remarries before age fifty-five; or

"(3) the former spouse is less than fifty years of age.

"(c)(1) The entitlement of a former spouse to a survivor annuity under this section—

"(A) shall commence—

"(i) in the case of a former spouse of a participant or former participant who is deceased as of the effective date of this section, beginning on the late of—

"(I) the sixtieth day after such date; or

"(II) the date such former spouse reaches age fifty; and

"(ii) in the case of any other former spouse, beginning on the latest of—

"(I) the date that the participant or former participant to whom the former spouse was married dies;

"(II) the sixtieth day after the effective date of this section; or

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"(III) the date such former spouse reaches age fifty; and

"(B) shall terminate on the last day of the month before the former spouse's death or remarriage before attaining age fifty-five.

"(2)(A) A survivor annuity under this section shall not be payable unless appropriate written application is provided to the Director, complete with any supporting documentation which the Director may by regulation require, within thirty months after the effective date of this section.

"(B) Upon approval of an application provided under subparagraph (A), the appropriate survivor annuity shall be payable to the former spouse with respect to all periods before such approval during which the former spouse was entitled to such annuity under this section, but in no event shall a survivor annuity be payable under this section with respect to any period before the effective date of this section.

"(d) The Director shall—

"(1) as soon as possible, but not later than sixty days after the effective date of this section, issue such regulations as may be necessary to carry out this section; and

"(2) to the maximum extent practicable, and as soon as possible, inform each individual who was a former spouse of a participant or former participant on November 15, 1982, of any rights which such individual may have under this section."

(b) Section 14(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403(a)) is amended by inserting "224." after "222, 223."

(c) For fiscal year 1987, not to exceed \$500,000 shall be available from amounts appropriated under the authority of section 101(i) of this Act for survivor annuities under section 224 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees and under the amendment made by subsection (b) of this section.

(d) The amendments made by this section shall take effect on October 1, 1986.

HEALTH BENEFITS FOR CERTAIN FORMER SPOUSES OF CENTRAL INTELLIGENCE AGENCY EMPLOYEES

SEC. 303. (a) The Central Intelligence Agency Act of 1949 is amended by adding at the end a new section as follows:

"HEALTH BENEFITS FOR CERTAIN FORMER SPOUSES OF CENTRAL INTELLIGENCE AGENCY EMPLOYEES

"SEC. 16. (a) Except as provided in subsection (c)(1), any individual—

"(1) formerly married to an employee or former employee of the Agency, whose marriage was dissolved by divorce or annulment before May 7, 1985;

"(2) who, at any time during the eighteen-month period before the divorce or annulment became final, was covered under a health benefits plan as a member of the family of such employee or former employee; and

"(3) who was married to such employee for not less than ten years during periods of service by such employee with the Agency, at least five years of which were spent outside the United States by both the employee and the former spouse, is eligible for coverage under a health benefits plan in accordance with the provisions of this section.

"(b)(1) Any individual eligible for coverage under subsection (a) may enroll in a health benefits plan for self alone or for self and family if, before the expiration of the six-month period beginning on the effective date of this section, and in accordance with such procedures as the Director of the Office of Personnel Management shall by regulation prescribe, such individual—

"(A) files an election for such enrollment; and

"(B) arranges to pay currently into the Employees Health Benefits Fund under section 8909 of title 5, United States Code, an amount equal to the sum of the employee and agency contributions payable in the case of an employee enrolled under chapter 89 of such title in the same health benefits plan and with the same level of benefits.

"(2) The Director of Central Intelligence shall, as soon as possible, take all steps practicable—

"(A) to determine the identity and current address of each former spouse eligible for coverage under subsection (a); and

"(B) to notify each such former spouse of that individual's rights under this section.

"(3) The Director of the Office of Personnel Management, upon notification by the Director of Central Intelligence, shall waive the six-month limitation set forth in paragraph (1) in any case in which the Director of Central Intelligence determines that the circumstances so warrant.

"(c)(1) Any former spouse who remarries before age fifty-five is not eligible to make an election under subsection (b)(1).

"(2) Any former spouse enrolled in a health benefits plan pursuant to an election under subsection (b)(1) may continue the enrollment under the conditions of eligibility which the Director of the Office of Personnel Management shall by regulation prescribe, except that any former spouse who remarries before age fifty-five shall not be eligible for continued enrollment under this section after the end of the thirty-one-day period beginning on the date of remarriage.

"(d) No individual may be covered by a health benefits plan under this section during any period in which such individual is enrolled in a health benefits plan under any other authority, nor may any individual be covered under more than one enrollment under this section.

"(e) For purposes of this section the term 'health benefits plan' means an approved health benefits plan under chapter 89 of title 5, United States Code."

(b) The amendment made by this section shall take effect on October 1, 1986.

TITLE IV—COUNTERINTELLIGENCE AND SECURITY

COUNTERINTELLIGENCE OFFICIAL VISITOR EXCHANGES

SEC. 401. (a) Chapter 33 of title 28, United States Code, is amended by adding at the end thereof the following new section:

"§ 539. Counterintelligence official reception and representation expenses

"The Director of the Federal Bureau of Investigation may use funds available to the Federal Bureau of Investigation for counterintelligence programs to pay the expenses of hosting foreign officials in the United States under the auspices of the Federal Bureau of Investigation for consultation on counterintelligence matters."

(b) The table of contents for chapter 33 of title 28, United States Code, is amended by adding at the end thereof the following:

"539. Counterintelligence official reception and representation expenses."

(c) Chapter 4 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 140d. Counterintelligence official reception and representation expenses

"The Secretary of Defense may use funds available to the Department of Defense for counterintelligence programs to pay the expenses of hosting foreign officials in the United States under the auspices of the Department of Defense for consultation on counterintelligence matters."

(d) The table of contents for chapter 4 of title 10, United States Code, is amended by adding at the end thereof the following:

"140d. Counterintelligence official reception and representation expenses."

FBI ACCESS TO STATE AND LOCAL CRIMINAL RECORDS FOR SECURITY CLEARANCES

SEC. 402. (a) Section 9101 of title 5, United States Code, is amended as follows:

(1) in paragraph (1) of subsection (b) by striking "or" after "Office of Personnel Management," by inserting "or the Federal Bureau of Investigation," after "the Central Intelligence Agency," and by striking "department, office or agency" and inserting in lieu thereof "department, office, agency or bureau";

(2) in subparagraph (3)(A) of subsection (b) by striking "or" after "Office of Personnel Management," by inserting "or the Federal Bureau of Investigation" after "the Central Intelligence Agency", by striking "department, office or agency" and inserting in lieu thereof "department, office, agency, or bureau", and by striking "department, office, or agency," and inserting in lieu thereof "department, office, agency, or bureau.";

(3) in subparagraph (3)(B) of subsection (b) by striking "or" after "Office of Personnel Management," and by inserting "or the Federal Bureau of Investigation" after "the Central Intelligence Agency"; and

(4) in subsection (c) by striking "or" after "Office of Personnel Management," and by inserting "or the Federal Bureau of Investigation" after "the Central Intelligence Agency".

(b) Section 803(a) of the Intelligence Authorization Act for fiscal year 1986 (Public Law 99-169) is amended by striking "and" after "Office of Personnel Management," and by inserting "and the Federal Bureau of Investigation," after "the Central Intelligence Agency."

(c) The amendments made by this section shall become effective with respect to any inquiry which begins after the date of enactment of this Act conducted by the Federal Bureau of Investigation for purposes specified in paragraph (b)(1) of section 9101 of title 5, United States Code.

PERMANENT EXTENSION OF DOD AUTHORITY TO USE PROCEEDS FROM COUNTERINTELLIGENCE OPERATIONS

SEC. 403. (a) Chapter 4 of title 10, United States Code, as amended by section 401(c) of this Act, is further amended by adding at the end thereof the following new section:

"§ 140e. Authority to use proceeds from counterintelligence operations of the military departments

"(a) The Secretary of Defense may authorize, without regard to the provisions of section 3302 of title 31, United States Code, use of proceeds from counterintelligence operations conducted by components of the military departments to offset necessary and reasonable expenses, not otherwise prohibited by law, incurred in such operations, and to make awards to personnel involved in such operations, if use of appropriated funds to meet such expenses or to make such awards would not be practicable.

"(b) As soon as the net proceeds from such counterintelligence operations are no longer necessary for the conduct of those operations, such proceeds shall be deposited into the Treasury as miscellaneous receipts.

"(c) The Secretary of Defense shall establish policies and procedures to govern acquisition, use, management, and disposition of proceeds from counterintelligence operations conducted by components of the military departments, including effective internal systems of accounting and administrative controls."

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(b) The table of contents for chapter 4 of title 10, United States Code, as amended by Section 401(d) of this Act, is further amended by adding at the end thereof the following:

"140e. Authority to use proceeds from counterintelligence operations of the military departments."

FEDERAL BUREAU OF INVESTIGATION COUNTERINTELLIGENCE ACCESS TO FINANCIAL RECORDS OF AGENTS OF FOREIGN POWERS

SEC. 404. Section 1114(a) of the Right of Financial Privacy Act of 1978 (12 U.S.C. 3414(a)) is amended by adding at the end thereof the following new paragraph:

"(5)(A) Financial institutions, and officers, employees, and agents thereof, shall comply with a request for a customer's or entity's financial records made pursuant to this subsection by the Federal Bureau of Investigation when the Director of the Federal Bureau of Investigation (or the Director's designee) certifies in writing to the financial institution that such records are sought for foreign counterintelligence purposes and that there are specific and articulable facts giving reason to believe that the customer or entity whose records are sought is a foreign power or an agent of a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

"(B) The Federal Bureau of Investigation may disseminate information obtained pursuant to this paragraph only as provided in guidelines approved by the Attorney General for foreign intelligence collection and foreign counterintelligence investigations conducted by the Federal Bureau of Investigation, and, with respect to dissemination to an agency of the United States, only if such information is clearly relevant to the authorized responsibilities of such agency.

"(C) On a semiannual basis the Attorney General shall fully inform the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate concerning all requests made pursuant to this paragraph.

"(D) No financial institution, or officer, employee, or agent of such institution, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to a customer's or entity's financial records under this paragraph."

TITLE V—ADMINISTRATIVE AUTHORITIES RELATING TO INTELLIGENCE PERSONNEL

DEFENSE INTELLIGENCE AGENCY CIVILIAN MEDICAL EVACUATION BENEFIT

Sec. 501. Subsection 1605(a) of title 10, United States Code, is amended by inserting "(5)" after "paragraphs (2), (3), (4)" and after "(22 U.S.C. 4081 (2), (3), (4))".

ONE YEAR EXTENSION OF DEFENSE INTELLIGENCE AGENCY SPECIAL TERMINATION AUTHORITY

Sec. 502. Paragraph 1604(e)(1) of title 10, United States Code, is amended by striking "fiscal years 1985 and 1986" and inserting in lieu thereof "fiscal years 1986 and 1987".

ACCEPTANCE OF DIRECTOR OF CENTRAL INTELLIGENCE AWARDS BY MILITARY INTELLIGENCE PERSONNEL

Sec. 503. Section 402 of the Intelligence Authorization Act for Fiscal Year 1984 (Public Law 98-215) is amended by adding at the end thereof the following:

"(c) The Director of Central Intelligence may exercise the authority granted in section 4503(2) of title 5, United States Code, with respect to members of the Armed Forces who are assigned to foreign intelligence duties at the time of the conduct

which gives rise to the exercise of such authority.

"(d) An award made by the Director of Central Intelligence to an employee or member of the Armed Forces under the authority of section 4503 of title 5, United States Code, or this section may be paid and accepted notwithstanding—

"(1) section 5536 of title 5, United States Code; and

"(2) the death, separation, or retirement of the employee or the member of the Armed Forces whose conduct gave rise to the award, or the assignment of such member to duties other than foreign intelligence duties."

MANAGEMENT OF CIVILIAN INTELLIGENCE PERSONNEL OF THE MILITARY DEPARTMENTS

SEC. 504. (a) Chapter 81 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 1590. Management of civilian intelligence personnel of the military departments

"(a) The Secretary of Defense may, without regard to the provisions of any other law relating to the number, classification, or compensation of employees—

"(1) establish such positions for civilian intelligence officers and employees of the military departments as may be necessary to carry out the intelligence functions of such departments;

"(2) appoint individuals to such positions; and

"(3) fix the compensation of such individuals for service in such positions.

"(b) The Secretary of Defense shall, subject to subsection (c), fix the rates of basic pay for positions established under subsection (a) in relation to the rates of basic pay provided in the General Schedule under section 5332 of title 5 for positions subject to such Schedule which have corresponding levels of duties and responsibilities. Except in the case of a civilian intelligence officer or employee of a military department serving as a member of the Senior Executive Service of a military department, no civilian intelligence officer or employee of a military department may be paid basic pay at a rate in excess of the highest rate of basic pay payable under such General Schedule.

"(c) The Secretary of Defense is authorized, consistent with section 5341 of title 5, to adopt such provisions of such title as provide for prevailing rate systems of basic pay and to apply such provisions to positions for civilian intelligence officers or employees in or under which the military departments may employ individuals described by section 5342(a)(2)(A) of such title.

"(d) In addition to the basic pay payable under subsection (b), civilian intelligence officers and employees of the military departments who are citizens or nationals of the United States and who are stationed outside the continental United States or in Alaska may be paid allowances, in accordance with regulations prescribed by the Secretary of Defense, not in excess of an allowance authorized to be paid by section 5941(a) of title 5 for employees whose rates of basic pay are fixed by statute. Such allowances shall be based on—

"(1) living costs substantially higher than in the District of Columbia;

"(2) conditions of environment which differ substantially from conditions of environment in the continental United States and warrant an allowance as a recruitment incentive; or

"(3) both of the factors described in paragraphs (1) and (2).

"(e)(1) Notwithstanding any other provision of law, the Secretary of Defense may, during fiscal year 1987, terminate the employment of any civilian intelligence officer

or employee of a military department whenever he considers that action to be in the interests of the United States and he determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such officer or employee cannot be invoked in a manner consistent with the national security. The decisions of the Secretary under this paragraph are final and may not be appealed or reviewed outside the Department of Defense. The Secretary of Defense shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever this termination authority is exercised.

"(2) Any termination of employment under this subsection shall not affect the right of the officer or employee involved to seek or accept employment with any other department or agency of the United States if he is declared eligible for such employment by the Director of the Office of Personnel Management.

"(3) The Secretary of Defense may delegate authority under this subsection only to the Deputy Secretary of Defense or the Secretary concerned or both. An action to terminate any civilian intelligence officer or employee of a military department by either such officer shall be appealable to the Secretary of Defense."

(b) The table of sections at the beginning of chapter 81 of title 10, United States Code is amended by adding at the end thereof the following new item:

"1590. Management of civilian intelligence personnel of the military departments."

NATIONAL SECURITY AGENCY ACQUISITION OF CRITICAL SKILLS

Sec. 505. The National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by adding at the end thereof the following section:

"Sec. 16. (a) The purpose of this section is to establish an undergraduate training program, which may lead to the baccalaureate degree, to facilitate the recruitment of individuals, particularly minority high school students, with a demonstrated capability to develop skills critical to the mission of the National Security Agency, including mathematics, computer science, engineering, and foreign languages.

"(b) The Secretary of Defense is authorized, in his discretion, to assign civilian employees of the National Security Agency as students at accredited professional, technical, and other institutions of higher learning for training at the undergraduate level in skills critical to effective performance of the mission of the Agency.

"(c) The National Security Agency may pay, directly or by reimbursement to employees, expenses incident to assignments under subsection (b), in any fiscal year only to the extent that appropriated funds are available for such purpose.

"(d)(1) To be eligible for assignment under subsection (b), an employee of the Agency must agree in writing—

"(A) to continue in the service of the Agency for the period of the assignment and to complete the educational course of training for which the employee is assigned;

"(B) to continue in the service of the Agency following completion of the assignment for a period of one-and-a-half years for each year of the assignment or part thereof;

"(C) to reimburse the United States for the total cost of education (excluding the employee's pay and allowances) provided under this section to the employee if, prior

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to the employee's completing the educational course of training for which the employee is assigned, the assignment or the employee's employment with the Agency is terminated either by the Agency due to misconduct by the employee or by the employee voluntarily; and

"(D) to reimburse the United States if, after completing the educational course of training for which the employee is assigned, the employee's employment with the Agency is terminated either by the Agency due to misconduct by the employee or by the employee voluntarily, prior to the employee's completion of the service obligation period described in subparagraph (B), in an amount that bears the same ratio to the total cost of the education (excluding the employee's pay and allowances) provided to the employee as the unserved portion of the service obligation period described in subparagraph (B) bears to the total period of the service obligation described in subparagraph (B).

"(2) Subject to paragraph (3), the obligation to reimburse the United States under an agreement described in paragraph (1), including interest due on such obligation, is for all purposes a debt owing the United States.

"(3)(A) A discharge in bankruptcy under title 11, United States Code, shall not release a person from an obligation to reimburse the United States required under an agreement described in paragraph (1) if the final decree of the discharge in bankruptcy is issued within five years after the last day of the combined period of service obligation described in subparagraphs (A) and (B) of paragraph (1).

"(B) The Secretary of Defense may release a person, in whole or in part, from the obligation to reimburse the United States under an agreement described in paragraph (1) when, in his discretion, the Secretary determines that equity or the interests of the United States so require.

"(C) The Secretary of Defense shall permit an employee assigned under this section who, prior to commencing a second academic year of such assignment, voluntarily terminates the assignment or the employee's employment with the Agency, to satisfy his obligation under an agreement described in paragraph (1) to reimburse the United States by reimbursement according to a schedule of monthly payments which results in completion of reimbursement by a date five years after the date of termination of the assignment or employment or earlier at the option of the employee.

"(e) When an employee is assigned under this section to an institution, the Agency shall disclose to the institution to which the employee is assigned that the Agency employs the employee and that the Agency funds the employee's education.

"(f) Chapter 41 of title 5 and subsections (a) and (b) of section 3324 of title 31, United States Code, shall not apply with respect to this section.

"(g) The Secretary of Defense may issue such regulations as may be necessary to implement this section."

CENTRAL INTELLIGENCE AGENCY ACQUISITION OF CRITICAL SKILLS

Sec. 506. Pursuant to the authority granted in section 8 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403j), the Director of Central Intelligence shall establish an undergraduate training program with respect to civilian employees of the Central Intelligence Agency similar in purpose, conditions, content, and administration to the program which the Secretary of Defense is authorized to establish under section 16 of the National Security Act of 1959 (50 U.S.C.

402 note) for civilian employees of the National Security Agency.

REPORT ON INTELLIGENCE PERSONNEL SYSTEMS

Sec. 507. Not later than April 15, 1987, the Secretary of Defense and the Director of Central Intelligence shall submit jointly, an unclassified report to the Committee on Post Office and Civil Service and the Permanent Select Committee on Intelligence of the House of Representatives and to the Committee on Governmental Affairs and the Select Committee on Intelligence of the Senate describing the civilian personnel systems for officers and employees of the Central Intelligence Agency, the National Security Agency, and the Defense Intelligence Agency, and the personnel systems for officers and employees established under section 1590 of title 10, United States Code, as added by section 504, for civilian intelligence personnel of the military departments. The report shall include descriptions of—

(1) how each such intelligence personnel system differs from the competitive service and from each other such system;

(2) the specific features of each such personnel system to ensure compliance with the merit system principles set forth in section 2301 of title 5, United States Code;

(3) any features of compensation (including bonuses and awards) unique to such personnel system;

(4) authorities to take actions (including the number of such actions) through employment termination provisions which do not permit appeals outside the agency; and

(5) any recruitment or retention problems existing within such system.

TITLE VI—MISCELLANEOUS

DEFENSE MAPPING AGENCY EXCHANGE AGREEMENTS

Sec. 601. (a) Chapter 167 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 2795. Exchange of mapping, charting, and geodetic data with foreign countries and international organizations

"The Secretary of Defense may authorize the Defense Mapping Agency to exchange or furnish mapping, charting, and geodetic data, supplies and services to a foreign country or international organization pursuant to an agreement for the production or exchange of such data."

(b) The table of contents of chapter 167 of title 10, United States Code, is amended by adding at the end thereof:

"2795. Exchange of mapping, charting, and geodetic data with foreign countries and international organizations."

NOTICE TO CONGRESS OF CERTAIN TRANSFERS OF DEFENSE ARTICLES AND DEFENSE SERVICES

Sec. 602. (a) Title V of the National Security Act of 1947, relating to accountability for intelligence activities, is amended by adding at the end thereof the following:

"NOTICE TO CONGRESS OF CERTAIN TRANSFERS OF DEFENSE ARTICLES AND DEFENSE SERVICES

"Sec. 503. (a)(1) The transfer of a defense article or defense service exceeding \$1,000,000 in value by an intelligence agency to a recipient outside that agency shall be considered a significant anticipated intelligence activity for the purpose of section 501 of this Act.

"(2) Paragraph (1) does not apply if—
"(A) the transfer is being made to a department, agency, or other entity of the United States (so long as there will not be a subsequent retransfer of the defense arti-

cles or defense services outside the United States Government in conjunction with an intelligence or intelligence-related activity); or

"(B) the transfer—

"(i) is being made pursuant to authorities contained in part II of the Foreign Assistance Act of 1961, the Arms Export Control Act, title 10 of the United States Code (including a law enacted pursuant to section 7307(b)(1) of that title), or the Federal Property and Administrative Services Act of 1949, and

"(ii) is not being made in conjunction with an intelligence or intelligence-related activity.

"(3) An intelligence agency may not transfer any defense articles or defense services outside the agency in conjunction with any intelligence or intelligence-related activity for which funds were denied by the Congress.

"(b) As used in this section—

"(1) the term 'intelligence agency' means any department, agency, or other entity of the United States involved in intelligence or intelligence-related activities;

"(2) the terms 'defense articles' and 'defense services' mean the items on the United States Munitions List pursuant to section 38 of the Arms Export Control Act (22 CFR part 121);

"(3) the term 'transfer' means—

"(A) in the case of defense articles, the transfer of possession of those articles; and

"(B) in the case of defense services, the provision of those services;

"(4) the term 'value' means—

"(A) in the case of defense articles, the greater of—

"(i) the original acquisition cost to the United States Government, plus the cost of improvements or other modifications made by or on behalf of the Government; or

"(ii) the replacement cost; and

"(B) in the case of defense services, the full cost to the Government of providing the services."

(b) The table of contents at the end of the first section of such Act is amended by inserting the following after the item relating to section 502:

"503. Notice to Congress of certain transfers of defense articles and defense services."

COVERT AGENT DISCLOSURE FEDERAL PENSION FORFEITURE

Sec. 603. Section 8312(c)(1)(C) of title 5, United States Code is amended by striking the period at the end thereof and inserting in lieu thereof "or section 601 of the National Security Act of 1947 (50 U.S.C. 421) (relating to intelligence identities)."

AMENDMENT OFFERED BY MR. HAMILTON

Mr. HAMILTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAMILTON: On page 9, line 5, strike "late" and insert in lieu thereof "later".

On page 20, line 16, after "United States" insert "Code".

On page 32, line 9, after the semicolon insert "and".

Mr. HAMILTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

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Mr. HAMILTON. Mr. Chairman, this amendment is purely technical. It corrects three printing errors and has no substantive effect. I ask for its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. HAMILTON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HAMILTON

Mr. HAMILTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAMILTON: On page 3, line 3, insert "(a)" after "102".

On page 3, line 7, strike "classified Schedule of Authorizations prepared by the Permanent Select Committee on Intelligence" and insert in lieu thereof "amended classified Schedule of Authorizations dated September 15, 1986 signed by the Chairman and Ranking Minority Member of the Permanent Select Committee on Intelligence, and on file at the offices of that Committee" and strike "Schedule" each time it appears thereafter in subsection 102(a) and insert in lieu thereof "amended Schedule".

On page 3, after line 15, add the following:

"(b) Funds appropriated to the Department of Defense for Fiscal Year 1987 for intelligence and intelligence-related activities and listed under the heading "ADDITIONAL SPECIFICALLY AUTHORIZED ACTIVITIES" in the amended Schedule of Authorizations to which subsection (a) refers, shall be considered to be specifically authorized by the Congress for such activities for purposes of section 502 of the National Security Act of 1947, notwithstanding the absence of authorizations of appropriations for such activities in this Act."

Mr. HAMILTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HAMILTON. Mr. Chairman, this is a budget amendment. It changes amounts authorized for both the National Foreign Intelligence Program and Tactical Intelligence and Related Activities so that the bill is in congruence with H.R. 4428. The fiscal year 1987 Defense Authorization bill, as it passed the House. As Members will recall, H.R. 4428 was amended by the Spratt-McCurdy amendment to lower the total budget authority for defense from \$292 billion to \$286 billion. Since the intelligence bill was reported out at a time when the Defense authorization bill was pegged to a \$292 billion total. Its authorizations now must be adjusted downward to reflect the lower \$286 billion total.

My amendment does this. It ensures that the authorization of appropriations in this bill are as reflected in the defense authorization bill. The Intelligence Committee worked closely with the Committee on Armed Services at the time of its original markup and since then in setting levels for intelligence accounts. This amendment adjusts intelligence authorizations at levels agreed upon between the com-

mittees and reflected in floor action on the defense authorization bill.

Mr. Chairman, the amendment also waives the effect of section 502 of the National Security Act of 1947 as to certain intelligence accounts in the fiscal year 1987 Defense Appropriations bill, H.R. 5438. The Defense Appropriations Subcommittee marked up after the Intelligence Committee. It recommended some additional appropriations not authorized by the Intelligence Committee using funds which it, in effect, transferred from other defense accounts. The amendment would not authorize these amounts, but it would remove any obstacle to their use if they are actually appropriated.

Mr. Chairman, both elements of this amendment represent efforts at cooperation and coordination with the Committees on Appropriations and Armed Services. It is the aim of the Intelligence Committee to secure as good an understanding in both these committees for the continued demands being placed on our intelligence services and the relatively higher budget priority that we believe intelligence deserves. This is a message that needs to be given greater attention within the executive branch as well. Until it is, the increasing fiscal restraints placed on all defense expenditures will act to undermine this crucial national security function.

□ 1305

Mr. STUMP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we urge adoption of the amendment on this side also.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. HAMILTON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STOKES

Mr. STOKES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STOKES: On page 5, after line 22, insert the following new section:

"RESTRICTION ON INTELLIGENCE AGENCY COOPERATION WITH SOUTH AFRICA

"SEC. 108. No agency or entity of the United States involved in intelligence activities may engage in any form of cooperation, direct or indirect, with the government of South Africa, except activities which are reasonably designed to facilitate the collection of necessary intelligence. It is the policy of the United States that no agency or entity of the United States involved in intelligence activities may provide any intelligence information to the government of South Africa which pertains to a South African internal opposition group, movement, organization, or individual. Any change in such policy, or the provision of intelligence information contrary to such policy, shall be considered a significant anticipated intelligence activity for purposes of Section 501 of the National Security Act of 1947."

Mr. STOKES (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

(Mr. STOKES asked and was given permission to revise and extend his remarks.)

Mr. STOKES. Mr. Chairman, recently, the New York Times published an article by Seymour Hersh which alleged a significant intelligence exchange between the United States and the Government of South Africa. In particular, Mr. Hersh charged that the United States provides information concerning the African National Congress and other South African opposition groups to the Government of South Africa.

Given the position of the United States Government concerning South Africa and the strong feeling in this body about the immoral and unsupportable nature of apartheid, I joined other members of the committee in carefully reviewing this article and in fully investigating all of its charges. We spoke with intelligence officials. We demanded and received written responses to our questions about this alleged relationship.

That process led us, I believe, to a reasonably good understanding of the nature of U.S. intelligence activities in question. It also led me to the conviction that it would be important, both because of the allegations in Mr. Hersh's article and because of the deep concern in this House about the United States relationship to South Africa, to offer an amendment which would make clear the acceptable limits of any potential intelligence relationship with South Africa.

The amendment which I offer prohibits intelligence cooperation with the Government of South Africa except for intelligence collection. It also states that it is the policy of the United States not to provide any intelligence information to the Government of South Africa concerning any opposition group or individual. Further, in the event that an exception is promulgated to this policy, or any intelligence information is ever passed, the Director of Central Intelligence must inform the House and Senate Intelligence Committees of this prior to such an event.

Mr. Chairman, this provision is essentially a modification of the Kennedy amendment to the South African sanctions bill passed by the Senate. My understanding is that it was worked out in connection with the Central Intelligence Agency and that, although this administration opposes all legislation on South African sanctions, my modification of the Kennedy amendment is not viewed as prohibiting activities which the United States contemplates entering into.

Mr. Chairman, my judgment, and I believe that of the intelligence community, is that this amendment would not result in the loss of any necessary

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intelligence, nor would it prevent the United States from acting to forestall the loss of innocent life, which is the only circumstance under which intelligence likely would be provided. What it does do is state clearly for all the world to know that the United States will not side with white South Africa against black South Africa.

It is unfortunate that such a message needs to be sent, but it is clearly one that must be sent, and sent again, until it is finally understood in the councils of white South Africans that apartheid and the system which it supports cannot stand against the inalienable rights of black South Africans to determine their own destiny and to acquire the rights of representation, free passage, and human dignity that are daily denied them in the ghettos of South Africa.

Mr. Chairman, I urge the support of this amendment.

Mr. STUMP. Mr. Chairman, will the gentleman yield?

Mr. STOKES. I yield to my distinguished ranking minority member of the subcommittee, the gentleman from Arizona [Mr. STUMP].

Mr. STUMP. Mr. Chairman, while there is some reluctance to this amendment, we have examined it on this side and are willing to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. STOKES].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SHAW

Mr. SHAW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHAW: Page 33, insert after line 7 the following:

TITLE VII—DRUG TESTING

CONTROLLED SUBSTANCE TESTING PROGRAM

SEC. 701. (a) The head of each agency referred to in section 101 shall implement a controlled substances testing program for any employee of such agency for whose activities funds are authorized by this Act.

(b) The results of any test administered under subsection (a) shall be reported—

- (1) to the individual tested; and
- (2) to the appropriate agency head or other authority responsible for implementing the program under which the test is administered.

Mr. SHAW (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SHAW. Mr. Chairman, this is a simple yet extremely vital amendment. It requires that those who are involved in the intelligence activities of this country be demonstrably drug free.

One of the gravest threats to the security of this Nation is the possibility that classified information and covert activities may be revealed to foreign powers by those who are entrusted with the protection of such secrets. A

person who abuses illegal drugs not only demonstrates a serious lack of character and good sense; they also expose themselves to the threat of blackmail. Does any Member of this House believe that a drug dealer would hesitate for one second to sell their list of customers to foreign agents? Does anyone here believe that nations such as the Soviet Union would refrain from using such a list?

Individuals who purchase illegal drugs engage in a criminal conspiracy. They are, by definition, felons. If exposed as such, they face professional ruin, personal disgrace, and possibly prison. When such people are confronted by a foreign agent with proof of their crimes, what is their likely reaction? Having proven a lack of moral fiber by using drugs, are they now going to redeem themselves by refusing to spy? I doubt it.

An inescapable temptation is the addict's chronic need for money. Illegal drugs are not cheap. A cocaine user may spend \$100 a day on drugs. That comes to over \$36,000 a year. Where does a civil servant making a maximum of \$68,000 gross per year come up with \$36,000 to spend on drugs? As we learned from the infamous spy Ronald Pelton, who had a \$200 a week drug habit, they come up with the money by selling the most valuable commodity they can lay their hands on, our Nation's security. Narcotics also played a contributory role in the Falcon and Snowman case where Christopher John Boyce, a self-admitted abuser of marijuana and cocaine, conspired with his pusher, Andrew Dalton Lee, to sell cryptographic data to the Russians. Edmond Lee Howard, a former employee of the CIA is now known to have had a pattern of drug abuse. Mr. Howard distinguished himself by becoming the first CIA agent to defect to the Soviet Union. Finally, there is the case of Randy Myles Jefferies, a Washington, DC, courier addicted to both cocaine and heroin. Mr. Jefferies tried to sell classified transcripts of closed proceedings of this very body. In these cases the culprits were revealed after the damage was done. If any one of these people had been required to take a drug test their treasonous activities might have been prevented. With this amendment we have an opportunity to preclude further such abuses.

We all know that earlier this week the President released an Executive order requiring Federal agencies to implement a drug testing program. I applaud the President's order and I support it. But we must realize that an Executive order is not a law, it is not an act of Congress and its authority may be repealed at the end of this administration. This is the body which must act; it is Congress which must craft a law to deal with the threat of drug abuse by those in sensitive positions within our Government.

I assure my fellow Members that if we do not identify those within our in-

telligence community who abuse narcotics, sooner or later our enemies will. I urge a yes vote on this amendment.

□ 1315

Mr. HAMILTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise for the purpose of asking the sponsor of the amendment some questions.

The gentleman, I know, has been very active in support of our drug legislation and I commend the gentleman for that. The gentleman can appreciate, I am sure, the fact that I was just handed the amendment, so I am not sure just what its implications are, and I do have a question or two about it.

As I read it, it covers every agency that is included in this bill.

Now, we include in this bill the Department of Defense, the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, the Department of the Army, the Department of the Navy, the Department of the Air Force, the Department of State, the Department of the Treasury, the Department of Energy, and the Federal Bureau of Investigation, and the Drug Enforcement Administration.

As I read the amendment, all employees in each of those agencies or departments would be required to take a controlled substance test, is that correct?

Mr. SHAW. Mr. Chairman, if the gentleman will yield, the language of the amendment says that the head of each agency, as the gentleman refers to them, shall implement a controlled substances testing program for any employee of such agency.

The testing program itself would be a decision of the head of the agency who, of course, would be directed by the President as to whether or not it had the regular testing of all employees or if indeed it would require the employee to come in and be tested should some type of bizarre conduct arise, or also as to whether or not that employee had access to sensitive information.

Mr. HAMILTON. But it would not require or mandate the testing of every single employee; it would only require the testing of that employee who is designated by the Director or the Secretary, is that right?

Mr. SHAW. It would require the head of the agency to make the determination as to how and when an employee is to be tested, but I would say that every employee would be on notice that he might very well be tested.

Mr. HAMILTON. Now, there is no money in this bill for this testing program. How does the gentleman propose to pay for the testing program?

Mr. SHAW. The same way it is being paid for now under the Executive order that the President has put out.

Mr. HAMILTON. Would the gentleman spell that out for me, please?

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Mr. SHAW. I cannot. I do not know the answer to that question.

Mr. HAMILTON. Is there anything in this that goes beyond the President's order, or does the gentleman see this is totally consistent with the President's order?

Mr. SHAW. I see this as Congress joining with the President in one single voice as stating that we are going to implement drug testing in the areas covered by this bill.

Mr. HAMILTON. Well, I must say, the amendment raises a lot of questions in my mind. They are not all totally resolved just on the basis of our dialog, but I am not disposed to object to the amendment.

Mr. McHUGH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I also would like to ask the gentleman from Florida a question or two in order to get clear in my own mind the scope of this program.

The first question is similar to one asked by the chairman, and that is, Why should we adopt this amendment, in light of the President's Executive order just issued this week? What does this do which the President's Executive order does not do with regard to these agencies?

Mr. SHAW. Mr. Chairman, if the gentleman will yield, it simply places it into law. The Executive order itself is not a law such as could be passed by this Congress. It could go away tomorrow. It could go away with the next administration.

Mr. McHUGH. Well, is there any reason for the gentleman to believe that the President, who after all will be in office another 2 years plus, would change his own Executive order?

Mr. SHAW. I have no reason to believe that he would, no.

Mr. McHUGH. My second reservation about this, Mr. Chairman, is that by this amendment we are dealing with some agencies of the executive branch, but not others. Is it wise, does the gentleman think, for us to deal on a piecemeal basis with some agencies and not others? I realize the only opportunity the gentleman has on this bill is to deal with these agencies, but particularly in light of the President's Executive order which affects all agencies, why should we be dealing with some and not others?

Mr. SHAW. Well, the gentleman raises a very interesting point, which I think has an equally interesting answer.

I has an all-encompassing bill that was asked to be included as an amendment to the omnibus drug bill which came to this House last week. Despite the fact that an earlier agreement had been made between the minority and the majority side with regard to the rule as it would apply to my particular amendment, the Rules Committee itself ruled that my amendment would be out of order.

I guess we would have to say this is the only opportunity that I have had to date. I trust there will be other opportunities to append this amendment or a similar amendment on other bills, and should they involve anything having to do with the security of this country or access to sensitive information, I can assure the gentleman from New York that I will be here to offer such an amendment.

Mr. McHUGH. Well, I thank the gentleman for responding.

I guess, Mr. Chairman, I would urge at this time at least that we reject the amendment. I am convinced the gentleman is absolutely sincere in trying to get at what could be a major problem. All of us agree that drug use or drug abuse in any Federal agency, but particularly in ones which deal with sensitive information, is a major concern; so the gentleman is absolutely right to be directing his attention to that and to be concerned about it, as we all are; but I do have these reservations which perhaps with more time could be resolved.

I hesitate to see us deal with some agencies and not others. I hesitate to see us act precipitously without much advance notice, and I realize the gentleman might not have had an opportunity to give us an earlier notice, but to act precipitously here in light of that fact that the President himself has just issued an Executive order which clearly he has no intention of withdrawing any time soon, and for that reason I do not think there is any particular reason why we should act now.

I appreciate the gentleman's candid response. I certainly appreciate his concern, but I do hope the membership will reject the amendment at this time.

Mr. GREGG. Mr. Chairman, I move to strike the requisite number of words. I rise in support of the amendment.

Mr. Chairman, I would like to support the gentleman from Florida for bringing forward this amendment. I think it is totally appropriate that this Congress go on record, as the administration has, in stating that we feel that in this very sensitive area, especially the area of intelligence gathering, that there should be a review of the people who are working in this area relative to drugs and that it is totally correct that as a Congress which has just passed a bill which is going to spend upward of \$3 to \$4 billion in trying to get some control over the drug problem in this country, that we set the example beginning with our own area of responsibility, which is the management of the Government.

I believe the amendment of the gentleman from Florida is exactly that. It is an example-setting type of an amendment. It clearly gives flexibility to the various agencies in establishing this drug review program. As a result, it allows those agencies to pursue the issue of whether or not people dealing

with classified information, especially intelligence information, are involved in drugs. Therefore, I think it is an excellent amendment.

In addition, I would like to comment briefly on an amendment which is coming up, which unfortunately due to the time restraints put on that amendment, many of us on this side who wish to speak to it are not going to have time, and that is the Stump amendment, which will eliminate basically the language of the bill which limits the ability to aid the freedom fighters in Angola.

This is an issue of freedom. It is an issue whether or not we as a Congress are going to be asked or are going to pass a law which would require that freedom be fought for in various areas of this world, but that the United States will not participate in that fight, or if we do participate in that fight, it will be with one hand tied behind our backs.

I think it is ironic that had the language of this bill as is proposed in limiting aid in the area of covert aid to the Angolan freedom fighters been in place, for example, in a country like France in 1975, the United States Revolution might not have been successful, because it was initially covert aid from France that assisted us in organizing our own revolution here, and that is exactly what we are trying to do in Angola. We are trying to initiate and assist the revolution against a repressive regime that has obtained outside assistance from the Cubans and the Soviets, a regime which clearly is not reflective of the values of human rights which we subscribe to in this country, and yet we are being told in this bill that we are not going to be able to send that type of support to Angola, except in an open way and in a way which clearly was not consistent with the people who are fighting there and who desire such aid, but cannot take it openly because of the implications of that.

It seems to me that if we go down the route proposed by this bill, we will undercut our ability as a nation not only to assist people in Angola, but throughout the world, because we will be sending a signal that this country is only going to fight with one hand tied behind its back.

Therefore, I strongly support the Stump amendment, but initially I support the amendment offered by the gentleman from Florida [Mr. SHAW].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SHAW].

The amendment was agreed to.

The CHAIRMAN. Are there any other amendments under the rule?

AMENDMENT OFFERED BY MR. STUMP
Mr. STUMP. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STUMP: On page 5, strike lines 5 through 22, inclusive.

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The CHAIRMAN. Under this rule, the gentleman from Arizona [Mr. STUMP] will be recognized for 1 hour and a Member opposed will be recognized for 1 hour.

The gentleman from Indiana [Mr. HAMILTON] will be recognized in opposition.

The Chair recognizes the gentleman from Arizona [Mr. STUMP].

Mr. STUMP. Mr. Chairman, I yield myself such time as I may consume.

(Mr. STUMP asked and was given permission to revise and extend his remarks.)

Mr. STUMP. Mr. Chairman, section 107 of H.R. 4759 eliminates the covert action option for United States policy toward Angola. It flatly prohibits covert aid to the Angolan freedom fighters.

Regardless of what the future might hold—such as a renewed Communist offensive to eliminate the UNITA freedom fighters in Angola—under section 107 the United States could not give UNITA forces aid to defend themselves unless the President announced the aid to the world and the Congress conducted a public debate and approved it by joint resolution.

Mr. Chairman, how ridiculous can we get, that the Congress of the United States has to approve a joint resolution before the President of the United States can exercise his option to offer covert aid to a friendly country.

If the United States aids UNITA, we might need cooperation from people or countries which would help us in a covert action, but not in an overt action. It is a tough world and some things must be done in secret to be successful. This Congress should not destroy the covert action option for Angola.

The House should adopt the Stump-Pepper amendment and preserve the United States covert action option for Angola.

If U.S. interests around the world are to be advanced, the President and the Congress should be able to deal responsibly and quietly with certain aspects of foreign policy through established congressional funding and oversight arrangements.

Mr. Chairman, I urge my colleagues to vote "aye" on the Stump-Pepper amendment to strike section 107.

Mr. Chairman, I yield 7 minutes to the gentleman from Illinois [Mr. HYDE].

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, freedom for the people of Angola is just as important as freedom for the people of Cambodia or Afghanistan. The black people of Angola are entitled to enjoy self-determination as much as any people in the world. Why we put them aside and say that somehow that is not important, I do not know.

The people of Cambodia, the people of Afghanistan, yes, and the people of

Angola are being oppressed by the same tyranny, the same Communist tyranny generated and directed by the Soviet Union.

Now, on this vote today, you cannot escape choosing either the Brezhnev doctrine that says once a country is taken over by Communists, that process is irreversible, or the Reagan doctrine that says people who are willing to fight with their lives to resist Communist tyranny are entitled to help, to support from the so-called leader of the free world.

This effort is by those who generally reject helping freedom fighters, certainly in Central America, and it is designed to exploit the antiapartheid sentiment that obtains today in this country.

Now, their argument, the argument of the supporters of the bill as drafted with section 107 in it, is that if we help Savimbi, that somehow we become allied with the Republic of South Africa.

You know, in 1975 we were told incessantly by the liberal voices that we would drive the MPLA into the Soviet's arms if we helped Savimbi and UNITA.

Well, they made the same argument about Castro, that if we did not support Castro, we would drive him into the arms of the Russians.

□ 1330

They made the same argument about the Sandinistas. If we did not help the Sandinistas, we would drive them into the arms of the Russians.

I might say parenthetically there is a little arrogance about that, as though Castro, as though the Sandinistas, and as though the MPLA are not capable of knowing where they want to go, are not capable of understanding and determining the direction in which they want to take their followers without us forcing them to go in our direction.

But you know what is strange about that argument? We have never heard that by cutting off aid to Savimbi, we drove him into the arms of South Africa. You never hear that side of the argument. I wonder why?

Now, we are helping the mujaheddin in Afghanistan. So is the Ayatollah Khomeini. There are 1 million refugees in Iran fleeing from Afghanistan. Imagine how great things must be in Afghanistan if you have to go to Iran for safety.

Does that ally us with Iran and the Ayatollah? Is that not silly? We are helping Son San and some freedom fighters in Cambodia. So is the Khmer Rouge under the late, great Pol Pot. Does that ally us with the murderous Khmer Rouge? In World War II, when Hitler was the enemy, we were allied with Joe Stalin, one of the really professional killers of all time. Did that make us allies in morality and in political outlook? That is nonsense. In a fight for survival you take help from where you can get it, and anyone who

does not understand that has never been in a fight.

Savimbi is black. UNITA is black. To think that they are supporters of apartheid does violence to logic and common sense. One wonders whether the supporters of Mr. HAMILTON's initiative want us to be comfortable in the southern half of Africa with SWAPO, which is Communist, with the ANC, which is dominated in every key spot and funded by communism, with 30,000 Cubans, with Mozambique—a Communist state, with Mugabe hurtling toward Marxism. There is one little force left there fighting communism, and that happens to be Savimbi—let us cut the rug out from under him this bill says.

There is another argument that Members are going to hear today, that Savimbi is insufficiently capitalist. Remember, he is not capitalist enough for the gentleman on the left. These are the people who would fall over themselves to attend a reception for the Marxist Mugabe of Zimbabwe.

We gave the Clark amendment 10 years of work. We listened 10 years ago when they said that this was a tribal fight, and that these countries are nationalistic, and there will be no Communist states in Africa. We listened to that, and we stayed away.

Do you know what the Clark amendment was? Another example of a favorite theory of the gentleman on the left—foreign policy for example. If we do not intervene, they will not intervene. It is the same thing that the gentlemen are trying to sell us on arms control—if we disarm, they will disarm.

Well, we have had 10 years of foreign policy by example in Angola, and it did not work. If you take Savimbi out and take UNITA out, you have SWAPO Communists, you have the ANC Communists, you have 30,000 Cubans, and you have Marxist Mugabe, Marxist Machel of Mozambique, and with South Africa on the brink of a bloodbath, is all this in our national interest?

What message do we send to other countries which need cover to operate in that part of the world? How do we elicit cooperation on international terrorism if we cannot keep a secret, if we think that every aspect of our foreign policy has to be debated in public and that Congress has to pass resolutions?

Well, what is it going to be, the Brezhnev doctrine, or supporting freedom fighters who are willing to die on their feet rather than live on their knees? I urge support for the Pepper amendment, for the Fascell amendment, and for the Stump amendment. The struggle for freedom is not partisan anymore, it is bipartisan, and some leading Democrats are supporting this amendment.

I ask the Members to put their country's interests ahead of nonsense that says that somehow we are supporting apartheid by helping UNITA give its

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people and its country self-government, and ask that they support the Stump-Pepper amendment. Don't consign Angola to the Soviet bloc by default.

Mr. HAMILTON. Mr. Chairman, I yield myself 11 minutes.

(Mr. HAMILTON asked and was given permission to revise and extend his remarks.)

Mr. HAMILTON. Mr. Chairman, I rise in opposition to the amendment to strike section 107 of the Intelligence Authorization Act for fiscal year 1987.

This is an important provision of the bill that touches directly on the unfolding tragedy in southern Africa and merits the specific attention of my colleagues.

Section 107 would prohibit the use of any funds available to agencies involved in intelligence activities for military or paramilitary operations in Angola unless the President publicly requests, and the Congress by joint resolution approves, such support.

I urge my colleagues to reject this amendment to delete section 107 because passage of the amendment would be bad procedure and it would be bad policy.

PROCEDURAL ISSUES

First, the question of whether the United States should assist the nationalist insurgency of the Union for the Total Independence of Angola [UNITA] is an important foreign policy decision and one that should involve the Congress.

Section 107 simply requires the President to follow normal procedures in dealing with the Congress on an issue with major foreign policy ramifications.

There are serious foreign policy questions which must be considered in any decision on providing aid to UNITA, and the Congress should have a significant role in the debate. The decision to aid Savimbi is a change in American foreign policy. When foreign policy is made, as is being done here, and is not merely being implemented—under the Constitution both the Congress and the President should be involved.

Congress has a constitutional role in foreign policymaking to declare war, to provide for the defense of the United States, and to appropriate other funding to sustain American foreign policies. Each of these constitutional powers of the Congress are at issue in this Angola debate.

Few foreign policy decisions are equal in importance to a decision to go to war or to support a war. This bill focuses attention on the necessity of collective judgment and shared wisdom in the critically important decision to support a war. The extreme complexity of the modern world, the growth of America's responsibilities and the ambiguous nature of many international crises all demand that Congress and the President pool their judgments on these questions.

Opponents of this section argue that it restricts the President's flexibility to carry out U.S. foreign policy. However, when significant change in foreign policy is under consideration, the chances of developing a policy which will have the support of the Congress and the public are greatly enhanced if that change is publicly acknowledged and discussed. Any covert action in Angola will be difficult to sustain in the absence of a thorough and frank debate of the issue.

Second, section 107 should be supported because the administration's recommended course continues to exclude the Congress.

So far, the administration's approach on Angola has been to make a significant foreign policy change and, apparently, to support a covert war in Angola by bypassing the Congress and excluding it from the decisionmaking process.

This change in foreign policy is being made through the covert action procedure which does not require the approval of the Congress—or indeed any member of the Congress. All that is required under this procedure is for the President to notify the Congress.

The President and the Vice President have engaged in public discussion of this issue. Why should Members of Congress be excluded?

Certainly Members of Congress do not oppose the concept of covert action programs. We all agree that certain aspects of foreign policy must be conducted in secret. There is strong support in the Congress and the House Select Committee on Intelligence for covert activities programs under appropriate circumstances. The House Intelligence Committee has supported, both politically and financially, a full covert action capability for the President. It supports the vast majority of covert actions proposed by the President. Over the years, the committee has brought only two matters before the full body of the House.

It is not the view of the committee that all paramilitary covert actions must be submitted to a vote or that paramilitary covert actions cannot, under any circumstances, remain covert or be successful. Yet, when advance planning for a possible covert action appears to have been conducted via political speeches and in the press, the committee considers it unlikely that such a possible program can remain covert. Where such a program is not covert, the administration's use of covert policy would effectively bypass the role of the Congress in debating significant foreign policy decisions.

Covert authority is intended to be a necessary secret tool to help implement policy, not a means to change policy in secret. Section 107 provides an essential opportunity for public deliberation. The assertion of Congress' right in this instance should be something which Members can support, regardless of their support or opposition

for any covert military assistance program for UNITA.

The issue of a significant change in United States policy in Angola is too important a decision for only 16 members of the House Intelligence Committee to be informed of any such program. It is simply too controversial a decision. Section 107 retains the proper authority of the whole Congress to help determine U.S. policy on this hotly debated issue.

POLICY QUESTIONS

There are also significant policy reasons involved in aiding UNITA which deserve consideration.

First, providing assistance to Jonas Savimbi and UNITA will place the United States shoulder to shoulder with South Africa in the eyes of much of black Africa and the developing world.

Support for UNITA will bolster South Africa, and send exactly the wrong message to South Africa. Today the United States should be sending a signal of strength and power to South Africa and the world that we find apartheid reprehensible. If we support Savimbi we will only dilute and confuse that message.

We cannot claim to oppose vigorously apartheid while cooperating with South Africa over Angola. Support for UNITA will undermine United States antiapartheid policy and diminish our leverage for change in South Africa itself.

UNITA is almost totally dependent upon South Africa for weapons and supplies. South African ground and air forces have performed combat roles in Angola in support of UNITA. South African forces also have occupied parts of southern Angola between 1981 and 1985, and they have conducted operations against United States oil facilities in northern Angola.

The key point is that UNITA is a proxy for South Africa and exists only with massive South African backing. Support for UNITA is support for South Africa. South Africa will intervene in support of UNITA whenever it sees intervention in its interest. United States assistance to UNITA cannot replace or displace South Africa's presence.

Second, assistance to UNITA undermines negotiations to solve the Angolan situation and to obtain the withdrawal of Cuban, Soviet, and other Eastern European forces. It also ends, in effect, efforts to negotiate a settlement for Namibia.

Angola will not view the United States as a fair mediator if the United States is arming Angola's enemy. Aid to Savimbi will escalate the war, not diminish it, and make successful negotiations more remote. Support for UNITA will damage U.S. credibility as an honest and impartial broker in helping to resolve disputes not just in Angola, but throughout southern Africa.

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In the negotiations for Namibian independence, Angola offered to reduce by two-thirds the number of Cuban troops on its soil in exchange for South African withdrawal from Namibia. The United States had established direct contact with the Angolan Government in these negotiations. Now that contact is over because Angola believes the United States no longer wants a negotiated settlement. It is hard to imagine how U.S. aid to Savimbi would enable negotiations to succeed.

Aid to UNITA will polarize the region and increase the level of conflict. Because of threats to its security Angola will continue to seek assistance from Cuba and members of the Warsaw Pact. This will give the Soviets increased leverage in Angola and throughout southern Africa.

Third, Savimbi and UNITA are dubious allies.

Savimbi may have charisma, but he is politically unreliable. He changes his alliances to suit his interests. He has been stridently antimperialist, and procapitalist in little more than a decade. A former self-proclaimed Maoist, he now fights with the slogan of socialism and nonalignment. He says he intends to blow up United States oil firms operating in Angola. He has shown an extraordinary talent for telling people what they want to hear. He suffers from a cult of personality. His rhetoric turns on the next check. His views defy ideological description.

One reporter, after spending 7 months with UNITA forces, said: "Savimbi is an enigma, a man on whom many labels now stick—brilliant, charismatic, affable, unyielding, forgiving, temporizing, machiavellian, opportunistic, lying, nationalistic, Marxist, Maoist, pro-Western, Socialist."

He has frankly stated: "I will get support where I can get it." The United States should not rest its foreign policy on such an ally. He cannot be trusted. The fact that he is anti-Soviet is not sufficient grounds for helping him.

He simply does not have a credible, consistent, moderate, pro-American, democratic record.

UNITA under Savimbi has violated human rights and its abuses undermine chances for popular support. Its history is replete with examples of bombings in public places, kidnaping foreign technicians, killing innocent civilians and mining village farmlands.

UNITA is a weak reed upon which to rest the U.S. national interest. Based on what I know as chairman of the House Intelligence Committee, it cannot win the power struggle in Angola. It cannot achieve a military victory. Savimbi's case remains largely tribal, even after more than 15 years in the field.

The Angolan economy is shattered and the Angolan Government is forced to spend some 75 percent of the national budget on the military. Even so,

over a 10-year period, UNITA and Savimbi have been unable to capitalize on Angola's dire plight.

Fourth, a policy to support Savimbi does not have regional support and will earn the United States the enmity of African states.

In July 1985 the 51 states of the OAU in a formal declaration said that any United States aid to UNITA would be "considered a hostile act against the Organization of African Unity."

Nearly all African states see UNITA as a tool of South African policy and they condemn Savimbi's ties to Pretoria. We must understand how deeply Africans will resent the United States taking South Africa's side. Every major antiapartheid leader in South Africa and in Namibia opposes United States aid to UNITA, and they say this both publicly and privately. Make no mistake about it, without regional support, United States policy in Angola cannot succeed.

A policy to aid Savimbi is a misplaced priority. The obstacles to a regional settlement in southern Africa lie in Pretoria, not in Angola. What the United States needs is leverage against South Africa, not Angola. Black Africa sees apartheid and South African control of Namibia—not Soviet-sponsored communism or Marxism—as the primary causes of instability in the region. United States support for UNITA will put the United States and black Africa at cross-purposes. United States support for UNITA will make it increasingly difficult to win black African support for United States policy initiatives.

Fifth, aiding Savimbi will strengthen the Soviet position in southern Africa.

It will make Angola more dependent on the Soviet Union. It will bolster the Soviet Union in African eyes. It will help the Soviets earn substantial hard currency from the sale of arms to Angola.

To stop Soviet influence in the region we must stop apartheid. To the extent the United States aligns itself with Savimbi, and his ally, South Africa, we align ourselves with the forces of apartheid. That weakens us throughout Africa, and strengthens the Soviet Union. The end of Soviet influence in Angola and in the region depends on diminishing the power and spread of apartheid, not the reverse.

Aid to Savimbi will ally the United States with South Africa in a broad offensive against virtually all of South Africa's neighbors, and will not raise the costs to the Soviet Union of supporting leftist governments like that in Angola. Rather, aid to Savimbi will raise the cost to the United States throughout black Africa and increase opportunities for the Soviet Union.

Aid to Savimbi will not produce the goals we seek—namely, the withdrawal of the more than 30,000 Cuban troops and Soviet military advisers from Angolan soil. Rather, it will make Angola more dependent on the Cubans, and less willing to send them home.

Aid to Savimbi will prolong and escalate the violence in the region and promote cross-border military action, without benefit to U.S. strategic and political interests. Conflict will not get the Soviets or Cubans out of Angola—negotiations may.

Sixth, there is a lack of clarity in United States policy toward Angola.

The means of U.S. policy do not match the stated end. In his 1986 State of the Union address the President said we must provide moral and material assistance to those who wish "not just to fight and die for freedom but to fight and win freedom." The President apparently is committed to the rhetoric of victory, but he has not sought the resources to achieve victory. The unanswered questions are how much and for how long is the United States prepared to spend over time in support of Savimbi?

The lack of public debate has allowed the administration to avoid stating what United States policy is toward Angola. Some in the administration say it is to achieve victory, others say it is to force a negotiated settlement of the war in Angola, still others say that it is to expel the Soviet and Cuban military presence. The President has not clarified which of these several goals are the goals of United States policy in Angola.

CONCLUSION

Mr. Chairman, it has been suggested that in voting last year to repeal the Clark amendment, which had prohibited assistance to any Angolan military faction since 1976, the Congress approved aid to UNITA. I voted to repeal the Clark amendment and, to the contrary, I considered it no such endorsement. Repeal of the Clark amendment was not a vote to Aid UNITA. It was a vote to remove the prohibition only.

There is a very big difference between a vote to repeal the Clark amendment and a vote to strike section 107. The difference is in the result.

If you voted to repeal the Clark amendment, nothing much happened, except that a legal prohibition was removed. The explicitly stated policy of the administration at that time was that there was no intention to aid Savimbi.

If you vote to strike section 107, a lot happens. Covert aid to Savimbi can flow and a war is expanded.

If you vote against the motion to strike, you merely say that if we are going to aid Savimbi we should do it openly, with Congress participating, not secretly, with the full Congress excluded.

If the Congress knowingly and publicly votes in favor of military involvement, Mr. Savimbi and his followers have a better chance of sustained assistance based on the commitment of the American people. If the Congress votes against such assistance, it will be after a full and free discussion of all the relevant facts. Either option is

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preferable to the current practice of making important foreign policy decisions secretly—and, then, when the decisions prove to have been wrong, to berate the Congress for not honoring so-called national commitments.

Mr. Chairman, for procedural and substantive reasons, I urge a vote against this amendment and to retain section 107 of the Intelligence Authorization Act of 1987, thus insuring a full and open debate on a foreign policy issue of immense importance to U.S. strategic and political interests in Southern Africa.

□ 1340

Mr. STUMP. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

(Mr. SOLOMON asked and was given permission to revise and extend his remarks.)

Mr. SOLOMON. Mr. Chairman, let me just say I spoke at length on this bill yesterday. Here is the Stratton amendment vote from last year when we repealed the Clark amendment. If you want to be consistent, you will vote exactly how you did last year. Come over and see how you voted, and let us pass the Stump-Pepper amendment.

Mr. Chairman, I have listened to my good colleagues here, who have been arguing in recent days that the administration has made public expression of support for the anti-Communist resistance in Angola too much. And so it's not appropriate to back up this support by means of this bill.

I personally cannot agree with this argument.

I am not going to try to swing you to my side on this point, but I am going to point out that President Reagan has thrown his public support to freedom fighters throughout the world. In this House earlier this year, in fact, he spoke to us with great conviction about the struggles for freedom, not just in Angola, but in Afghanistan, Cambodia, Nicaragua, and elsewhere. If we agree with the argument behind section 107, we bring into doubt our ability to help the fight for freedom in all these areas.

Mr. Chairman, I do want to address today some of the other arguments against aid to the Angolan Resistance that we have heard recently. I am talking about the voices and articles that say that these black freedom fighters are just "armed bands" that only want to spread racist apartheid. If we all employ our common sense, we know that black Africans in Angola don't fight and die for the sake of apartheid. To me this sounds too much like the Soviet statements we often hear calling the freedom fighters in Afghanistan "bandits." Let's not kid ourselves, ladies and gentlemen, these other arguments are bunk, pure and simple, and let's not muddy our proper consideration of this bill by giving them any credence. The Angolan freedom fighters deserve better than that. And, let me point out that if you are worried about the Angolan resistance movement's use of South African aid, any vote to cut off American aid would have to force this movement right back to that coun-

try. Wars are not won on good wishes alone, and frankly, we are the only alternative.

Mr. Chairman, let's not repeat the mistake we made in the 1970's, when we left these courageous people to fight alone. They are not asking for any American military involvement. They have clawed their way back to the point that they today can lay claim to a third of their country, despite massive Soviet and Cuban aid. They do need our support, however. When we consider this bill, let's not forget the goals of American policy in the Third World—we are against the spread of totalitarian rule in these countries—we are trying to give these countries the chance to build democracy.

Let's give the Angolan resistance a chance this time.

When it is time for us to consider and vote on section 107 of this bill, please don't sacrifice the good cause for which the Angolan resistance has fought so hard at such a cost.

Mr. STUMP. Mr. Chairman, I yield 5 minutes to the gentleman from Wyoming [Mr. CHENEY].

Mr. CHENEY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, this is a difficult debate for many of us today. Those of us who have served on the Intelligence Committee have spent a lot of time on it in recent weeks, and I must say I am disappointed to have to oppose my chairman on this amendment, but I really believe the gentleman from Indiana [Mr. HAMILTON] has made a serious mistake in arguing that we should reimpose the Clark amendment.

I rise, Mr. Chairman, in support of the amendment offered by the gentleman from Florida [Mr. PEPPER] and by the gentleman from Arizona [Mr. STUMP] to strike section 107. I think it is extremely important that it be lifted.

The chairman has suggested that somehow we are undertaking a major change in foreign policy here that should not be undertaken without full and complete debate in the House. I would argue, Mr. Chairman, that we had that debate last year. We considered the question of whether or not we wanted to continue the Clark amendment, and we decided at that time that it should be lifted.

Every time the Government of the United States undertakes covert action it has foreign policy implications. That is nothing new. I fail to understand why the chairman believes that in this particular instance with respect to Angola we should be required not to move forward with covert operations. I think his amendment is designed specifically to thwart the role of the President, and the President is operating wholly in accord with his responsibilities to protect the Nation's security.

Mr. Chairman, I am deeply concerned, in part because I believe a majority of the members of the Intelligence Committee frankly are shirking their responsibility. I find that consideration of this amendment at this time involves basically the Intelligence

Committee passing the buck, if you will, to the House at large. Congress is involved when the committee acts on its behalf. Covert operations are often required with respect to the conduct of these kinds of operations, and I fail to understand why, and do not believe the case has been made why we should in this particular instance deny the President the authority to carry out a covert operation.

Just a reminder about the past, Mr. Chairman. In 1975, when Angola attained independence from Portugal, a number of different factions emerged and entered into an agreement that was to lead to a coalition government in Angola.

□ 1350

The Marxists violated the agreement; the Soviet advisers moved in and some 4,000 Cuban troops followed. Congress responded with the Tunney amendment to the fiscal year 1976 DOD Appropriations Act. Thereafter it enacted a permanent prohibition on covert support to Angolan freedom fighters, the notorious Clark amendment.

While Congress spent its time crippling President Ford's ability to meet the Communist challenge in Angola, the MPLA consolidated its regime. Congress left the Clark amendment in place until 1985.

During the period the Clark amendment was enforced, the Cuban combat presence supporting the Communist government in Angola grew more than 30,000 troops, and Soviet, Cuban, and East German advisers filled important roles in the Marxist government.

Thus, a prohibition on covert United States support to Angolan freedom fighters contributed to Communist success in Angola. The Congress of the United States legislated a defeat for United States interest in Angola.

Let us hope that history will not repeat itself. The House should not today legislate another victory for a Communist regime in Angola. We have the opportunity to avoid the errors of the past; and I would urge my colleagues to support the amendment by the gentleman from Florida [Mr. PEPPER] and the gentleman from Arizona [Mr. STUMP] to strike section 107 of H.R. 4759, thereby preserving the option for covert support for the freedom fighters in Angola.

Mr. HAMILTON. Mr. Chairman, I yield 7 minutes to the distinguished chairman of the Subcommittee on Program and Budget Authorization of the Permanent Select Committee on Intelligence, the gentleman from Ohio [Mr. STOKES].

(Mr. STOKES asked and was given permission to revise and extend his remarks.)

Mr. STOKES. Mr. Chairman, I rise in opposition to the amendment. I strongly support section 107 of the bill. I do so because it preserves constitutional responsibilities of

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House requiring a full debate in this body on whether or not the United States should militarily assist Jonas Savimbi and his organization, UNITA, in Angola.

All of us who follow issues of national security in this city are aware of the problem of leaks. Leaks have become a part of our national security process, it seems. Unofficial leaks, official leaks—all are used by those who seek to influence foreign policy. Sadly, intelligence programs are also the subject of many leaks and leaks have severely damaged U.S. intelligence-gathering capability in recent years. The covert action programs of the Government have also been damaged by leaks.

In the case of Angola, however, it is not leaks that brings us to this juncture. It is the official pronouncements of the President of the United States to the Congress and to the media, and the pronouncements of his top officials, the Vice President, and the Assistant Secretary of State for African Affairs. These officials, on the record, have told all Americans that the United States is assisting UNITA.

What they haven't mentioned is that the funding for this aid is approved secretly. This doesn't make our policy a real secret because saying that we do it but not discussing how much we spend leaves little to the imagination. Rather, all that this so-called secrecy assures is that the regular process of congressional review and approval of foreign policy expenditures is avoided.

In my view, the issue is whether the United States should become embroiled in a war between the Angolan Government, backed by the Soviets and the Cubans, and UNITA, backed by the South Africans. Congress then ought to have its say. The President may not be asking the Congress to declare war, but he is asking us to become involved in a war, to wink at his use of secret funds, and to abdicate our responsibility to review foreign policy and decide to what extent limited funds may be spent and where. In the process, the President is making a major change in United States policy toward southern Africa. That ought to be a matter of great concern to this House.

Mr. Chairman, I strongly believe the United States should not support UNITA. It should not change its role from one of sponsoring negotiations whose end goal is the removal of Cuban troops and the independence of Namibia to siding with South Africa in supporting a war which makes those two goals impossible to achieve. Whatever you may feel about the Communist threat in southern Africa, it is clear that it is Soviet and South African aims that are furthered by the war in Angola, not United States aims.

The Soviets now sell enormous quantities of their military equipment to the Angolans for hard currency. Their advisory assistance and the presence

of Cuban troops help ensure the perpetuation of the Angolan Government and therefore great influence over Angolan policy.

The South Africans keep Namibia and use the military activity of UNITA to neutralize Angolan, Cuban, and SWAPO forces. This frees South African military forces to conduct raids into neighboring countries and ensure the perpetuation of apartheid in South Africa.

If United States policy aims at ending Soviet influence and the Cuban presence, at securing Namibian independence and at pressuring South Africa to end its racist policies, aid to UNITA produces opposite results.

Mr. Chairman, aiding UNITA isn't merely a major shift in U.S. policy. It isn't simply a mistaken policy that won't achieve U.S. goals. It is wrong. It takes one evil—communism—and substitutes it for another—apartheid. It ignores the violence in South African ghettos. It ignores the economic stranglehold on South Africa's black African neighbors. It concentrates on the number of Soviet tanks and airplanes in Angola instead of the number of black South Africans killed or jailed. It pretends that Angola's military buildup is not directly related to South African assistance to UNITA and the President's own promises of aid.

Mr. Chairman, there is a reason for the unanimity within the Organization of African Unity on the question of aid to UNITA. Black African states know that the central evil, the central disrupting force, in Africa today is apartheid. They know that United States assistance to UNITA makes the United States a partner in South African policies. They believe that Namibian independence, which hinges on the Cuban military presence in Angola, will not be resolved by war in Angola. Rather, the solution lies in Pretoria. The answer with the Government of South Africa, which has always provided the military assistance and direct support necessary to ensure UNITA's effectiveness in the field. They know that whatever the level of United States assistance, be it \$1 or millions of dollars, that South Africa will do what it must do, and pay what it must pay, to ensure that continued viability and success.

Mr. Chairman, as a black American, I passionately want to see the end of apartheid in South Africa. As a black American, I sincerely want to see my country do what it can to end this evil and to ensure that the new government of South Africa, the new black government of South Africa that will someday rule that country, will thank the United States for its role in ending apartheid and look to us as a partner in its struggle for development. Siding with South Africa in Angola is not the way to achieve that end.

U.S. policy, if it is to be effective, must look to the future. It must help resolve the problems of today with an

eye toward the role that we will want to play in the South Africa that will follow the end of apartheid. We all know that minority rule in South Africa is just a matter of time. We all wish to see a transition without great bloodshed. If we are to be the partners of a majority-ruled South Africa in the future, we must set aside any entanglement today which will alienate those who will rule that government of the future. We must ensure that it is the United States of America and not the Communists who can point to an effective role in bringing about an end to apartheid and all the policies which supported it. This House passed a good sanctions bill. The Hamilton amendment in this bill is consistent with the position of this House. To remove the provision from this bill would be a step backward. It would align the United States with South Africa in Angola.

I urge you to vote against the Stump amendment.

Mr. STUMP. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. IRELAND).

(Mr. IRELAND asked and was given permission to revise and extend his remarks.)

Mr. IRELAND. Mr. Chairman, I urge the Members of the House to support the Pepper-Stump amendment to strike section 107 of the bill. Section 107 as we know would take away the covert option for support of freedom in Angola.

Some Members apparently believe that it is a matter of indifference whether we provide overt or covert aid to UNITA. Their perception that the United States does not need the ability to act secretly in international affairs is dangerously erroneous.

We all wish that the United States could pursue its idealistic goals through the open and public means of friendly persuasion. That is the good and natural instinct of our democratic political system. If the United States was left to itself, that is undoubtedly how we would proceed.

But we are not left to ourselves. We are not the ones setting the rules. Our adversaries are tough and they fight hard to achieve their Marxist-Leninist objectives, in Angola and elsewhere. We must meet this challenge, and we must do so effectively. This may require covert support to freedom fighters around the world.

Suppose, for example, that the President finds it necessary to national security to provide support for UNITA in the struggle against communism in Angola. Perhaps for diplomatic or political reasons UNITA would not be willing to accept open U.S. aid. Perhaps countries that would be willing to help the United States in a quiet action to aid UNITA would not be willing to help if the United States announces the program publicly. Of greatest concern, perhaps the Cubans and Soviets, who have troops in

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Angola, would feel compelled to respond directly and aggressively to aid that the United States announced publicly. In these situations, it would be essential to the success of U.S. foreign policy that aid to UNITA be covert.

Section 107 would take the covert option away and doom U.S. policy to legislatively mandated failure.

Section 107 is a dangerous mistake. I urge the House to support the amendment to strike section 107.

□ 1400

Mr. Chairman, I yield back the balance of my time.

Mr. HAMILTON. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. BEILENSEN].

(Mr. BEILENSEN asked and was given permission to revise and extend his remarks.)

Mr. BEILENSEN. Mr. Chairman, I rise to join my chairman, the gentleman from Indiana [Mr. HAMILTON], in opposition to the amendment offered by our friend the gentleman from Arizona [Mr. STUMP].

Mr. Chairman, it has been clear to me since the day of my appointment to the Permanent Select Committee on Intelligence that, whatever other qualities are sought by the Speaker in choosing members of the committee, the universal prerequisite is an ability and a willingness to keep the secrets. Members of the committee understand that a bargain has been struck, in effect, between the Congress and the executive branch. The executive branch will disclose intelligence matters to the committee. The committee will oversee, and fund, intelligence activities and, in the process, it will ensure that these activities remain secret. The bargain works as long as the committee has confidence that the executive branch is disclosing all that it should, and as long as the executive branch is comfortable with the security practices of the committee.

In my view, Mr. Chairman, the committee has kept its part of the bargain. There are many leaks of national security information in this city. I don't doubt that some of them originate on the Hill, but I believe that very few, if any, come from the Intelligence Committee.

The Intelligence Committee, Mr. Chairman, spends a good deal of its time overseeing the covert action operations of the Central Intelligence Agency—activities designed to influence people or events overseas in support of U.S. foreign policy, and carried out in a way which is not attributable to the United States. One reason for this strong oversight is that covert action is a tool which, being secret, has the potential for miscalculation or abuse. It must be watched constantly and used very carefully.

Covert action is an option any President should have in considering how best to execute the foreign policy of the United States, but the effective-

ness of that option lies in its flexibility, and that flexibility hinges on its secrecy.

Mr. Chairman, thus far, I am certain I have the agreement of my colleagues on both sides of the aisle. Thus far, we see eye to eye. But, what opponents of the committee bill don't wish to see, and what some of us can't help but see, is that the bargain between the Congress and the executive branch has been broken—and not by the Congress. It is the President, and his men, who have publicly exposed the United States role in assisting UNITA. It is their public statements, to the press, in speeches, and in congressional testimony, that acknowledge the fact, and reveal the details, of American support for Jonas Savimbi and UNITA.

We all understand why this happened. The political pressure from the right, or simply the momentum of the Reagan doctrine itself, brought about acknowledgment of U.S. assistance. When you have a doctrine, it has to be understood and known, to be proclaimed.

I suspect, Mr. Chairman, that my friends on the other side of this issue, though reluctant to acknowledge it, are still in agreement. The President shouldn't have said what he said. Chester Crocker shouldn't have said what he said. But, beyond this point we diverge.

The strong feeling of this member, and that of the majority of the committee, is that our activity in Angola is no longer a covert operation. This operation should now be made part of our appropriations process—as has aid to the Contras. But it won't appear in the President's budget requests. Rather, it will be funded with secret funds, funds which, at least so far, don't require the approval of Congress for their expenditure.

The President may have torn away the fig leaf, Mr. Chairman, but he wants to keep funding this openly acknowledged policy with secret funds. That is one of the great attractions of covert action operations. The funding is secret. You don't compete against other scarce expenditures, expenditures which are never popular, especially in an election year. We understand that this kind of arrangement is necessary for secret operations, but we don't think it's necessary or proper for publicly-acknowledged operations.

Mr. Chairman, this amendment seems to me also to be profoundly democratic, because it would prevent public debate of a major public issue.

Obviously, covert action is useful at times—but not to carry on a major and long-term foreign policy that is not just a matter related specifically to Angola, but is part and parcel of an across-the-board doctrine of supporting anti-Communist insurgents.

Such support may well be a good general policy—although we should debate that too, in public, before embarking on it—but I think we all recognize that general policies do not, how-

ever well thought out they may be, always work well in every single part of the world. You have to look at each particular situation, sort out our goals and objectives in those particular circumstances, and figure out how best to achieve them.

It may be that supporting UNITA is the best way to achieve our goals in this particular area—but we should figure that out first, in the only democratic way we can—in public, on this floor.

You simply cannot do that by pursuing this as a covert action: Keeping it covert means supplying money to UNITA through the CIA, without congressional approval, without a vote, without a chance for the American people to express themselves on our policy through their representatives.

I'm not sure I know what I think our policy should be with respect to Angola—but I do know that that policy should not be determined in secret, in a manner that cannot be either questioned or stopped by Congress.

As I suggested, it would be less important if this were an isolated matter, but it's part of the so-called "Reagan Doctrine," an expanding and fairly comprehensive policy of funding insurrections against Communist governments across the world.

If this is to be cornerstone, the basis, of our foreign policy over the coming years—and perhaps encompass a major portion of our overseas activities, should it not at some point both in general and in its application to particular situations, nations, regions of the world—should it not be subject to debate and to approval of the representatives of the people of the United States who will be paying for this policy and, perhaps, eventually sending their sons to ensure its success in some areas where the indigenous forces seem unable to do the job themselves?

The basic question, it seems to me, is should the Congress—does Congress have anything at all to say about the direction of U.S. foreign policy—or is the executive branch to carry out almost any U.S. involvement anywhere in the world unfettered, untroubled by public debate?

If so, Congress would be abdicating, entirely, any role in much of America's foreign policy in the years immediately ahead.

Neither the State Department nor the Department of Defense would be the instrument of U.S. foreign and military policy in these areas—the CIA, which is not designed for, nor particularly adept at running these low-intensity wars, would become the chief instrument of U.S. foreign policy.

Our foreign policy, our third world policy, cannot be decided on the basis of the inflexible application of a global doctrine. Wise policy decisions derive, instead, as I said, from a care-

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ful judgment about the merits of each situation where an insurgent group claims to be battling Communism.

We must thoughtfully consider what, if any, American interests are at risk in each case—and that goes for Angola, too—which is the immediate case in point.

But, however one feels about what our policy toward Angola should be requiring public debate, and congressional approval, will ensure that the views of those who advocate other policies will also be heard and rationally weighed, and that the wisest course for the United States in Angola will be decided upon and followed over the long term.

Mr. Chairman, since the bargain between Congress and the executive branch on intelligence matters has been broken in the case of Angola, since our new involvement there is a major foreign policy shift, I believe it is reasonable to require the President to treat this policy like any other program.

Let's look at this program. Let's fully debate it. Let's hold the executive branch to its part of the bargain, by refusing to create an exception which evades normal congressional review.

And let's ensure in the future that the national security blanket is reserved for the secrets—like real covert action—that we need to protect, and not draped over public policies for the sake of political convenience.

Mr. STUMP. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. LIVINGSTON) a member of the committee.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, I rise in support of the Stump-Pepper-Fascell amendment striking section 107.

I just want to make sure that my colleagues are not confused by those who argue that the only reason that they want to include section 107 in this bill is to make sure that covert aid to the freedom fighters in Angola is, "Fully and openly debated." Make no mistake about it, section 107 would prevent, eliminate, terminate, cease, and obliterate any hope of U.S. assistance to UNITA. Without the option of covert aid, the only options available to the President are the use of ineffective diplomacy or the use of overt military intervention. We're not likely to resort to the latter, and the history of the last 10 years shows us that the former won't work. Without covert aid—which ceases to be covert with "full and open debate"—we will effectively cede Angola to the complete control of the Soviet backed Communist government.

We've tried through diplomatic channels to get the Cubans and Soviets out of Angola since the Communist backed MPLA first seized the government over 10 years ago. And, what has

it gotten us? An MPLA regime supported by 40,000 Cuban and Soviet troops and about \$2 billion in Soviet military hardware arrayed against a determined but outgunned band of freedom fighters led by Joseph Savimbi. Savimbi's troops have managed to control almost one-third of Angola without our help, but they are hard pressed to keep up with the massive military aid that the Soviets are pouring into their country in support of the MPLA.

Clearly, diplomacy has failed, and no one wants to resort to sending United States troops into Africa in such a situation. But, now, even when a majority of Congress voted in 1985 to repeal the Clark amendment, those who have consistently opposed U.S. aid to resistance fighters everywhere have united in an effort to obstruct the President's last remaining option—covert aid.

Some may say that covert aid hasn't been actually cutoff—it's just that Congress must now approve it. Not so. The opponents of aid to the Contras in Nicaragua have already managed to thwart the will of Congress since our affirmative vote on that issue in June, and by virtue of section 107, they are again doing their best to delay and postpone any attempt to aid UNITA in Angola. At best, the result will once again be delays and missed opportunities. At worst, the whole program could collapse because of the reluctance of Angola's neighbors to become involved in an openly discussed resistance to a Communist incursion; and once again the United States will prove itself to be an unreliable ally in the cause of freedom.

How do the opponents of aid to UNITA justify their stand? Why don't they want to aid of a war of liberation by black Angolans against their Soviet and Cuban oppressors? For one thing, it is alleged that aid to UNITA would draw the United States into a tacit alliance with the Government of South Africa. They say that since the South Africans support UNITA, we should not—or the United States will be branded as a supporter of apartheid.

Jeanne Kirkpatrick in her recent Washington Post Commentary likened this argument to claiming that aid from the Allies for the Soviet Union in World War II makes us responsible for the atrocities of Stalin, because of the massive assistance we provided to save the Soviet Union and Western Europe from the Nazis. Clearly such an argument is worthless and wholly without merit.

There are several black African states which revile apartheid; yet even they are forced into a tacit accommodation with South Africa because of their economic dependence on South African jobs. Are they also to be ostracized for being in league or concert with South Africa? Of course not.

We do not, and shall not support the racist government in South Africa. But, we should not avoid supporting a legitimate call for help from black

freedom fighters seeking to overthrow their Communist oppressors in black Africa, simply because we decline to assist South Africa.

It is a fact today that black nationalist movements such as the ANC in South Africa and Swapo in Namibia are both dominated by ideologically committed Communist leaders. They are dependent on the Communist bloc for financing, weapons, and training. Swapo fighters are in Angola; and there is a very real threat because of Angola, that communism will spread throughout the region. In fact Angola is already an active base for such subversion.

I have three pictures showing Dos Santos with Gorbachev, with Gromylo, and with Castro.

We cannot afford to look the other way while disciplined Marxist-Leninists steal legitimate revolutions in Angola, in Namibia, and possibly South Africa. If the Communist forces are allowed to consolidate their power in these three countries, certainly the cause of freedom in Africa, and indeed the world, will be set back irreversibly. Freedom will only be advanced by an outright rejection of section 107 of this bill.

UNITA is our best hope for Angola, and our best opportunity to redirect the Communist trend threatening half the African continent. UNITA is an effective, disciplined military force. Its political and economic success in governing a large controlled area with pro-Western orientation is a matter of record. Clearly these factors argue in favor of U.S. aid to UNITA, and against continued appeasement, which is the real enemy of world peace.

I urge my colleagues to show their support for the struggle for democracy and human rights and stand against Communist tyranny by supporting the Stump amendment, casting out section 107 from this bill.

DOS SANTOS SPEAKS AT TBILISI DINNER
MAY 9

[Speech by Jose Eduardo dos Santos, chairman of the MPLA-Labor Party and president of the People's Republic of Angola, at an official dinner in Tbilisi on May 9—recorded.]

I should like, first of all, to express our gratitude for the official dinner given in our honor today. I should also like to thank you very much for the warm and fraternal reception accorded us since our arrival in this city of Tbilisi, the capital of the Soviet Socialist Republic of Georgia.

During our stay here, we were able to exchange expressions and views on various issues of bilateral interest connected with our cooperation as well as the friendship and solidarity between Angola and the U.S.S.R. We were also able to familiarize ourselves with our important achievements in economic, social, scientific, technical, and cultural fields.

We noted that your country has been developing through implementation of CPSU guidelines, thus improving workers' living conditions and consolidating a developed socialist society. It was, therefore, with great satisfaction that we learned from you that this republic has traditionally implemented

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the national development plans. We congratulate you on your achievements of the entire progressive community, achievements of all peoples fighting against imperialism and for peace, well-being, and development. By consolidating the Soviet economy, by developing this economy and subsequently strengthening its industry, you are also strengthening the firm rear guard of all peoples fighting for peace and liberty.

As you are aware, existing relations between the peoples of Angola and the U.S.S.R. are long established. They were established at the time when the Angolan people were still fighting Portuguese colonialism. After our independence, Angola and the U.S.S.R. further developed relations based on the treaty of friendship and cooperation signed between our two states.

It is with great pleasure that we note our implementation of cooperation in various fields of social life, thus contributing to economic and social reconstruction in Angola. It also gives us pleasure to note that workers and technicians of this Soviet Republic of Georgia have participated in this effort by serving in Angola in various fields. Accordingly, the main arm of our visit to the U.S.S.R. was precisely to assess this cooperation and find ways and means of further strengthening the friendship and solidarity between our two peoples, parties, and states.

This cooperation is important for Angola. It is important to all peoples who oppose oppression in Africa. It is a new kind of cooperation based on the principles of proletarian internationalism. You are aware of the existence of the system of apartheid in southern Africa where our country is situated. The racist South African regime has been systematically organizing acts of aggression and destabilization not only against the People's Republic of Angola but also against other states of the region. It is, therefore, our desire to continue to strengthen this cooperation in order to consolidate Angola economically and politically, thus enabling it to strengthen the independent role it plays in Africa, particularly in southern Africa. Angola plays an important role today because of its support for the national liberation movements.

The ongoing struggle in southern Africa is, in our view, a struggle of all exploited and oppressed peoples against imperialism. It is a vanguard of all progressive forces opposed to imperialist domination. That is why we think that responsibility must be collective. There is a need for all progressive forces to firmly and resolutely support Namibia so that this country may achieve, as soon as possible, its independence based on U.N. Security Council Resolution 435. We also think that it is our collective responsibility to mobilize all material, moral, political, and diplomatic support for the South African patriots who heroically fight racist domination and for democracy and liberty.

I should not fail to take this opportunity to express my gratitude for the solidarity once again reiterated by the comrade first secretary of the Central Committee, on behalf of the residents of Georgia in particular and the Soviet people in general with the heroic struggle waged by the Angolan people against external aggression. Since our arrival here in the U.S.S.R., we have felt this solidarity and great sympathy everywhere we have been, particularly here in Georgia. Here, we had the privilege and great honor to participate in celebrations marking the Victory Day over fascism. We saw how the residents of Georgia and the Soviet people in general once again extolled Soviet heroism, fighting traditions, and the patriotic spirit of self-denial, thanks to which you were able to defend the U.S.S.R. from attacks by fascists, defeating and expel-

ling them. During this celebration, marked today, we learned how to strengthen unity and transfer tradition from old to new generations for the continuation of struggle for an increasingly stronger and more powerful U.S.S.R. on the path to communism.

We would like to take this opportunity to wish you all success in implementing all guidelines and notes established by your party's 27th congress. There is no doubt that these objectives will be carried out inasmuch as we have faith in the ability of your workers and your people in general, their creativity, devotion, and commitment. Your party is strong, well-tested and forged in struggle, and there is no doubt that victory is certain.

In conclusion, I would like to ask the comrade first secretary to toast to strengthening the friendship, solidarity, and cooperation between the peoples of Angola and the U.S.S.R.

□ 1415

Mr. HAMILTON. Mr. Chairman, may I inquire of the Chair how much time we have remaining on each side?

The CHAIRMAN. The gentleman from Indiana [Mr. HAMILTON] has 35 minutes remaining and the gentleman from Arizona [Mr. STUMP] has 37 minutes remaining.

Mr. STUMP. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. McEWEN].

Mr. McEWEN. Mr. Chairman. We are debating today whether to reimpose the Tunney-Clark amendment we repealed only a year ago.

Members may find it interesting to review the original congressional debate on the Tunney amendment, the forerunner to the Clark amendment. As you recall, the 1-year 1975 Tunney prohibition on U.S. aid was extended indefinitely under the 1976 Clark amendment. Interestingly, most arguments used 11 years ago by sponsors of the aid ban have been proved wrong by history. This perhaps is why advocates of section 107 pretend we are merely dealing with a procedural issue of whether to debate aid publicly rather than the substantive merits of aid to UNITA.

In 1975 it was argued that the Marxist-Leninist MPLA was a nationalist movement which merely accepted Soviet aid for tactical reasons. It was alleged that there were no substantial ideological differences between the major Angolan factions, that the struggle derived from tribal rather than ideological rivalries, and that in any case the racist Soviets could never achieve lasting influence in a black African country. All of this may have sounded good in 1975, but it has been proven wrong in 1986. The MPLA's hard-line Marxism-Leninism has ruined the Angolan economy, has terminated any semblance of political freedom, and has placed Angola among the staunchest puppets of Soviet policy.

In 1975 some of those spearheading the Tunney amendment drive acknowledged Soviet intent to take over African countries, conceded this was a serious problem and agreed that the United States should not acquiesce si-

lently. But they believed that the United States could successfully block Soviet expansionism in Angola and elsewhere by taking the moral high ground rather than responding in kind. They could fight pellets with prayers. We could enforce nonintervention by shaming the Communists at the United Nations. Indeed Senator Humphrey stood on the floor of the other body and claimed that we should have our Ambassador to the United Nations go in on the floor of the United Nations and shout, "Out, out," to the Soviet Union, and that we should pursue linkage in our East and West relations. Well, history again proved wrong those who opposed aid to the Angolan resistance. The Soviet bloc has vastly escalated rather than reduced its presence and aid, and Cuba has thousands of troops in Angola today.

In 1975, those who wanted to cut off aid to the Angolan resistance argued that continued United States aid would escalate the conflict and the Soviet and Cuban presence. They told us that denuclearization, even total Soviet-bloc disengagement from Angola, probably would occur if the United States withdrew its aid. They were wrong again. The United States totally withdrew all aid to the Angolan resistance but the amount and sophistication of Soviet-bloc military and other aid steadily and massively increased. By 1986 the Cuban troop presence had escalated to 40,000 combat troops and Soviet arms deliveries now include surface-to-air missiles, Mig fighters, and sophisticated helicopters.

Allow me to quote from the debate again in 1975, in which they said, "Now they have some 200 Russian advisers over there. They have Russian rockets and, by the way, the forces do not know how to use them. They scare each other to death," according to the testimony that we had. This was in 1975. "They have 3,000 or 4,000 Cubans over there that really want to go home," according to the testimony that we have, "and they have serious morale problems."

In other words, all we have to do is just get the evil United States out of the way and then indeed all the Cubans and the Russians can go back to doing whatever it was that they did.

Of course, we followed their lead, we implemented their amendment, we withdrew American aid, and the Soviets moved in massively. They have been proven wrong again.

Those who cut off aid in 1975 denied what they characterized as the immorality of U.S. assistance. They argued that further war-inflicted death and suffering by Angolans was intolerable and that the conflict and its effects would cease once the United States withdrew. Indeed, this issue was raised in the preamble to most bills and resolutions on the subject. Their cutoff of U.S. aid, in fact, brought about just what they said they wanted

to avoid the war steadily intensified after the U.S. aid cutoff. United States noninvolvement and diplomatic policies have prolonged rather than shortened the conflict, by allowing the Marxist-Leninist regime in Angola a decade in which to solidify its power base.

Those who supported the aid cutoff in 1975 argued that in supporting opposition to the MPLA the United States would be supporting a lost cause. They believed there was no hope that the beaten and fragmented opposition would ever mount a viable military or political movement. Well, the heroic efforts of UNITA have proved them wrong. UNITA recovered from near-elimination to mount an extremely effective resistance movement. UNITA occupies over one-third of Angolan territory and performs both defense and civil administration functions.

Mr. Chairman, the House was wrong a decade ago, and history shows it. Let us not repeat the mistakes of the past. The United States should support the freedom fighters of the Angolan resistance. Vote to strike section 107 from the intelligence bill.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WALDON].

(Mr. WALDON asked and was given permission to revise and extend his remarks.)

Mr. WALDON. Mr. Chairman, I rise in strong opposition to the move to strike section 107 of the intelligence authorization bill. This important section deletes funding for the UNITA forces which are closely allied with South Africa's racist regime. South Africa provides arms, training, fuel, transport, and military support for UNITA and they are working closely together to destabilize Angola and to maintain South Africa's military occupation of Namibia.

The South African Government supports UNITA because Angolans are aiding the fight against the apartheid system. Apartheid is morally corrupt, politically unacceptable, and doomed to failure. As a nation we oppose apartheid and we should support southern African nations who are working to dismantle this system of institutionalized prejudice and segregation. The South Africans also support UNITA because they want to gain access to Angolan oil, which South Africa desperately needs for their industry and as a protection against an antiapartheid petroleum embargo.

I do not believe that America has the right to use our intelligence agencies to destabilize and overthrow the Angolan Government. If we are unable to support the fundamental principle of political pluralism at the international level we open ourselves to the criticism of self-righteous bigotry. I urge my colleagues to join me in prohibiting aid to the Angolan rebels by opposing the Stump amendment.

Mr. STUMP. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. BROOMFIELD].

(Mr. BROOMFIELD asked and was given permission to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Chairman, LEE HAMILTON, our respected colleague and chairman of the House Intelligence Committee, has attached to the intelligence authorization bill a provision which would reinstate the Clark amendment banning United States assistance to freedom fighters in Angola.

As one who joined Mr. HAMILTON and a substantial majority of our colleagues in dumping the Clark amendment barely a year ago, I find this reversal confusing and unfortunate.

The Hamilton provision, despite its sponsor's protestations to the contrary, is indeed the Clark amendment resurrected and newly clothed. Its author contends that the provision is designed to foster open debate on an important foreign policy issue. In essence, it requires that the Congress enact a joint resolution of approval before the executive branch may provide any assistance to any group engaged in military or paramilitary operations in Angola.

Going a step beyond the Clark amendment, the Hamilton measure explicitly invites Congress in its joint resolution to list what kind of assistance is permissible. This approach makes about as much sense as Congress telling a neurosurgeon which instruments to use during brain surgery.

In this, and its many other dubious features, the sequel to the Clark amendment attempts to lobotomize executive branch flexibility in dealing with the situation in Angola.

There are very good reasons for opposing the new Hamilton language. Covert action may be the talk of the town, but a specified alleged operation should not be the subject of open debate on the House floor. This serves to alarm and appall our allies with whom we exchange useful intelligence information on a variety of subjects. It results in the embarrassment of our friends who may also be allegedly involved in an ongoing operation.

Covert action is an essential arrow in the foreign policy quiver of any administration and has been used by both Democrats, Republicans, and their predecessors, throughout the history of the Republic.

To so cavalierly terminate an allegedly ongoing program in this manner—which is clearly the intent of the Hamilton initiative—places the President in an embarrassing position and raises serious questions about the reliability of any commitment by the United States.

Congressional participation in sensitive matters of this nature should be confined to the intelligence committees who have been given that responsibility.

Mr. HAMILTON argues that substantive questions about United States

policy toward Angola should not be avoided by simply notifying those Members of Congress on the intelligence committees. But, this is precisely the role of the intelligence committees and it has nothing to do with avoiding substantive questions.

In keeping with their statutory obligations, the intelligence committees oversee covert operations and develop legislation each year to authorize funds for such programs. In other instances, one can presume, the committee passes judgment on covert actions. However, in this case, Chairman HAMILTON insists that it is not appropriate for his committee to do so.

This transparent maneuver is intended to revive the Clark amendment, and, in so doing, give new life to a discredited and discarded tradition of selective congressional suspension of legitimate Presidential authority. It is an attempt to abdicate the responsibilities assigned to the intelligence committees and it would set a terrible precedent, in procedural terms.

Furthermore, in response to the erroneous argument that support for UNITA would in some way place the United States in an alliance with the South African Government, I would like to submit for the Record an op-ed I authorized that was recently published in the Washington Post.

Congress has an important role to play in the formulation and oversight of U.S. foreign policy and it is well equipped to carry out this task.

I urge my colleagues to support the Stump/Pepper amendment. To do so does not diminish our roles in this process, it simply maintains an appropriate balance of authority between the President and the Congress.

The article follows:

[From the Washington Post, Aug. 23, 1986]

THE FOUNDING FATHERS WOULD NOT HAVE REFUSED AID FROM LOUIS XVI

(By William S. Broomfield)

The most recent gust of hot air to blow through this town was displayed Aug. 15 on the op-ed page in "Mixed Signals to Pretoria" by Anthony Lake and Richard Moose, both former Carter administration officials. Lake and Moose argue that aid to the "South African-backed guerrilla forces of UNITA in Angola would constitute "sending mixed signals to both blacks and whites" in South Africa, a move that would "only reduce American credibility, weaken our efforts against apartheid and lose influence to the benefit of the Soviets."

These curious comments are the latest in a growing chorus of howls by those who are cynically trying to exploit popular and justified American opposition to apartheid in South Africa to reimpose the Clark Amendment prohibition on U.S. aid to freedom fighters in Angola. Last year, Congress repealed the decade-old prohibition, which tied the hands of three presidents and contributed to the fact that there are currently 35,000 Cuban combat troops in Angola, accompanied by thousands of Soviet and Eastern bloc advisers.

Now, in support of new efforts to limit presidential authority, much is being made of the fact that UNITA receives aid from South Africa. According to the argument,

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U.S. support for UNITA would somehow associate our country with the racist government of South Africa. By implication, UNITA is also criticized for accepting aid from South Africa. Consistent with this logic, the United States should not have fought Hitler in World War II because it placed our country on the same side as Joseph Stalin and the Soviet Union. Furthermore, during the U.S. war for independence, Clark Amendment proponents would have had our Founding Fathers refuse aid from Louis XVI because of the monarchical nature of the French government. Anyone who believes that Thomas Jefferson admired royalty or that UNITA leader Jonas Savimbi supports apartheid is in serious need of a cerebral tune-up.

The fact is, any support we might provide UNITA would have the effect of reducing the freedom fighters' reliance on South Africa for assistance. That should not be our only goal, but a reduction of South African influence in the region would be desirable. Furthermore, it is important to note that according to a recent Post series, UNITA reportedly receives assistance from a number of other African, European and Middle Eastern countries.

UNITA is a legitimate and popular movement in Angola that was prevented by Cuban combat troops from taking its rightful place with rival groups in the Angolan government in 1975. Since that time, there has not been a free election in Angola and tens of thousands of Cuban, Soviet and Eastern bloc military personnel continue to shield an unpopular regime from the Angolan people. It remains U.S. policy to encourage negotiations among all factions in Angola. U.S. support of UNITA could have the effect of forcing the Angolan regime to come to terms with its opponents.

To remove one important policy tool from the president's grasp does nothing to hasten an end to the conflict in Angola. Conversely, to leave unfettered the president's authority to carry out American foreign policy does not entangle us with the apartheid regime.

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Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WEISS].

(Mr. WEISS asked and was given permission to revise and extend his remarks.)

Mr. WEISS. I thank the gentleman for yielding me this time.

Mr. Chairman, this administration has already decided that aid to UNITA should be overt, that is, open and public. The question today is whether we in Congress will abdicate our responsibility to review that decision through the regular congressional authorization and appropriation process.

I urge that we not abdicate that responsibility because our Angola policy is inseparable from our South Africa policy. Every dollar spent helping UNITA is a dollar that helps finance South Africa's foreign policy. It is not morally acceptable to subsidize apartheid, nor is it in our interest to do so. But that is exactly what the administration is doing with this aid program for UNITA.

South Africa has consistently attacked its neighbors to preserve apartheid. It has attacked Botswana, Lesotho, Mozambique, Swaziland, Zambia, Zimbabwe, and Angola. It has not

been particular as to what kind of groups it supported in those attacks. In Lesotho, it supported a Marxist insurgency group. These attacks have caused \$10 billion in economic damage in the last 5 years. They have led to starvation and dependency on the front line states. These attacks have also preserved the apartheid regime's illegal occupation of Namibia.

Do we really want to support this pattern of aggression without full congressional review? Do we really want a military alliance with the apartheid regime without congressional review? Is it really in our interest to earn the hatred of the majorities in all of southern Africa?

It is totally inconsistent to vote for sanctions against South Africa one day and then leave the administration free to join military forces with South Africa on the next. Our Angola policy must be considered together with our South African policy.

I urge my colleagues to vote to defeat the Stump amendment today.

Mr. Speaker, I include at this point in the RECORD a study on this issue undertaken by the Arms Control and Foreign Policy Caucus of the House of Representatives: OZ84846 smith fj 9/17/86 J.71-060 F.260a A17SE7.117

SOUTH AFRICA'S WARS: THE MILITARY AND ECONOMIC CAMPAIGN BY SOUTH AFRICA TO PRESERVE APARTHEID

Congress is likely to vote again this year on two issues related to South Africa: economic sanctions (perhaps on a veto override) and aid to South Africa-backed rebels in Angola. This Report frames this latter issue of aid to the Angolan rebels not in the ideological context in which it has so far been debated (e.g. do we support or oppose the communist government of Angola?), but rather in a regional context—the way it is seen throughout Southern Africa and perhaps even throughout all of Africa. The Report thus raises the fundamental question of whether U.S. aid to Savimbi will be viewed in the region as a bona fide American attempt to help freedom-fighters, or as an inadvertent act that helps South Africa preserve apartheid.

The Report documents South Africa's ongoing military and economic campaign against all seven of its neighboring states—a campaign to preserve apartheid. This 15-year campaign, which has not been covered widely in the western press, has caused some \$10 billion in economic damage to the majority-rule states in the past five years, and still includes assassination attempts, economic sabotage, aid to rebels, military strikes on capital cities and military occupation.

SUMMARY

In an effort to protect its system of white-minority rule known as apartheid, South Africa has engaged in a 15-year campaign of military and economic attacks against its neighbors. As this Report and its accompanying map indicate, since 1982 South Africa has attacked with its military forces all seven countries bordering South African-controlled territory; has subjected five to severe economic blackmail; has conducted or sponsored economic sabotage raids against four; and has been the primary funder and supplier of rebel groups in three.

South Africa justifies these actions as necessary to stop its neighbors from providing support and sanctuary to groups fighting

for majority rule in southern Africa—the ANC in South Africa and SWAPO in South African-occupied Namibia. However, as well as attacking ANC and SWAPO offices, South Africa also attacks its neighbors' economies, hoping generally to weaken the majority rule countries and keep them dependent on South Africa.

In addition, some South African attacks are military and economic attempts to disrupt even non-violent political pressure for majority rule. For example, South African aircraft bombed Zambia this May in part as retaliation for Zambia hosting a meeting of South African business leaders with the ANC and in part to disrupt a Commonwealth diplomatic mission that was trying to set up talks between the ANC and South Africa. Also, just last month, South African customs agents started singling out for harassment and delay all exports from Zambia and Zimbabwe, after those two countries publicly called for economic sanctions on South Africa.

Whatever its motivation for particular actions, there is consensus among regional analysts that South Africa's wars on its neighbors are part of its strategy to weaken all possible pressures against apartheid and block diplomatic progress toward majority rule in South Africa and Namibia. As Secretary of State Shultz said of South African military attacks on three countries in May, 1986, South Africa's campaign is "fundamentally seated in apartheid."

The imminent debate in Congress over aid to rebels in Angola is cast primarily in the context of anti-Communism, due to Soviet and Cuban backing of the Angolan government and recent anti-Communist statements by rebel leader Jonas Savimbi. This Report attempts to balance this focus by placing the aid debate in a regional context, as it is seen by all of South Africa's neighbors and most of Africa: by aiding Savimbi's rebels (who have received as much as \$1 billion in aid as well as direct military support from South Africa), does the United States inadvertently encourage and assist South Africa in its campaign to preserve apartheid?

While South Africa's military and economic campaigns against its neighbors are not widely covered in the western press, they are constant, on-going and quite effective. This Report documents these campaigns, revealing that South Africa's attacks on its seven neighbors, from democratic Botswana to Marxist Angola, have shared the common purpose of preserving apartheid:

In Angola, South Africa has attempted to seize the capital to place Savimbi in power, carried out over 25 major air and ground attacks, sustained UNITA with aid valued at \$200 million a year for the last five years¹ and used its troops to protect UNITA and fight with it against the Angolan Army;

In Botswana, South Africa has carried out helicopter-borne commando raids, damaged transport links to neighboring countries to force Botswana to trade through South Africa, and assassinated political exiles, ap-

¹ This estimate was provided by Prof. Gerald Bender of USC. In a telephone interview with Caucus staff, August 8, 1986. Caucus staff was unable to determine any U.S. Government estimate of South African aid to UNITA, since the State Department, CIA, House Foreign Affairs and Senate Foreign Relations declined to provide a figure or comment on Prof. Bender's estimate. Prof. Bender is recognized as (in the words of a leading Africanist who favors aid to UNITA, Georgetown University's Richard Bissell) "one of the finest historians on Angolan affairs." Prof. Bender is a frequent witness before Congressional committees.

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parently resorting in one case to the use of a car bomb.

In Lesotho, South Africa has carried out Commando raids, funded Marxist rebels engaged in economic sabotage, planned an unsuccessful assassination attempt on the Prime Minister, and carried out an economic siege by closing Lesotho's borders, leading to a military coup.

In Mozambique, South Africa has carried out aerial bombardment and commando raids on the capital, assassinated political exiles (apparently resorting in one case to the use of a letter-bomb), and funded rebels engaged in economic sabotage and attacks on international famine relief efforts.

In Swaziland, South Africa has used economic coercion, military attack and apparently bribery to gain the cooperation of the government in identifying and expelling anti-apartheid activists.

In Zambia, South Africa has carried out aerial bombardment of the capital and commando raids on refugee camps suspected of serving as SWAPO and ANC bases, damaged transport links in neighboring countries to force Zambia to trade through South Africa, and may have funded an unsuccessful coup; and

In Zimbabwe, South Africa has carried out commando raids, conducted economic sabotage raids inside the country, damaged transport links in neighboring countries to force Zimbabwe to trade through South Africa, and may have funded a rebel group.

From a tactical standpoint, South Africa's use of its overwhelming military and economic superiority against its neighbors has been largely successful: the attacks have caused \$10 billion in economic damage in the majority-rule states over the last five years (far more than all their foreign aid during the same period),² leading to starvation and dislocation, and have left the majority-rule states weak, economically dependent on South Africa and largely unwilling to provide refuge or support to groups attacking apartheid, or to take part in diplomatic initiatives for majority rule. Only Zambia openly harbors the anti-apartheid groups, while the other countries have expelled their members or restricted their activities.

The details of South Africa's campaign to preserve apartheid by weakening its neighbors and their support for anti-apartheid groups and even non-violent diplomatic initiatives are provided below, country by country.

ANGOLA

Angola has been subjected to severe and nearly continuous South African military attack and South African-backed economic sabotage for nearly 15 years. South Africa's campaign against Angola, an ethnically-divided country of 8 million on Namibia's northern border that is twice the size of Texas, has included full-scale invasions, countless raids on refugee camps allegedly serving as SWAPO bases, ongoing occupation of southern Angola and primary support as well as battlefield help for Angolan rebels.

South Africa attacks on Angola date back to the early 1970s, when South Africa helped Portugal oppose the Angolan war of independence. When colonial rule ended in 1975, South Africa sent an armored brigade with air over 700 miles through Angola toward the capital city to install Jonas Savimbi's UNITA group in power. South Africa believed, as it does now, that Savimbi

would cooperate with South Africa, and in particular would expel SWAPO from Angola.

UNITA, composed primarily of the Ovimbundu tribe, was one of three rebel armies that had fought the Portuguese and were contesting each other for control of the country. Zambia and China, who (with the United States) had been supporting UNITA against the Soviet-backed MPLA, cut off their support when South Africa invaded Angola in 1975 and began aiding UNITA. Cuban troops airlifted to Angola by the Soviet Union barred South Africa's final approach to the capital, and despite public pleas from Savimbi, the South African column retreated, forcing UNITA to return to its tribal stronghold in southeastern Angola.

Since 1975 South Africa has conducted nearly non-stop aggression against Angola, including direct military attacks, paramilitary operations and support for UNITA's economic sabotage. Currently, South Africa provides UNITA with (according to one respected U.S. scholar, USC's Gerald Bender) some \$200 million per year in aid, bombs towns up to 200 miles inside Angola and has some 3,000 troops occupying parts of southern Angola and protecting UNITA forces, reinforced by up to 20,000 troops that operate on both sides of the Namibian-Angolan border.

As a result of South Africa's campaign, Angola has moved Namibian refugee camps farther away from the border and appears to have restricted SWAPO activity. Specific components of South Africa's campaign against Angola since 1975 include:

More than 25 major attacks and countless cross-border raids by South African troops on Namibian refugee camps allegedly serving as SWAPO bases, resulting in thousands of Namibian and Angolan deaths. In one attack in 1978 on a U.N. High Commission on Refugees camp, South Africa killed 600 refugees, and both the UNHCR and the World Health Organization found evidence of the use of "paralyzing" gas;

Aerial bombardment of bridges, roads and anti-aircraft installations throughout southern Angola, most recently in 1985 to protect UNITA from a government advance;

Military assistance to UNITA valued at a billion dollars over the past five years, according to USC Professor Gerald Bender. This South African aid includes nearly all UNITA's weapons and other military equipment, training, transport of troops during battle, logistical aid such as petroleum and vehicles and the purchase of goods produced in UNITA-controlled territory;

Occupation of a substantial area of southern Angola, including towns and an Angolan power facility, from 1978 to the present;

An attempt in 1985 to sabotage oil installations in northern Angola owned jointly by American corporations and the Angolan Government. Several South African commandos carrying explosive devices were captured near the installations; and

The sinking by South African commandos in June, 1986, of a UNICEF ship carrying U.S. food aid to Angolan refugee camps.

BOTSWANA

As the majority rule country closest to Pretoria, Botswana, a democracy of 1 million roughly the size of Texas, has become an important refuge for South Africans fleeing their country, including ANC members or sympathizers. Although Botswana does not permit ANC training camps or transit to rebels carrying out operations, or even ANC political offices, South Africa has attacked Botswana, and openly threatened it with severe reprisals if it changes its policy and assists the ANC.

South Africa's campaign against Botswana appears to be focused on killing ANC leaders, although it also forces Botswana to remain economically dependent on South Africa:

In February, 1985, a bomb was planted and exploded at a housing complex for South African political exiles, and in May, an exiled leader of a black trade union was killed with a car bomb. While South Africa denied responsibility, the ANC claimed that the bombings, unprecedented in Botswana's non-violent political history, were conducted by South African agents;

In June, 1986, helicopter-borne South African commandos raided suspected ANC residences in the capital city, seeking out and killing 13 South African exiles (the U.S. recalled its ambassador to South Africa in protest);

In May, 1986, helicopter-borne South African commandos stormed a police station and housing complex near the capital, Botswana reported that those killed or injured were its citizens, and not ANC members, but South Africa called the mission "successful"; and

South African-backed rebel groups destroyed rail lines through Angola and Mozambique that could serve as alternate routes for overseas trade for Botswana's beef and minerals exports, keeping Botswana dependent on South Africa.

LESOTHO

South Africa's four-year campaign against Lesotho, a kingdom of 1 million the size of Maryland that is completely surrounded by South Africa, has been its most effective. The campaign, started in 1982 with commando raids with the backing of a Marxist rebel group, whose sabotage raids South Africa offered to call off if Lesotho recognized the independence of the "tribal homelands" to which South African blacks have been assigned by the government. The campaign ended this year after an economic blockade resulted in the overthrow of the government and the installation of a compliant regime.

In return for South Africa's lifting of the blockade, the South African-backed military officers who seized power in the coup expelled all the South African anti-apartheid activists who had taken refuge in Lesotho. South Africa's ultimately successful campaign included these components:

In December, 1982, South African commandos killed 44 people in raids on private homes in the capital in search of ANC members;

In late January and February, 1983, while Lesotho was hosting a front-line states conference on reducing economic dependence on South Africa, a Marxist-led rebel group (the LLA) that South Africa financed, harbored and provided with explosives entered Lesotho and destroyed economic targets, including the capital's water storage facility and a major fuel depot;

In the spring of 1983, South Africa created economic chaos in Lesotho for three months by occluding cross-border traffic until Lesotho expelled 23 South African exiles who had been identified by South Africa as ANC members;

In August, 1983, the South African-backed LLA unsuccessfully attempted to assassinate the Prime Minister. In the year preceding this attempt, the LLA had crossed into Lesotho from South Africa and assassinated government officials three times;

In December, 1985, following a formal South African complaint to Lesotho about the activities of South African refugees, the South African-backed LLA raided the cap-

² This is an estimate of the Southern African Development Coordination Committee, the economic association of the "frontline" states. It is presented in their January, 1986, report.

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ital and gunned down nine members of the ANC.

At the start of January, 1986, South Africa imposed a military blockade on Lesotho, which must conduct all its foreign trade through South Africa; and

On January 20, 1985, with food, gasoline and medicines running out because of the blockade, Lesotho's government was overthrown by a South African-backed military coup. The new leaders moved quickly to expel all South African exiles that South Africa identified as ANC members, and South Africa lifted the blockade.

MOZAMBIQUE

South Africa's three-pronged campaign against Mozambique—military attacks, severe economic sabotage and the funding of a rebel group—has devastated Mozambique's economy and disrupted international famine relief operations there. Mozambique, a nation of 13 million the size of California that is on South Africa's north-eastern border, has never provided bases to the ANC, but it does host ANC political offices that South Africa has accused on aiding attacks inside South Africa.

South Africa helped Portugal in the early 1970s in its war with independence forces in Mozambique, and when Portugal withdrew in 1974, South Africa supported an abortive "settlers' revolt" against majority rule. When Mozambique supported Rhodesian rebels in the late 1970s, the white-minority government in Rhodesia created a rebel movement (MNR) in Mozambique and supplied it with training and equipment for economic sabotage.

South Africa took over sponsorship of the MNR when Rhodesia became the majority-rule state of Zimbabwe in 1980, providing weapons, explosives and sanctuary, and the MNR has continued to attack Mozambique's economic infrastructure and international relief operations. In particular, South Africa has helped the MNR damage transport links between Mozambique and its landlocked neighbors Zimbabwe and Zambia, increasing those countries' dependence on South Africa as a conduit for their international trade.

South Africa's campaign against Mozambique included these components:

In January, 1981, helicopter-borne South African commandos raided the capital city, and used rockets and mortars to destroy residences of South African exiles. South Africa claimed at least 6 ANC members killed, while Mozambique reported 13 people killed;

In August, 1982, a letter-bomb addressed to Ruth First, an exiled South African writer and one of the most prominent white members of the ANC, killed her and wounded three by-standers. While South Africa denied responsibility, Mozambique protested the incident to South Africa, claiming that the letter-bomb was sent by South African agents;

In May, 1983, South African aircraft bombed houses and a factory in the capital. Mozambique reported 19 killed and 200 injured, while South Africa claimed 40 ANC members killed;

In 1983, the South African-backed MNR sabotaged international relief efforts to Mozambican victims of the worst drought of the century;

In 1984, under the Nkomati Accord, Mozambique ousted ANC members in exchange for South Africa's pledge to stop funding the MNR. However, South African-backed attacks on economic infrastructure linking Mozambique to Zimbabwe resumed immediately, and the next year South Africa publicly admitted that it had decided to violate the Accord and continue supporting the

MNR. (Eventually, Zimbabwe sent troops into Mozambique at Mozambique's request to protect its transport links.)

In January, 1985, South African-backed MNR guerrillas sabotaged power lines and the railroad bridge linking Mozambique to South Africa; and

In 1985 and 1986, the MNR attacked international relief vehicles and supplies for the famine in Mozambique, forcing a reduction in deliveries to famine areas.

SWAZILAND

South Africa's military attacks and economic coercion have forced Swaziland, a tiny ethnic kingdom on half a million nearly surrounded by and totally dependent on South Africa, to expel ANC political operatives and other South African refugees. South Africa's campaign to cut off Swazi refuge and support for the ANC started in 1982 after the death of the Swazi king (who had been supportive of the ANC) and consisted of economic coercion and, recently, direct military attacks. According to regional expert William Minter, Washington editor of the Africa News Service, the Swazi Government now cooperates with South Africa in identifying and expelling ANC members, and South African intelligence agents operate in Swaziland with the knowledge of the Swazi Government.

The successful campaign started with the signing in 1982 of a secret agreement to give landlocked Swaziland one of South Africa's "tribal homelands," including a seaport, in return for the expulsion of ANC from Swaziland. Although as part of the agreement Swaziland deported 100 ANC members, some of whom had lived in Swaziland for 20 years, South African courts later voided the transfer of the territory and its seaport.

South Africa established close relations with members of the royal inner circle over the next few years, and in 1983, the Swazi Finance Minister publicly charged that South Africa had bribed some of the royal family and other Swazi officials in return for their cooperation. This minister was jailed for two years after South African President Botha sent a telegram to the Swazi Government defending those he had accused. By 1984, according to Minter, South Africa was given free rein inside Swaziland when it received permission to open a trade mission there staffed by military and intelligence personnel who gather information on opponents of apartheid.

Using its intelligence network, South Africa identifies South African exiles it suspects of ANC membership or other anti-apartheid activities, and asks the Swazi Government to expel them. To reinforce its demands, South Africa had its troops occupy Swazi villages twice in December, 1985.

ZAMBIA

Zambia, a nation of 5 million the size of Texas that borders Namibia, openly harbors members of SWAPO and the ANC, and President Kaunda has been an outspoken opponent of South Africa's racial policy and a leader in diplomatic initiatives on both Namibia and South Africa. In retaliation for Zambia's role, South Africa has attacked it with air raids and commando attacks, economic pressure, and possibly support for a coup attempt.

However, Zambia, because it is less economically dependent on South Africa than are other front-line states (for example, because of alternate routes, it conducts one-third of its trade through South Africa, compared to Zimbabwe's two-thirds), has not succumbed to South African attacks and moderated its role in the anti-apartheid movement.

South Africa's campaign against Zambia has included the following components:

In August 1978, South Africa raised refugee camps in Zambia it suspected of being SWAPO bases, killing 12 people;

Throughout the late 1970s and continuing until today, South African-backed rebels in Angola and Mozambique have destroyed rail and power links between Zambia and the seaports in both countries, forcing it to conduct more of its overseas trade through South Africa;

In October 1980, Zambia claimed that South Africa had recruited and trained more than 100 Zambian dissidents in a plot to overthrow the government, a charge South Africa denied;

From 1980 to 1985, South African aircraft repeatedly bombed refugee camps in Zambian territory, stating that the attacks were in response to SWAPO attacks in Namibia;

In May 1986, in retaliation for Zambia's hosting the historic first meeting between ANC leaders and South African business leaders and to disrupt a Commonwealth diplomatic mission exploring talks between the ANC and South Africa, the South African air force bombed a United Nations refugee camp near the capital city, killing two people; and

In August 1986, in retaliation for Zambia's public call for economic sanctions against apartheid, South Africa disrupted Zambian economic activity by slowing border inspections for Zambian goods.

ZIMBABWE

South Africa's campaign against Zimbabwe has relied primarily on economic pressure, because of the dependence of landlocked Zimbabwe, a nation of 8 million on South Africa's northern border, on South Africa as its link to international trade. However, South Africa has reinforced this pressure with military attacks, economic sabotage raids and, according to a number of regional experts, funding for a rebel group.

South Africa's involvement in Zimbabwe dates back to its military and economic support for Rhodesia's white-minority government in the war of independence in the 1970s. Since independence in 1980, Prime Minister Mugabe has been recognized as a key spokesperson for the anti-apartheid movement. While he has provided refuge to ANC members and other South African exiles, he has been unwilling to provide bases or assist ANC operations. South Africa, however, claims that the ANC has crossed the border from Zimbabwe to plant road mines.

The South African campaign against Zimbabwe has included the following components:

In 1981, in retaliation for what it called Zimbabwe's "hostile" diplomatic activity (e.g. harsh speeches against South Africa and the down-grading of diplomatic relations as a protest against apartheid) South Africa withdrew the engines that Zimbabwe had relied on to run its rail system;

In 1982, South African agents sabotaged Zimbabwe's oil reserve facilities;

In December, 1982, and January, 1983, South African-backed MNR rebels in Mozambique destroyed fuel pipelines connecting Mozambique to Zimbabwe, forcing Zimbabwe to purchase fuel from South Africa. The MNR has continually attacked Zimbabwe's transport lines through Mozambique, forcing Zimbabwe to conduct overseas trade through South Africa. At Mozambique's request, Zimbabwe has sent troops into Mozambique to protect its transport links against the MNR;

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In May, 1986, helicopter-borne South African commandos destroyed an ANC public relations office and an ANC residence in the capital; and

In August, 1986, in retaliation for Zimbabwe's public call for economic sanctions against apartheid, South Africa disrupted Zimbabwean economic activity by slowing border inspections for Zimbabwean goods.

CONCLUSION

South Africa's campaign to preserve apartheid by weakening and intimidating its neighbors is far from over. After the military attacks on Botswana, Zambia and Zimbabwe in May, South African President Botha stated: "We have only delivered the first installment." Since then, significant military and economic attacks have taken place, and it appears that as international pressure builds against apartheid, the South African campaign may escalate.

This Report shows how South Africa relies on a regional policy to preserve apartheid. Similarly, the United States needs a regional policy to assist the transition to majority rule in South Africa and Namibia. Future U.S. policy toward South Africa, Angola and the rest of the front-line states can not be decided without taking account of the regional reality of South Africa's wars on its neighbors.

(This report was prepared by the staff of the Arms Control and Foreign Policy Caucus. It does not seek to reflect the views of the members of the Caucus.)

GLOSSARY

ANC—African National Congress: major resistance group fighting for majority rule in South Africa. The ANC was founded in 1912 and is headquartered in Zambia. Its president is Oliver Tambo, and jailed leader Nelson Mandela is its honorary secretary.

LLA—Lesotho Liberation Army: South African-backed, Marxist-led rebel group fighting for the overthrow of the Lesotho Government.

MNR—Mozambique National Resistance Movement (also known as Renamo): rebel group fighting for the overthrow of the Mozambican Government, created by the Ian Smith regime in Rhodesia and currently supported by South Africa.

Namibia—formerly South West Africa, occupied by South Africa since 1966 in defiance of international law.

SWAPO—South West Africa People's Organization: principal armed group fighting for the independence of Namibia from South Africa. SWAPO was founded in 1960, and is based mainly in Angola. Its president is Sam Nujoma.

UNITA—National Union for the Total Independence of Angola: rebel group fighting for control of Angola. UNITA was founded in 1966, and Jones Savimbi is its president. For the past 11 years, South Africa has been UNITA's largest supplier. In 1986, a U.S. assistance program for UNITA was started by the CIA.

Mr. STUMP. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. McCurdy].

(Mr. McCurdy asked and was given permission to revise and extend his remarks.)

Mr. McCurdy. I thank the gentleman for yielding me this time.

Mr. Chairman, I wish that the amendment offered by the gentleman from Florida [Mr. Pepper] and the gentleman from Arizona [Mr. Stump] had been worded differently so as to make this a clear-cut debate on the way toward Angola.

As a matter of course, I do not believe that the Congress should deny any President the flexibility to confront Soviet and Cuban adventurism through covert aid to its opponents, so long as such aid is necessary to achieve an overall policy that is consistent with U.S. goals, and is not simply an end in itself.

In the case of Nicaragua, it seemed to me that the Reagan administration forfeited its right to such flexibility by misleading Congress and the American people as to its goals, and by conducting a sustained public campaign to gain support for covert aid. It has come very close to making the same mistake with respect to Angola. The President cannot have it both ways: He cannot claim that covert aid to UNITA is vital to protect American interests and encourage the support of our allies, and at the same time announce to the world that we must help the freedom fighters in Angola, as he did in his State of the Union message in February. If the aid need not be covert, it should not be.

Last summer I voted to repeal the Clark amendment. This was not a vote to provide funds for antigovernment forces; it merely gave the President the option to undertake such assistance. The vote today is somewhat different. It is pretty clear, based on the administration's public statements, that if the prohibition in the committee bill is not enacted, funds will be made available to those forces.

Unfortunately, the time remaining before adjournment is short, and our experience with trying to legislate policy toward Central America is not encouraging. Therefore, although I would prefer a debate on the merits of the issue, I will support the amendment offered by my friends from Florida and Arizona. At the same time, Mr. Chairman, I would put the administration on notice that—as a member of the committee—I will be watching developments very carefully, and do not intend by this vote to signal a carte blanche approval for any actions that may be undertaken.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. Solarz].

Mr. SOLARZ. I thank the gentleman for yielding me this time.

Mr. Chairman, the adoption of this amendment would permit the continuation of a covert assistance program for the antigovernment forces in Angola. I think it is, therefore, incumbent upon us to ask exactly what American interests would be advanced by the continuation of this effort to provide military assistance to the UNITA forces in Angola.

Is the purpose of the program to bring about the overthrow of the MPLA regime in Luanda? There is not a single, credible military analyst who believes that with or without American support Jonas Savimbi can possibly succeed in that endeavor.

Is the purpose to facilitate a withdrawal of the Cuban forces in Angola

whom we would all like to see leave that country? The truth is that the Government of Angola has already offered to withdraw virtually all of the Cuban forces in their country in the context of a simultaneous withdrawal of all South African forces from both Angola and Namibia. The only reason that has not happened is not because of the intransigence of Luanda, but because of the intransigence of Pretoria.

Is the purpose to facilitate a negotiation between the MPLA government in Luanda and the UNITA forces led by Mr. Savimbi in an effort to achieve national reconciliation in that country?

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The truth is that the prospects for such a negotiation which, indeed, would be a desirable way of resolving the internal conflicts in Angola, would be far more significantly advanced by a cessation of South African and American support for Mr. Savimbi and UNITA because so long as the MPLA regime is convinced that UNITA is artificially propped up by South African and Western support, they will categorically continue to reject any proposals for negotiations with Mr. Savimbi.

It would only be in the context of a cessation of South African and other Western support for UNITA and continued viability of the UNITA undertaking that the MPLA regime might be persuaded that Mr. Savimbi does have sufficient indigenous support within Angola to merit negotiations with them.

I would suggest, my colleagues, that if you look at it very closely, there is little to be gained from an American point of view by helping Mr. Savimbi. Is there, however, anything to be lost? I think there is.

Instead of producing a reduction in the number of Cuban forces in Angola, it will undoubtedly result in an increase in the number of Cuban troops in that country since, as the military pressure against the Luanda Government increases, so will the number of Cuban forces dispatched there by Mr. Castro.

It will result in more Cuban troops, rather than fewer. It will eliminate whatever slender chances remain of a negotiated settlement to the Namibian problems since South Africa, which will benefit from the continuation of a strategic alliance with the United States in support of Savimbi and Angola, is not going to be willing to agree to a Namibian settlement which would require them to cease supporting Mr. Savimbi and UNITA because then they would lose the benefits of an association with the United States.

Finally, it would be a diplomatic shot in the foot for the United States throughout the African continent because, like it or not, rightly or wrongly, wisely or unwisely, it will objectively put us into the same bed as

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the South Africans in support of UNITA and Mr. Savimbi at a time when we just voted to impose sanctions against South Africa. I cannot for the life of me understand why we would want to vote for this amendment which will undo all of the good will the sanctions vote generated.

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. DANIEL), a member of the committee.

Mr. DANIEL. Mr. Chairman, I thank the gentleman from Arizona for yielding. Like the gentleman from Oklahoma, I voted to report section 107 to the floor in order that Members might have an opportunity to express themselves on the issue.

Let me say at the outset, Mr. Chairman, that if I thought for one moment that disapproval of section 107 would encourage the policy of apartheid, I would not support the Pepper-Stump amendment. I have the same contempt for this abominable policy as do all other freedom-loving people.

Mr. Chairman, let me take just a minute to talk about the strategic importance of Angola. I support Pepper-Stump primarily for economic reasons. We are import dependent for many of the strategic materials that make up our industrial base. Many of these materials can be found in abundance in only two areas: Africa and the Soviet Union. The Soviet Union is now installed on the Horn of Africa. It sits astride the Mozambique Strait on the Indian Ocean side of the continent, and by consolidating its position in Angola will have effective air and sea surveillance of the entire continent of Africa. This will impose a serious threat to the shipping lanes.

I believe, therefore, that the national interest will be served by the adoption of Pepper-Stump.

Section 107 of the intelligence bill takes away the option for covert support of the UNITA resistance forces fighting the governing Communist regime in Angola. Section 107 makes two fundamental policy mistakes. First, it ruptures the secrecy of the statutory process for congressional oversight of intelligence activities; and second, it abandons United States strategic interests in Angola.

The existing statutory process for oversight of covert actions achieves simultaneously two critical goals—congressional control of funding, and the maintenance of the secrecy essential to intelligence activities.

The law requires that, before CIA conducts a covert action, the President must personally find in writing that the proposed operation is important to U.S. national security. The proposed action must be reported in advance to the intelligence committees of Congress. Covert actions are funded through appropriations made available annually by Congress for such purposes. If the intelligence committees disapprove of a covert action that the President has found important to

national security. They may deny funding for continuation of the action during the annual authorization and appropriations process.

This system established by law and congressional rules permits all of this to be done in confidentiality, to preserve the secrecy essential to intelligence activities. There is no need to break this essential secrecy about covert actions. The executive branch should not do it and the Congress should not do it.

In addition to encouraging the breach of secrecy, the other major problem with section 107 is its abandonment of United States strategic interests in Angola. From my service as a member of both the Intelligence Committee and the Armed Services Committee, I remain extremely concerned about the continuing offensive Soviet military buildup around the globe.

Angola provides airfield and naval port access to the Soviet Union from which they could attack the sea lines of communication around southern Africa, including the critical Cape sea route for maritime transport of strategic minerals vital to the economies of the West.

Luanda, Angola, has one of the best natural harbors in west Africa and is the main support base for the Soviet Navy's West Africa fleet element.

The Soviets and their allies have poured \$4 billion in military aid into Angola in the past decade, \$2 billion of which was given just since 1983. I would point out to my colleagues that this massive Soviet-bloc aid to Angola occurred during a period in which the Clark amendment prohibited the United States from providing any aid to the Angolan freedom fighters.

The Soviet-supported air and naval infrastructure, combined with the 35,000 Cuban troops already in Angola, severely threatens United States interests in the region.

I urge my colleagues to vote for the Pepper-Stump amendment to strike section 107 against covert aid to the Angolan resistance. The United States should stand four-square behind the forces of freedom meeting the Communist challenge in Angola.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the distinguished Delegate, the gentleman from the District of Columbia (Mr. FAUNTROY).

(Mr. FAUNTROY asked and was given permission to revise and extend his remarks.)

Mr. FAUNTROY. Mr. Chairman, support of the Stump amendment would, in effect, take back what we gave last week in a very significant vote.

Last week we gave the Nation and the world moral leadership in achieving nonviolent resolution to the crisis in southern Africa with our vote for sanctions. To support the Stump amendment would be to take that back and promote violence in the very

region that we are attempting to address with this legislation.

I hope that you will pay particular attention to what the chairman, Mr. HAMILTON, has said. The 150 million blacks of southern Africa and whites of good will all over this country, including in America, understand that this vote would identify us with the enemies of nonviolent resolution there and with apartheid. They know that the issue here is not East/West confrontation. The United States is Angola's number one trading partner. The issue is whether or not South Africa will continue its war on the front-line nations through it directly and through surrogates, to prevent them from developing the very strategic resources which exist outside of southern Africa, outside of South Africa in those very regions.

Support for UNITA means support for blowing up bridges and roads and ports that are designed to provide those resources, not only for the people of that region, but for the West as well.

I hope that we will not take back today what we gave last week, moral leadership in this nonviolent resolution of the crisis in southern Africa.

Please support the chairman. Please support section 107. It is not the Clark amendment restored; it is wrong to imply that. Let us do what is right in this case. Support nonviolent resolution in South Africa and we do that, in this instance by voting in support of the committee.

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from Indian (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Chairman, we should not reinstate the Clark amendment. Make no mistake about it; that is what this is doing.

We should support the gentleman from Florida (Mr. PERREN) and the gentleman from Arizona (Mr. STUMP) in their efforts to take out section 107.

There are 60,000 UNITA forces fighting in a life-and-death struggle for freedom in Angola and while they are doing that, there are Cubans there, 45,000 of them, using chemical weapons to prevail.

The Soviets have a major naval base in Luanda. That is why they are concerned about Angola, the strategic importance of that country.

Let me read to you what Mr. Savimbi, President of UNITA, had to say about section 107. He said, "If this stays in, 'in doing so, it weakens the prospects of a negotiated settlement to our tragic civil war by encouraging the Soviets, Cubans, and the MPLA Communists to believe military victory over UNITA is possible.'"

He went on to say, "In Angola, we have never had elections. The country is ruled by an illegitimate minority regime propped up by 45,000 Cubans, 1,500 Soviets, 2,500 East Germans, 2,000 North Koreans, and other East-bloc forces."

"Despite its massive occupation by foreign Communist forces, the people of Angola have not given up their 10-year struggle for freedom. UNITA has been making steady progress, and recent U.S. support has played a significant role.

"We in UNITA take a back seat to no one in abhorrence of apartheid. Apartheid is an evil system doomed to perish. However, those seeking justice in South Africa cannot morally ignore the right of Angolans to fight for their own freedom. The charge that UNITA is a 'tool of South Africa' is ridiculous and unsubstantiated. Whom would UNITA apply the apartheid system against? Would we apply the system against ourselves?"

Mr. Chairman, it would be unthinkable for us to turn our backs on these people fighting for freedom. We should remove section 107 from this legislation.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. Wolpe], the distinguished chairman of the Subcommittee on Africa of the Committee on Foreign Affairs.

Mr. WOLPE. Mr. Chairman, I rise to express the strongest possible opposition to the Stump amendment.

There are three points that I think need to be underscored in the course of this debate. First, let there be no mistake, the effect of continuing our convert assistance to Mr. Savimbi in Angola is to put the United States squarely into the position of a military alliance with the apartheid regime of South Africa.

It is also to put the United States squarely in opposition to the expressed position of the entire African Continent and to all of our European allies.

So let us not kid ourselves. When we continue this assistance to Mr. Savimbi, the perception throughout the African Continent is that we are participating in the ongoing effort of the South African Government to destabilize all of the regimes in southern Africa.

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For the past 5 years South Africa has engaged in an occupation of Angola. South Africa has provided the major logistical and military support for Savimbi. The estimates are that over \$200 million a year has been pouring into UNITA forces from South Africa over the past 5 years, a billion dollars without which Mr. Savimbi and UNITA probably would not be surviving militarily. So America's assistance to Mr. Savimbi will be viewed as part of the broader aggression by South Africa, not only against Angola, but against all the other countries in the region, Mozambique, Botswana, Lesotho, Zimbabwe, Zambia, and others.

I do not think that the perception of an American alliance with South Africa serves American interests. If

you want to be allied with South Africa, then vote for the Stump amendment.

Second, let there be no mistake, there is no better way to assist Moscow than by voting for the Stump amendment, because the effect of the Stump amendment would be to allow a continuance of support to Mr. Savimbi in Angola that will keep the Cubans in Angola, that will play into the hands of the Soviet propagandists.

It is South African aggression against the neighboring states in the region that is the principal source of instability and provides the principal reason for the retention of Cuban troops.

The Angolan Government has laid out on the negotiating table specific proposals for the withdrawal of those Cuban troops. Do we really think that increased threats from Savimbi against the Angolan Government will diminish the reliance by the Angolan Government on those Cuban troops? Is it not obvious that that reliance will only intensify and that there will be more Cuban troops, rather than less Cuban troops in Angola, as a consequence of American policy?

Let us now assist Moscow in that way. I want Cuban troops out of Angola. Support for the Stump amendment is much more likely to keep them inside Angola.

Finally, the third point, let us be under no illusions. Mr. Jonas Savimbi is anything but a committed anti-Communist supporter of Western values. Look at his own history. Mr. Savimbi first went to the Soviet Union for assistance. When he was denied assistance there, he turned to China. He was trained in China. He was an avowed Maoist. Now he is getting his support from South Africa. Now he claims to be a committed anti-Communist.

The only thing that is consistent about Mr. Savimbi over the years is that there is always a perfect correlation between his ideology of the moment and his source of financial support.

Let us not be fooled. Just look at Mr. Savimbi's recent statements when he was in the United States not long ago. He went before the media of this country and he proclaimed that if American businesses that were lobbying the Members of Congress on this very issue did not stop lobbying the Members of Congress that he, Mr. Savimbi, would destroy those business installations inside Angola.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOLPE. Mr. Chairman, I ask for an additional minute.

Mr. HAMILTON. I regret that I have no further time.

Mr. WOLPE. I would urge opposition to the Stump amendment.

Mr. STUMP. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. HUNTER].

(Mr. HUNTER asked and was given permission to revise and extend his remarks.)

Mr. HUNTER. Mr. Chairman, I rise in strong support of the Stump-Pepper amendment to H.R. 4759. I commend my colleague from Arizona and the distinguished chairman of the Rules Committee for their foresight and efforts on this issue.

I understand that many of my colleagues have strong reservations about aiding UNITA, but I fear that the issue of South Africa has been confused with the issue of this debate, southern Africa. Yes, the South Africans do aid UNITA. They want the Cubans out. But, it has nothing to do with apartheid.

The United States fought side by side with the Soviet Union during the Second World War. That did not mean that we condoned Stalin or his gulags. The Roosevelt administration chose to cooperate with the Soviets because we were fighting a common enemy, far more threatening at the time than the Soviet Union.

The situation is similar today. We can aid UNITA and assist the Angolan people in finally winning their independence. That may mean that we are aiding a group which is also getting funds from South Africa. It does not mean that we support the internal policies of South Africa and it does not mean that we condone the continued policy of the Government in Namibia.

Rather it means that we want the Cubans and the East Germans and the PLO and the Soviets and the Bulgarians out of southern Africa. We want a southern Africa where the majority of the population in each country is free to decide its own destiny.

This House has had the wisdom to aid freedom fighters in Afghanistan, Nicaragua, and Cambodia. Are the people of Angola any less worthy of our support? Do we now abandon people because their country borders on a detestable regime? If so, the Norwegians, Turks, and Japanese are in for a surprise.

I urge my colleagues to support the Stump-Pepper amendment and restore a bit of sanity to our foreign policy.

Mr. STUMP. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. COMBEST].

Mr. COMBEST. Mr. Chairman, we live in a world that grows ever more complex. The Soviet Union uses proxies and henchmen to prod the United States at every level—from the geostrategic down to civil wars and terrorism.

The essential point is this: We must have the flexibility to respond to the Soviet prods at an appropriate level.

This bill places one of those response levels off limits. The choice of covert assistance is denied to us. We are then forced to choose between doing nothing or providing open assistance which only raises the stakes. Es-

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calation makes it harder on our friends and harder on us. It is much like playing the Soviets in a poker game where we cannot call—we can only raise or fold. The bill does not permit us to exercise the full range of options, rather it forces us to either escalate or capitulate.

This House often has trouble relating to the real world out there. Situations occur where the United States can advance our national interests and promote our ideals without holding a press conference or open debate. The President, with appropriate congressional oversight, must have the flexibility, the capability to deal with attacks on freedom in the most effective way. We are again trying to tie our own hands and it is a mistake.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the gentleman from Vermont [Mr. JEFFORDS].

(Mr. Jeffords asked and was given permission to revise and extend his remarks.)

Mr. JEFFORDS. Mr. Chairman, I rise in support of the Intelligence Committee's language in section 107 of the fiscal year intelligence authorization bill. As you know, this section states that no funds shall be expended in fiscal year 1987 for covert operations in Angola unless the President publicly requests such assistance and it is approved by Congress.

During consideration of the foreign aid authorization bill last summer, the House voted to repeal the Clark amendment, which prohibited any United States assistance to rebel groups operating in Angola. At that time, the administration insisted that it had no intention of providing military support to any Angolan group, but that it sought to repeal of the Clark amendment as a matter of principle. However, the President has since made very clear his support for UNITA's guerrilla war against the Angolan Government. While the administration has chosen to publicly express its support for assistance to UNITA, it is now requesting covert authority to operate in Angola in order to circumvent open congressional debate on the issue.

Section 107 of this bill does not prohibit assistance to UNITA. Rather, it suggests that if the President wishes to follow up his public discussion of the issue then he should submit a specific request for assistance. Congress can then decide the issue on its merits.

I would like to remind my colleagues of a statement by the distinguished chairman of the House Intelligence Committee, Mr. Hamilton: "Covert authority is intended as a necessary secret tool in support of existing policy, not a means to change policy in secret." No matter what my colleagues think of Mr. Savimbi and his movement or of the Angolan Government this issue we have before us is not the relative merits of aid to UNITA but a critical policy question as outlined by

the gentleman from Indiana [Mr. HAMILTON].

I strongly believe that covert operations are a necessary component of U.S. policy and that their secret status must be preserved. The legislation before us clearly supports such operations. In this instance, there is considerable question as to whether Congress or the American people support aid to UNITA. Until the larger issue of U.S. policy toward southern Africa has been decided in open debate, the administration should not have the authority to secretly alter existing policy.

I urge my colleagues to support the committee language.

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. KEMP].

Mr. KEMP. Mr. Chairman, I appreciate my friend from Arizona yielding.

Mr. Chairman, I rise in strong support of the Pepper-Stump amendment.

I think this is a critical issue facing not only the United States, but the West. How do we help folks fight for freedom? What is the best way to do it?

Now, there can be legitimate debate on both sides of the aisle, but here we have a self-identified Marxist-Leninist government in Angola with 35,000 Cuban mercenary troops helping to prop up that Marxist government. They have taken in over \$2 billion in Soviet aid in the form of weapons, tanks and MIG's with Cuban pilots, seeking to crush a strong, indigenous, anti-Communist, pro-Western pro-Democratic force in Angola.

Now the Congress is going to revisit the Clark amendment, which in 1976 said that we could not help them.

Now, imagine what type of a signal this sends to southern Africa. Imagine what type of signal this sends to other countries in which there are indigenous, prodemocratic, anti-Communist resistance forces. Are we going to say to them that we are not going to help? What are we going to say, what does it say to the Afghan rebels or the Kampuchean rebels or rebels and freedom fighters in other parts of the world, including Nicaragua?

I think it is a big mistake. Are we going to say to the world that if you are willing to fight for freedom we are going to turn it into a debate on the floor of the U.S. House and politicize it?

Should a President have the option to support covertly in indigenous democratic force resisting communism and Marxism in a country?

This is Clark revisited. It should not, that language should not be in there, and the Pepper-Stump amendment is absolutely essential to the conduct not only of the fight for freedom in Angola, but the fight for freedom in other parts of the world.

Mr. Chairman, for the record, I want to complete my statement. No nation, great or small, can conduct an effective foreign policy if vital decisions are

made and reversed capriciously. Just last summer, the Congress gave the President authority to provide covert assistance to the black nationalist resistance in Angola. The bill before us would withdraw that mandate, just as Savimbi's forces—with our quiet help—are beginning to hold their own.

What is the reason for this? Well, the supporters of the Hamilton amendment would have us view their language as the equivalent of "blue skies" legislation in foreign policy. They want public disclosure of what UNITA needs, what we propose to give them, and how and when we will get it there. Then they want yet another vote in Congress approving it all. Meanwhile, UNITA will have to stand alone against attacks by Soviet-supplied Government troops—and the President will be powerless to help.

This all misses the essential point. There is a war going on in Angola, a war that will determine the future of freedom and independence in that country. And make no mistake: freedom has its enemies. They are in Luanda. And they are attentive to what we do and say from the comfort of this Chamber.

The facts on the ground in Angola are starkly simple. The Marxist MPLA government in Luanda came to power in 1975 only through the direct injection of Soviet weapons and 15,000 Cuban troops. It stays in power only because of their support—propped up by Cuban forces now numbering 35,000. In return, the Soviets derive both economic benefits—through oil revenues—and political/military benefits—in their campaign to destabilize and eventually assert their control throughout southern Africa. If this oppressive alliance is to be broken, the costs of the Soviet/Cuban presence must be raised to the point where they exceed the associated benefits.

The resistance forces, with effective help, can make holding power so difficult that the Government will be forced at last to reach an accommodation with the people of Angola. This is the essential impetus to a negotiated settlement. If UNITA cannot fight, the MPLA government has no incentive to negotiate.

But the key ingredient here is effective help. Overt assistance is proper in its place. Along with our colleague Senator CLAUDE PEPPER, I have sponsored legislation to give humanitarian aid to UNITA, to be openly debated and provided.

But there are other aspects of our assistance which depend upon secret channels of supply that must stay secret to succeed. We are not talking about simply losing equipment. We are talking about endangering lives.

If we follow the prescription of the Hamilton amendment, we will do nothing to disrupt the flow of weapons and intelligence from the Soviet bloc to Angola's Marxist government. There are no Hamilton-like con-

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straints on the Soviet Union. But we will be impairing the ability of this country to provide effective help to Savimbi's forces. And we will reduce UNITA's hope for success.

In truth, the Hamilton amendment is a direct attack upon the Reagan doctrine. It is a covert attempt to render our support for the forces of freedom in Angola null and void. If we are to stand with those who are fighting for their freedom, then it should not matter whether our help is provided openly or secretly so long as it meets the needs of those we are helping.

We cannot both proclaim our support for freedom and democracy, and then prohibit effective assistance to people who are fighting against totalitarian governments and foreign Communist troops—as the Hamilton language would do.

Contrary to a former President's assertion, Americans have never harbored an inordinate fear of communism or its influence in the world. In the competition of ideas, Marxist-Leninist doctrine has been proven bankrupt both as political philosophy and as economic model. Free men do not willingly choose slavery nor poverty.

But in places like Angola, and in other places like Afghanistan, Cambodia, Nicaragua, and Mozambique, the dominant occupation is not drawing-room discussions of Edmund Burke or Karl Marx. In these countries, men and women have taken to the hills and the jungles and the bush to escape their oppressors. They have grasped at any and all sources of supply of food and medicine, of mortars and bullets. And in their simple way, they are bleeding and dying to achieve one goal: freedom. The essential fact of their lives is that nothing is more important than this.

It falls to us to decide what we will do in the face of this struggle. As free men and women, what does our conscience dictate? And as citizens of the one country endowed by natural wealth and extraordinary human industry with the leadership of the free world, what best serves our Nation's interests? Both considerations must weigh in our answer. For a foreign policy that ignores political reality is doomed to fail; and a foreign policy that eschews our values deserves to fail.

Some who have participated in this debate today would have us declare our neutrality in this struggle. This is illustrative of another school of foreign-policy thinking. The new isolationism, it has been called. Given time, it could also be called the incremental surrender of our interests, our allies, our security, and finally our values.

The moral imperative behind the Reagan doctrine, as applied in Angola and elsewhere in the world, must become a dominant feature in our foreign policy, if we are to ensure the future strength and success of our Nation and democracy. In this effort,

we need to be able to use all the tools at our disposal—including those that must remain secret to succeed. For if we do not support freedom for others, our own freedom will never be secure.

Mr. Chairman, I urge that the Hamilton language be stricken from the bill.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MINETA].

(Mr. MINETA asked and was given permission to revise and extend his remarks.)

Mr. MINETA. Mr. Chairman, I rise today in opposition to the amendment which seeks to eliminate the provision included in the intelligence authorization bill prohibiting covert military or paramilitary activities in Angola.

Mr. Chairman, I believe the Intelligence Committee, by including such a prohibition on covert aid, is setting us on a wise course. Failure to sustain this prohibition will send a message to all of Africa, indeed to the entire world: and that message is that in the face of another nation's civil war, the policy option we choose is a violent one. Africa's political climate is a fragile one, and yet, we would adopt a policy of armed intervention and escalation of superpower rivalry. And, sadly, we would tell the world that when push comes to shove, we would ally ourselves with the apartheid regime of South Africa and disavow our friends throughout the region.

Having served on the Intelligence Committee, I know that the Intelligence Committee has at its disposal vast amounts of classified information. They know this is a war we cannot win. We cannot win it militarily and we certainly cannot win it on moral grounds.

All we could anticipate by such an intrusion would be a bigger, more protracted and, ultimately, more destructive war. Are we doomed to repeat our mistakes over and over again? We cannot bring mayhem and disorder and suffering to other nations and call ourselves crusaders for justice.

Mr. Chairman, this is not a covert activity anymore. Our intention to provide American military aid is well known and the type and the extent of such aid has been publicly announced. Continuing to call our intrusion in Angola covert is just a clever ruse to void open and frank discussion of a major foreign-policy decision. If my colleagues believe that we have a place in Angola, then let it be demonstrated by public accord and full congressional concurrence. We have so much to lose from a misguided policy in Africa. Let us, at the very least, not determine such policy by cloaking it in secrecy and by abrogating Congress' responsibility to participate in foreign-policy decisions.

Again, Mr. Chairman, I urge a "no" vote on the pending amendment.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. STUDDS].

(Mr. STUDDS asked and was given permission to revise and extend his remarks.)

Mr. STUDDS. Mr. Chairman, I rise in opposition to the amendment. The legislation brought to the House floor today provides simply that United States policy toward Angola should be openly debated by Congress, just as it is openly discussed in other venues by the President and his chief advisers.

This debate is not about the right of the President to authorize covert operations; U.S. aid to UNITA is not a secret.

This debate is not a referendum on the Marxist government of Angola, for Angola's government is no threat to us or to its neighbors, and we have cordial relations with Marxist governments throughout the world.

What this debate is about—or should be about—is whether our current policy toward Angola serves the best interests of the United States. And in discussing that issue, it is important to remember that the self-described best and brightest in our Government have never understood Angola very well. Seventeen years ago, Henry Kissinger's National Security Council questioned "the depth and permanency of black resolve" and "ruled out a black victory at any stage" in Angola's battle against Portuguese colonial rule. Having failed to predict the Angolan revolution, our Government has refused, as well, to admit it ever happened. South Africa and the United States are the only countries that have not acknowledged the legitimacy of the government in Luanda.

The Angolan people have survived an era of brutal colonial rule; they have been fighting a war of one form or another for 25 years; they are among the poorest and least healthy people in the world; and the price of oil, their only major export, has collapsed.

Angola's Government is Marxist, but it seeks close economic and diplomatic ties with the west. Its rival, UNITA, is a legitimate political force, with its own ethnic base, but without a genuine claim on the moral or material support of the United States.

During the past decade, the Soviet Union and the Government of South Africa have both intervened in Angola, seeking to fill the vacuum left by Portugal as an imperial power.

The question before Congress today is whether the United States, too, should play the role of an imperial power, or whether our interests could better be served through a more imaginative, more creative, and more conciliatory role.

Last year, Secretary of State George Shultz warned that United States aid to the rebels in Angola would lead only to a military stalemate at a higher lever of violence, and that such a stalemate would serve the interests of Moscow. Business Week magazine recently said in an editorial that "aid

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to Savimbi will be interpreted by most of black Africa as a hostile act. To squander U.S. influence in this way will benefit neither America nor black Africa in the turbulent times ahead."

Many informed people in the Reagan administration do not support aid to UNITA; those who do justify that aid in the name of freedom. But the fact is that UNITA's very survival has been guaranteed for most of the past decade by South Africa, freedom's greatest foe.

Supporters of aid to UNITA ignore military reality, history, economics, politics, and diplomacy in their self-defeating obsession to react to the Cuban presence in Angola. From the perspective of black Africa, the additional violence brought about by United States intervention is unwelcome, the rhetoric of freedom in support of South Africa's ally is hollow, and the obsession with Cuba virtually beside the point.

American prestige, resources, anger, idealism, and diplomacy ought not to be committed to perpetuating and extending South African military and political influence. But that is precisely what aid to UNITA is doing, and that is why this policy is so brutal, so misguided, and so wrong.

We cannot protect American interests in Africa if we have no credibility, but credibility will come only when we are visibly, consistently and seriously committed to ending apartheid, eliminating the last vestiges of colonial rule, promoting stable and peaceful borders throughout the continent, lending support to economic development, and demonstrating both by deed and word the advantage of civil freedoms and democratic rule. If we were to pursue such a policy, we would need not worry about the Cubans, or about the expansion of Soviet influence, or about the ideological peculiarities of those governing Angola. Because in helping to achieve the legitimate objectives of the people of Africa, we will have guaranteed the protection of America's true interests as well.

I urge my colleagues to reject the extremist policy that has involved our country this year in yet another war in which we cannot with honor participate and which we cannot win. Let us reject alliance with South Africa, and join instead with the African majority in seeking a peaceful and comprehensive settlement of issues that have for years divided that continent and rendered both human freedom and economic development a remote dream.

Mr. STUMP. Mr. Chairman, I yield 4 minutes to the distinguished chairman of the Foreign Affairs Committee, the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I rise in support of the amendment which is my amendment as well as the amendment of the gentleman from Arizona and my colleague, the gentleman from Florida. First I would like to examine for 1 minute the question of South Africa.

Anyone who thinks that there is some confusion about where we stand toward South Africa should take another look. We have passed two sanction bills on South Africa, overwhelmingly. We are doing our best to give our allies a message concerning our policy. What is the policy? The policy is a consistent one that the United States has had since World War II. It is not attributable to this President or any single President or some political party or whether you are liberal or conservative.

What we have supported has been the independence of sovereign countries with the right of self-determination with majority rule. That is the policy that we support in South Africa.

To suggest that we support apartheid because we are in the process of supporting another group in another country that also seeks independence, freedom and sovereignty and the right to be free of Communist domination, is not good logic.

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It is also unfair to use guilt by association. Others have used guilt by association for different reasons. Are we going to be guilty of the same thing? I hope not.

To get back to our policy, our policy has been consistent. We have sometimes angered our friends, worried them, aggravated them. Why? Because the United States insisted that we would not continue to forever support colonial policies in Africa. We supported independence, sovereignty, and the right of freedom and the democratic process. And do you know what? We can take some credit for the success of that policy in Africa. Some of the disputes that are going on today—unfortunately some of them militarily—involve the right to become sovereign and independent with majority rule of the people. We have strongly supported that, and that policy still continues. Therefore, we must not back away because of allegations of guilt by association.

When they had more parties in Angola, the Congress pulled the plug on assistance to Angola hoping they would solve their problem. Now you have two major disputants. It is clear where both stand.

This debate today is about stopping aid, because this is the end of this year. We will not get another shot at it. The committee proposal seeks to stop aid until next year. So what it is doing is stopping aid now. That is what this vote is about. And I say what we must do here is not take that opportunity away from the United States. Let it flow. Give us the veil, if you will, a thin veil, but at least let it work for our benefit to carry out a very consistent policy to give the people of Angola an opportunity to be free and independent of the Communist yoke.

Mr. SHUMWAY. Mr. Chairman, I rise in support of the amendment offered by Mr. STUMP to delete the prohibition on the President's ability to provide effective aid to the UNITA resistance forces in Angola.

UNITA's claim to a role in the future of Angola dates back to the days of Portuguese colonialism which ended shortly after the successful coup in Lisbon in 1975. Having announced that it would grant independence to Angola, Portugal then reached an agreement, known as the Alvor agreement, with the three groups which had been fighting for Angolan independence: The Marxist Popular Movement for the Liberation of Angola [MPLA], the National Front for the Liberation of Angola [FNLA], and the Union for the Total Independence of Angola [UNITA].

This agreement provided for an interim government in which all three groups would participate, the drafting of a new constitution and free elections to determine the new Government of Angola. The Marxist MPLA with Soviet and Cuban assistance gained control of the Angolan capital of Luanda and proclaimed itself the government of a new People's Republic of Angola. The MPLA clearly violated the Alvor agreement by denying participation to the two other groups and by denying the Angolan people the right to elect their new government.

In the struggle for a free and independent Angola, Portuguese colonialism was simply replaced with Soviet-backed communism. Today UNITA continues this struggle against 35,000 Cuban troops, 10,000 Soviet and East German advisers and \$2 billion in Soviet military equipment, including the helicopter gunships which have proved to be so effective in Afghanistan and Nicaragua.

For over a decade UNITA has remained an effective resistance force. With 40,000 freedom fighters, UNITA claims the support of the majority of Angola's ethnic groups and controls one-third of the country, while conducting operations throughout.

As the leader of the free world, we must not turn our backs on those who struggle for freedom against Communist oppression.

We must not ignore Soviet expansion in southern Africa with its strategic importance in mineral resources and vital sealanes.

We must not limit the President's ability to effectively meet the challenge of Angola.

Mr. EDWARDS of California. Mr. Chairman, I rise in strong support of section 107 of the Intelligence Authorization Act, which would require the President to submit to Congress a request for funds for UNITA.

Whether or not assistance to the UNITA forces in Angola is appropriate—and, I believe it is not appropriate—the administration's policy in this case sets a very dangerous precedent.

By publicly acknowledging U.S. assistance to UNITA, the administration is seeking to take credit for providing the aid. More importantly, however, by labeling the action "covert," the administration is seeking to sidestep congressional debate on a very significant foreign policy issue.

Clearly, the administration has opened public debate over aid to UNITA. Now that U.S. support of UNITA is no secret, the President should publicly request the assistance, and allow Congress to debate the issue.

I believe the requirement set forth in section 107 is prudent, and I believe it is fair. I commend Mr. HAMILTON's work with this very important piece of legislation.

Mr. TOWNS. Mr. Chairman, today as we consider the Intelligence Authorization Act for fiscal year 1987, we must make a very important decision regarding our Nation's involvement in Angola's civil war.

As we make this crucial decision, we must consider the long term . . . the far-reaching effects. What will our approval of covert aid to the UNITA forces fighting in Angola say to the world?

In my opinion, such support will signal our willingness, not only to become involved in a war where our assistance will have little or no effect on the outcome, but also to engage in an unholy alliance with the Government of South Africa, which has been supporting the Angola UNITA forces for over 10 years.

Through our overwhelming approval of sweeping economic sanctions against South Africa, we have openly admitted our rejection of that country's government and its racist policies of apartheid. How, then, can we now, knowingly, become partners with this same Government of South Africa, in their obvious intent to continue military attacks and economic sabotage against Angola.

Mr. Chairman, quite simply, we must determine whether we will become materially involved in the civil war being waged in Angola, or whether we will continue the course we have already embarked upon, respect our own decision regarding South Africa and its policies, and take a real step toward supporting freedom and democracy in southern Africa.

I want to urge my colleagues, then, to join me in supporting the recommendation of the Intelligence Committee.

Let's make our position in southern Africa, abundantly clear. Let there be no confusion.

Let's support the Hamilton provision in the intelligence bill, which will prohibit covert aid to UNITA, unless it is specifically approved by Congress. And let's oppose any amendments which will strike this provision.

Let's respect our own decision and uphold our own judgment, by voting "no" to covert aid to Angola.

Mr. GREEN. Mr. Chairman, I find myself in the awkward position of being opposed to aid to UNITA but also opposed to the Hamilton language in section 107 of the intelligence authorization.

What section 107 does, essentially, is blow the cover off a covert aid program. It does not ban aid to UNITA, which the Intelligence Committee could have done quite effectively in the classified report that accompanies this authorization bill. It does establish a precedent that controversial covert initiatives cannot be covert. That is wrong.

If we need a stronger method to review covert operations, then that is what we should provide. But to say that anytime there is disagreement within the Intelligence Committee, there shall cease to be the possibility of a covert operation, seems to me to be a very dangerous proposition.

If it was the intent of the Intelligence Committee to cutoff aid to UNITA, it should have done that head on. I should have supported that. But I do not believe it is the function of the Intelligence Committee to eradicate a covert aid program by blowing its cover.

Mr. OWENS. Mr. Chairman, I rise in support of section 107 of the intelligence authorization bill which would require the President to publicly request assistance for the UNITA forces in Angola and that the Congress approve such assistance specifically.

Angola is, unfortunately, experiencing a state of civil war in some sections of the country. The UNITA forces led by Joseph Savimbi oppose the Angolan government. UNITA has the overt support of the South African apartheid regime as well as the support of the administration. Although this support is labeled as "covert," the reality is that the support is well known, open and publically acknowledged by the administration.

There are a very limited number of situations in which the United States should be involved in covert activity. As a democracy, we pride ourselves on our open society and we tend to criticize totalitarian regimes which habitually operate in a covert manner which excludes citizens from the decision making process as well as excluding them from the inner circles of those who know just what it is that their government is doing. In the case of UNITA, support for so-called covert activities merely seeks to remove the question of support from congressional consideration. In short, the administration seeks to exclude the people of the United States from participation in this decision through their elected representatives.

Why, one might ask, would the administration seek to keep aid to UNITA behind the closed doors of the covert action closet? The answer is clear. The administration knows full well that the people of the United States do not support the South African apartheid regime and they would want no part in supporting the harassment of the countries in the southern part of Africa by the South African Government when they understand that these activities are directed toward the shoring up of the apartheid regime. In short, the aid to UNITA is basically an alliance with South Africa to harass one of the independent majority ruled countries in the southern part of Africa. To put an alliance with South Africa's minority government into the covert category is an affront to the basic decency of the American people which abhor the apartheid policy of South Africa's minority government. Americans do not support alliances with apartheid and it is about time that this issue be clearly stated so that the people, through their representatives, can express their commitment to majority democratic rule in Africa.

Section 108 of the intelligence authorization bill does not make any ultimate decisions on aid to UNITA. It merely requires that the administration state its policies and aims clearly and make an open and honest request for funding. I urge my colleagues to support open and free consideration of this issue. I urge my colleagues to keep the door open so that the American people can be fully aware of just what their government is doing. I urge my colleagues to support the democratic process here as well as in Africa.

Mr. LLOYD. Mr. Chairman, I rise in support of the Stump amendment to H.R. 4759, the intelligence authorization bill.

I do so because of my strong belief that people should be able to determine the nature of their own government. It is for democratic reasons only that I cast a vote for this amendment.

I am deeply concerned about the argument that a vote for this amendment says that the United States supports the apartheid Government of South Africa. I have long been an opponent of apartheid in South Africa. I cosponsored sanctions last year and wholeheartedly supported them this year. On every occasion I have voted to express the United States' utter outrage with racist policies of South Africa.

If I felt that the Stump amendment somehow says we support apartheid, says we support the atrocities that are taking place in South Africa, says the United States supports oppression, then I would avidly oppose it.

But simply because we vote to give the President flexibility in conducting foreign policy in Angola does not mean that the United States is at all addressing the issue of apartheid in South Africa, two countries away.

However one feels about aid to UNITA, one only muddles the issue by connecting such aid to apartheid. The UNITA forces are in a desperate position; they are not able to turn down much needed aid, from wherever it may come. Should we condemn our fore fathers who were fighting for the cause of "democracy" for accepting aid from a monarchy? Should we condemn our own country for fighting shoulder to shoulder with Stalinist Russia against facism? I encourage my colleagues on both sides of the issue to debate the question of covert aid outside of the question of apartheid.

I support this amendment to the intelligence authorization bill because section 107 of the bill would significantly reduce the possibility of ending the conflict through a negotiated settlement. It was only last year that this Congress passed the Clark amendment, opening up the possibility of aid to UNITA as a tool for negotiations. We cannot now turn around and say that covert aid is not a possibility. This flies in the face of the message we were trying to send to the repressive Government of Angola. When there are 30,000 Cuban troops propping up the Government of Angola, the United States needs the possibility of a flexible response.

I urge my colleagues to vote for the Stump-Pepper amendment and leave the hands of our negotiators untied.

Mr. FRENZEL. Mr. Chairman, I support the Pepper-Stump amendment to delete section 107 of the intelligence authorizations.

As written, this bill requires that any aid to Jonas Savimbi's UNITA forces in Angola must be overt. I believe that provision unnecessarily and unwisely ties the hands of the President.

Congress can review and support or prohibit any aid, whether overt or covert. Until recently we banned any form of aid to UNITA. Recently that ban was lifted. Now, it seems to me, opponents of aid have simply shifted the focus of their argument to the covert aid issues in hopes of gaining some political advantage.

Today aid to UNITA is not the real issue. The issue is whether the Congress will vote to deny the President the kind of flexibility that he needs in the conduct of foreign policy.

Our efforts will be feeble in effect if we tell our opponents what we will or will not do. Without the Stump amendment we will be telling what we will not do.

Covert aid is necessary in instances when we need to support a government or resistance group, alone or in conjunction with other

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nations, but cannot afford to make public our involvement, or the involvement of other cooperating nations. It is something with which I, and many Americans, am uncomfortable. I prefer open policymaking. However, in some cases we have vital interests to advance, and need the cloak of secrecy. The only way we can successfully continue that practice is to allow the President considerable discretion.

Because I believe congressional prohibitions like that proposed in section 107 must be justified by extreme and unusual events, I support the amendment to delete that provision.

Ms. MIKULSKI. Mr. Chairman, the United States should not be sending covert aid to UNITA for two basic reasons.

First, the administration openly acknowledges its support for UNITA, but sends covert aid to avoid congressional and public debate. United States policy toward Angola and UNITA is a major foreign policy issue that should be open to congressional authorization and appropriations review.

The second and perhaps most important reason involves the South African Government's support of UNITA. By aiding Jonas Savimbi, Pretoria seeks to destabilize Angola and protect its system of apartheid.

South Africa's ongoing military and economic campaign against all seven of its neighboring states is well-documented. In order to preserve apartheid and destabilize its majority-rule neighbors, South Africa:

Has caused \$10 billion in economic damage to its neighbors,

Has repeatedly initiated assassination attempts against Southern African leaders, Aids rebels attacking legitimate governments.

Has and has launched military strikes on capital cities, and

Continues its illegal military occupation of Namibia.

Tacit United States support of the South African Government and these policies does not serve United States strategic or political interests. By sending covert aid to UNITA, the administration weakens U.S. credibility as an honest broker throughout the region. It also pushes Angola closer to the Cubans and Soviets as the war escalates.

Instead, the United States should have more honorable and realistic policies toward the region. The United States should seek an end to apartheid in South Africa. We should also seek independence for Namibia, a reduction in Soviet and Cuban influence in the region, and the evolution of democratic institutions in Angola as well as all of southern Africa. Covert aid to UNITA will undermine these goals and should be ended.

Mr. LOWRY of Washington. Mr. Chairman, there are four major reasons why we should oppose the Stump amendment to the intelligence authorization bill. This amendment would delete the bill's prohibition on covert aid to support military or paramilitary operations in Angola.

First, the United States should not be cooperating militarily with the racist Government of South Africa. Current U.S. policy places us firmly in this role as we join South Africa in sending weapons and other crucial military aid to the National Union for the total independence of Angola [UNITA], an insurgent group that is trying to overthrow the sovereign Government of Angola. UNITA receive over 90

percent of its funding from the South African Government. To aid UNITA is to aid South Africa.

Second, Congress has recently voted to impose sanctions on South Africa because of its repugnant system of racial discrimination and apartheid. By providing aid to UNITA, a client of the South African Government, the United States is undermining the effect of any sanctions. Our message to South Africa about its policies should be crystal clear. United States sanctions against South Africa should not be rendered meaningless by a United States military alliance with the South African Government.

Third, Congress should debate and vote on whether or not to aid UNITA. Our current aid to UNITA, which is estimated at between \$15 to 25 million, is not really covert aid. On a number of occasions the President and members of his administration have publicly talked about the so-called covert aid to UNITA. They have even publicly discussed the amount and kind of aid being given to UNITA. Since U.S. aid to UNITA is not covert, Congress has the right and the obligation to question, debate, and vote on such aid. A key shift in our policy in southern Africa deserves congressional participation and comment. The administration's tactic of calling covert aid "covert" is merely a ploy to avoid congressional involvement in this important foreign policy matter.

Finally, U.S. aid to UNITA will greatly diminish our ability to act as a mediator in resolving the problems that are troubling the southern African region. We cannot expect the Government of Angola to negotiate with us on the removal of Cuban troops from Angola if we are funding a group that seeks its overthrow. And the issue of Namibian independence can only be harmed by aiding the UNITA rebels. Moreover, U.S. aid to UNITA is strongly opposed by most black Africans and others throughout the world. The Organization of African Unity [OAU], comprised of the heads of state of African nations, opposes this aid and has urged us to end it. I urge my colleagues to vote against the Stump amendment and for peace in southern Africa and an end to racism and violence.

Mr. LEHMAN of California. Mr. Chairman, I urge my colleagues to support the Intelligence Committee's restriction on aid to the Angolan rebels led by Jonas Savimbi. I support the integrity of the committee's position and also the deeper relevance to United States foreign relations in black South Africa. If we delete the prohibition on aid to Angola, we weaken our stated abhorrence of apartheid in South Africa as well as continue to give the President the authority to initiate and dictate foreign policy without congressional oversight.

After many months of hard work, the House and Senate completed work on a sanctions bill against the repressive Government of South Africa. I have spoken out in favor of a tough foreign policy against President Botswana's government of South Africa and have heard President Reagan tell the American public that he hopes apartheid is dismantled. But, if we give support to Savimbi's UNITA we might as well stand together with President Botswana in support of Guerrilla war in Angola and in ignorance of our stand on dismantling apartheid, not to mention ignorance of the illegal occupation by South Africa of Namibia. Our posi-

tion in southern Africa would be seen as inconsistent and hypocritical.

The President and many of my colleagues in the House feel that aid to Jonas Savimbi and his rebels should continue. However, continuing a program of covert aid to Angola under present circumstances does not give the Congress the ability to debate the issue in an open forum. In the past the President and his advisers have made public announcements on the benefits of supporting Angola as well as specific details of the Covert Aid Program. The President has taken the meaning of covert action authority to mean that he can promulgate a covert policy in Angola, gain support for it with our constituents, and effectively deny the role of Congress in debating and devising popular foreign policy.

I urge my colleagues to support the committee's position and bring the issue of aiding UNITA out into the open for public discussion where it belongs.

Mr. LELAND. Mr. Chairman, today we have the opportunity to continue following the correct policy toward southern Africa. I am referring to section 107 of the Intelligence Authorization Act, which would require congressional approval before the United States could provide assistance to Jonas Savimbi's UNITA, or any other military or paramilitary forces in Angola. This section is an important followup to the message this body sent to the Government of South Africa last week.

United States policy toward Angola is particularly important because of UNITA's strong ties to the Government of South Africa aid to UNITA automatically thrusts the United States into an alliance with Pretoria. South Africa's assistance to UNITA secures its own position in the region, since UNITA forces help fight SWAPO in Namibia. Aid to UNITA props up apartheid in South Africa; by helping Savimbi's forces, the United States fights on the same side as the racist regime.

It is necessary for both sides of this issue to be openly debated before such a significant foreign policy decision is made. The President himself has publicly discussed his support for UNITA, so Congress would not be divulging state secrets or threatening national security by debating this crucial issue.

We must continue to oppose apartheid; we must not be ticked into supporting Pretoria's friends. I urge my colleagues to support section 107, seizing the chance to again demonstrate our condemnation of apartheid and following the correct course in southern Africa.

Mr. CLAY. Mr. Chairman, I stand with my colleagues today to express my total opposition to any move to delete section 107 from the Intelligence Authorization Act. To remove this section, which prohibits covert assistance to UNITA forces in Angola without congressional approval, would clearly show the United States to be in complete support of the Government of South Africa.

Providing aid to the UNITA forces, enabling them to continue to wage war upon Angola, would reduce the administration's speeches which proclaim the repugnancy of South Africa's system of apartheid to simple reality. The United States' real stand on apartheid should be shown by where our dollars are being sent. Furthermore, aid to UNITA will constantly be matched by an influx of more aid to the Angolan Government by supporters such as

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Soviet Union and Cuba. At what point do we stop?

Since the early 1970's, when Angola began her struggle for independence, there has been a constant and overt mission by neighboring South Africans to undermine this country and keep her people economically dependent on others.

Mr. Chairman, undermine is a rather light word to describe the economic sabotage and severe military attacks by UNITA and South African forces of which Angola has been subjected to for the last decade. There have been full scale invasions, raids on refugee camps that were thought to be SWAPO bases, and an occupation of southern Angola since 1975.

The South African Government has given UNITA aid to the tune of \$1 billion over the past 5 years. This has enabled the two forces to attack not only Angola but neighboring countries as well with increasing regularity.

In addition, the South African Government hopes to keep apartheid alive and well by instilling fear in its neighbors through means of economic and military attacks. They can achieve their means only if the United States subscribes to their type of ideology and approves aid to UNITA.

Mr. DIXON. Mr. Chairman, I rise in opposition to Mr. STUMP's amendment and urge my colleagues to vote against the Stump amendment and retain section 107 of the intelligence authorization bill (H.R. 4759), which would prohibit covert assistance to Savimbi's UNITA forces in Angola unless it is approved by the Congress.

Today, we are voting on the future of United States involvement in Angola's civil war and our relationship with 50 African countries for years to come. The administration's policy of providing covert aid to UNITA places our Nation in an unholy alliance with South Africa's minority Government, thereby damaging our interests throughout Africa. That is precisely the wrong message to be sending at a time when Congress has given final approval to legislation imposing economic sanctions on South Africa.

The administration has failed to develop at a consistent, concrete policy in southern Africa. While urging the frontline states in southern Africa to be patient, the administration continues to push toward a military solution to the conflict in Luanda.

We cannot continue to play a type of roulette with our foreign policy in southern Africa. South Africa is the principal backer of UNITA and has been for more than a decade, supplying occasional ground and air attacks, transportation, and other equipment. It is clear that the administration's policy of covert aid to UNITA has tacitly placed us in an alliance with the Government of South Africa. While the United States, which for years has sought to act as an honest broker between Angola and South Africa to secure the independence of Namibia, seems to have squarely come over to the side of South Africa.

It is time to move toward a consistent, correct, and workable policy in southern Africa. The United States has an interest in promoting peace and reconciliation in Angola, as it does throughout southern Africa in general. Yet how can we continue to do so when we militarily support one side in the conflict?

This is an important issue that will have far-reaching effects on our relations with African nations. I urge you to vote against the Stump amendment, and support the Hamilton provision in the intelligence bill prohibiting covert U.S. aid to UNITA.

I urge you to vote to restore honesty and respect for human dignity to United States foreign policy in South Africa. Vote "no" on covert aid to Angola—vote no on the amendment to strike section 107 of the intelligence authorization bill.

Mr. IRELAND. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

(Roll No. 386)

ANSWERED "PRESENT"—390

Ackerman
Akaka
Alexander
Andrews
Annunzio
Anthony
Applegate
Arney
Atkins
AuCoin
Badham
Barnard
Bartlett
Barton
Bateman
Bates
Bedell
Bellenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Billakis
Bliley
Boehlert
Bonner (TN)
Bonior (MI)
Boraki
Bosco
Boucher
Boulter
Boxer
Brooks
Broomfield
Brown (CA)
Brown (CO)
Bruce
Bryant
Burton (IN)
Bustamante
Byron
Callahan
Carney
Carper
Carr
Chandler
Chapman
Chappell
Chapple
Cheney
Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Cooper
Coughlin
Courter

Coyne
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daschle
Daub
Davis
de la Garza
DeLay
Dellums
Dellums
Derrick
DeWine
Dickinson
Dicks
DiGuardi
Dixon
Donnelly
Dorgan (ND)
Dorman (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Eckert (NY)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fawell
Fazio
Feighan
Fiedler
Fields
Fish
Florio
Foglietta
Foley
Ford (MI)
Franklin
Frenzel
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling

Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hatcher
Hawkins
Hayes
Hefner
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kemp
Kennelly
Kildee
Kleczka
Kolbe
Kotler
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (FL)
Lightfoot
Lipinski

Livingson
Loeffler
Long
Lott
Lowery (CA)
Lowry (WA)
Luken
Lundine
Lungren
Mack
MacKay
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (OH)
Miller (WA)
Mineta
Mitchell
Moakley
Molinaro
Mollohan
Monson
Montgomery
Moody
Moorhead
Morrison (CT)
Morrison (WA)
Mrzek
Murphy
Murtha
Myers
Natcher
Nelson
Nichols
Nielsen
Nowak
Oaker
Oberstar
Obey
Olin
Ortiz
Owens
Oxley
Packard

Panetta
Parris
Pashayan
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Savage
Saxton
Schaefer
Schneider
Mollinari
Mollohan
Monson
Montgomery
Moody
Moorhead
Morrison (CT)
Morrison (WA)
Mrzek
Murphy
Murtha
Myers
Natcher
Nelson
Nichols
Nielsen
Nowak
Oaker
Oberstar
Obey
Olin
Ortiz
Owens
Oxley
Packard

Smith, Robert
(OR)
Snowe
Snyder
Solarz
Solomon
Spence
Spratt
St Germain
Stagers
Stallins
Stangland
Stenholm
Stokes
Strang
Stratton
Studds
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traffant
Traxler
Valentine
Vander Jagt
Vinclosky
Volkmer
Vucanovich
Waldon
Walgren
Walker
Watkins
Waxman
Weaver
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams
Wilson
Wirth
Wise
Wolf
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (FL)
Young (MO)

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The CHAIRMAN. Three hundred ninety Members have answered to their names, a quorum is present, and the Committee will resume its business.

The Chair will announce that 16 minutes are remaining for the gentleman from Indiana [Mr. HAMILTON] and 15 minutes are remaining for the gentleman from Arizona [Mr. STUMP].

Mr. STUMP. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER].

(Mr. PORTER asked and was given permission to revise and extend his remarks.)

Mr. PORTER. Mr. Chairman, I rise in strong support of the Stump-Pepper amendment.

Mr. Chairman, last year, the Congress supported the repeal of the Clark amendment which for years barred aid to rebel groups fighting against the Soviet-backed Marxist Government of Angola. Following years of civil war and fruitless negotiation, we voted to free

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the President's hands in his negotiations with parties to the conflict in Angola.

Section 107 of the bill we have before us will effectively repeal that historic decision. I urge my colleagues to support the deletion of this section from the bill.

There are currently up to 45,000 Cuban troops in Angola supporting the governing politburo largely confined to the capital city of Luanda.

As long as they remain, there will be no human rights, open elections, no economic development, no free markets and no peace in Angola. Given our support for the freedom fighters of Afghanistan, there is no reason why we should not support those who would resist the Communist regime in Angola.

The President must have a range of options in dealing with foreign policy beyond doing nothing in Angola, as the gentleman from Indiana would want, and sending in the marines. Covert action, especially to freedom fighters throughout the world, is essential in stopping the slow and methodical capture of nations within the Soviet bloc.

Many have argued that since U.S. covert aid to freedom fighters has been widely reported, we might as well open up these operations to full public disclosure. This would be a mistake. Aid to the freedom fighters of Afghanistan is well known, but how it gets there and what is specifically provided is not discussed. Full public disclosure of these methods and operations would shut off the flow of aid. By opening up these operations, we kill them, restricting the President's flexibility.

Mr. Chairman, we had a full debate on Angola last year and are having another one now. I only wish the Soviets and the Cubans would also give us a full and open public debate on their military aid and troops sent to prop up the Marxist Government of Angola.

I urge adoption of the amendment.

Mr. STUMP. Mr. Chairman, I yield 5 minutes to the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

(Mr. MICHEL asked and was given permission to revise and extend his remarks.)

Mr. MICHEL. Mr. Chairman, as an ex-officio member of the Intelligence Committee, I have had the opportunity to work with an outstanding bipartisan group of Congressmen and an efficient and dedicated staff. The committee does a fine job.

I say this because, quite frankly, I am puzzled by the inclusion of section 107 in the Intelligence Authorization Act before us.

In effect it says that if the President wants to help freedom fighters in Angola, he must openly acknowledge this and the Congress must openly debate the issue and then enact a joint resolution approving such aid.

It is as if a chief of police was told he could have a sting operation to catch criminals but would have to publicly announce such operations in advance with time, place, and date and number of police involved.

He would certainly get a public debate—but he would never catch any criminals.

The same principle applies here. If we accept this section, we force our

President to either tell the enemies of Angolan freedom fighters exactly what he wants to do before he does it or else stop him from doing anything at all.

And so this proposal presents an American President with two options in Angola—futility or impotence.

We are told that support for Angolan freedom fighters involves serious and substantive foreign policy issues concerning United States relations with black African nations and the entire question of the future of southern Africa, including Namibia.

We are also told there have been public statements and pledges of assistance to the Angolan freedom fighters from the administration including the President. Therefore, say the critics of Angolan aid, since vigorous public debate on the issue is already going on, the issue is no longer a secret and there is no need for covert assistance.

But both of those principles—long-term regional effects and existing public debate—could be used to make public all our covert operations.

Every operation of our foreign policy covert or overt, has long-term regional effects on geographic regional questions. And all you need is one leak to the media and we have what is called public debate.

And so what does this amendment really do? It asks us to embrace principles that could leave all our covert operations at the mercy of anyone with the price of a telephone call to the Washington Post.

As soon as a "Bob Woodward" reports that he believes there is a covert operation somewhere, some opponent of that aid will jump up and say he is shocked and we will have public debate in the newspapers.

And, for the supporters of the Hamilton approach that alone will be enough to require the President to tell the Communists what he wants to do.

Let me speak to those Members who support this approach.

You don't like Savimbi. You don't like UNITA. You don't like the fact that Savimbi, in order to fight Communists, has accepted aid from South Africa.

So you feel justified in your approach. But I say you are very short-sighted.

Think of what impact your proposal will have on American allies all around the world.

I don't mean freedom fighters only. I mean those nations that are quietly and secretly helping us in certain areas.

How can they trust us to keep their help a secret if we plan to disclose every single fact about our Angola policy in the event we wanted to send aid to UNITA?

Either we keep the principle of covert operation, with the President's right to propose them and the Intelligence Committee's right to pass judgment on them as we do now—or else

we abandon it. There is no middle ground or half-way house so to speak.

What we have here is the Clark amendment reconstituted the very same Clark amendment repealed last year.

It is a bad proposal because it gives to any one Member who wants to spread true or false information the power, through this mechanism of public debate, to thwart the President's objective of exercising any covert operation.

In fact, this proposal undermines the collective thinking and judgment of the Congress if by majority we subscribe to the President's view.

I reject such an approach. It is dangerous and irresponsible. I urge deletion of section 107 in the interest of the legitimate foreign policy goals of our country.

I am including a letter from Secretary George P. Shultz to me on this section:

THE SECRETARY OF STATE,
Washington, September 17, 1986.

Hon. ROBERT H. MICHEL,
U.S. House of Representatives.

DEAR BOB: I am writing to express to you the strong opposition of this administration to the passage of the FY-87 Intelligence authorization Bill without the deletion of Section 107. I understand that the Bill will be brought to the floor of the House for a vote September 17.

The administration has major objections to Section 107. The amendment requires that any U.S. Government support for military or paramilitary operations in Angola be openly acknowledged and publicly debated. It would also prohibit the furnishing of any assistance to UNITA unless Congress enacts a joint resolution specifically approving such assistance. Quite simply, this section will terminate the ability of the administration to provide aid to UNITA. It will stop any movement toward a negotiated settlement in Angola. Section 107 will legislate a policy that will maintain the status quo in Angola, guaranteeing the continuing presence of 30,000 Cuban troops and flow of aid from the Soviet Union, which has already amounted to 3 billion dollars. This legislative constraint on Presidential actions will make more difficult the achievement of our objective of bringing about independence for Namibia and the end of the illegal presence of South African troops in that country.

The Congress repealed a measure similar to Section 107, the Clark amendment, less than one year ago. The administration supported and applauded that repeal because the Clark Amendment had left us powerless to negotiate a settlement. The administration also supports the desire of the supporters of this amendment to bring the conflict in southwestern Africa to the attention of the American people and to conduct public debate on the situation in Angola. The administration is not seeking to cut off public debate on this conflict. There are carefully designed procedures for statutory oversight of activities that are not debated in public. Section 107 departs markedly from these well established procedures.

The administration supports Jonas Savimbi's struggle against Soviet and Cuban adventurism, and is committed to providing effective and appropriate assistance to UNITA. This support does not imply support, in any way, for the South African

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ernment. UNITA accepted significant military aid from South Africa only after passage of the Clark amendment cut off assistance from the United States. Savimbi has clearly stated his opposition to apartheid. No critic of UNITA asserts that UNITA receives from South Africa assistance comparable to the flood of Soviet and Soviet-bloc military aid given to the MPLA.

For these reasons the administration places the highest priority on supporting action to delete Section 107.

Thank you very much for your attention to this matter.

Sincerely yours,

GEORGE P. SHULTZ.

□ 1530

Mr. HAMILTON. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. PANETTA].

(Mr. PANETTA asked and was given permission to revise and extend his remarks.)

Mr. PANETTA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, our foreign policy has taken a decided turn in recent years. Instead of pursuing a policy which reflects the will and the conscience of the American people, we have been confronted with a policy which quietly and covertly circumvents them.

First there was Nicaragua. The administration pursued a covert policy which amounts really to a war by proxy. When the war became too obvious, the covert aid program became overt. But even now, with an overt aid program to the Contras, we still cannot get all the information and facts we need about the aid program and the effect it will have not only on Nicaragua, but on the general foreign policy of the United States.

Now we have Angola. Again, this is supposed to be a covert aid program. But a funny thing happened. The President, and the Vice President, and senior State Department officials talked publicly about the assistance we ought to, and will be providing to Angola. They talked. The newspapers printed. And now a covert aid program is anything but covert.

Even though it was the administration which broke the story, it is now this same administration which wants to preserve a cloak of secrecy around the Angola issue. And they have a very important reason. Because, if the administration can keep its aid program covert—at least in principle—the aid issue can be decided as part of the intelligence authorization, with little debate and even less public exposure.

But it is time to put a stop to this kind of maneuvering. It limits public debate and devalues the democratic process.

And so, Mr. Chairman, I rise in support of the Intelligence Authorization as written and in opposition to the Stump Amendment. I oppose this amendment for two reasons. First, aid to UNITA will not serve the interests of the United States in Africa. And second, the issue of aid to UNITA should be an overt issue.

On the first point, we ought to examine whether aid to UNITA will help or hurt our interests in Africa. How will aid to UNITA affect our anti-apartheid efforts, and will it increase the likelihood of the withdrawal of Cuban troops from Angola?

Instead of helping our anti-apartheid efforts, aid to UNITA would only hurt those efforts. It

is no secret that South Africa has been almost solely responsible for keeping UNITA going for the past decade. Since 1976, South Africa has provided the bulk of UNITA's material support—weapons, explosives, vehicles, food, and medical supplies. It has even been reported that UNITA has infiltrated the Namibian independence group SWAPO and provided South Africa with information about that group. For the United States to help UNITA is to join in an alliance of association with South Africa. This move could only hurt our anti-apartheid efforts and make us look hypocritical to the world.

In addition, aid to UNITA would not further one of our most important goals: the removal of Cuban troops from Angola. United States aid to UNITA would be perceived as an obvious threat to the Government of Angola and would reduce their willingness to ask the Cubans to leave.

If our ultimate aim in Angola is the removal of Cuban troops, then we ought to continue along the diplomatic path. We have made some progress in encouraging the removal of the Cuban troops in exchange for an end to South Africa's incursions into Angola and its occupation of Namibia. If this were to take place, Angola would feel less threatened, and, more inclined to ask the Cubans to leave. Aid to UNITA, on the other hand, would only entrench the status quo and increase Angolan reliance on Cuba.

Even if the goals of this aid package were unquestionable—and they certainly are not—this is not the right way to pursue such a policy. And that leads me to my second reason for opposing this amendment: If the policy of aid to UNITA is the right one, then there is no reason why we cannot debate it in an open forum.

This is not, after all, a covert aid program by any stretch of the imagination. In fact, it seems that the only people who cannot talk publicly about the aid program to UNITA are Members of the U.S. Congress.

Whether or not to provide assistance to UNITA is a major foreign policy decision. It will impact on our relations with all the nations of Africa and it will reflect on our anti-apartheid policy. But instead of debating this issue in the open, as we do in the course of debate on the foreign aid bill, we now have to speak in whispers and pretend that the world does not know what we are doing.

But the world does know. And cloaking the issue with an appearance of secrecy will not change that fact.

It is time to open this issue up to the public debate that it deserves. Let us talk about the reasons for our actions and the possible consequences of these actions. That is the way a democracy works.

As written, the bill prohibits aid to UNITA unless the President publicly requests the aid and the Congress gives its approval. That is the proper, and constitutional, way to set policy. After all, it is not the job of Congress to give a rubber stamp to a foreign policy set by the President and the CIA. It is the responsibility of Congress to join in this process and to have input. If we forfeit that responsibility now, how can we ever hope to retrieve it?

If we examine this issue openly and honestly, then we will see that aid to UNITA will not further United States interests in Africa and could significantly harm the progress we have made against apartheid. It is through this open

exchange and debate that we will formulate a foreign policy that reflects the will, and has the support of the American people, instead of sneaking around behind their collective backs.

I urge a "no" vote on the Stump amendment.

Mr. HAMILTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. HAYES].

(Mr. HAYES asked and was given permission to revise and extend his remarks.)

Mr. HAYES. Mr. Chairman, I rise in opposition to the Stump amendment and ask unanimous consent to revise and extend my remarks.

First of all, let me make it clear that I am opposed to aiding UNITA in any form—covert, overt, or otherwise. However, since the matter at hand is limited to the use of covert aid, I will limit my remarks to that issue.

Listening to the debate on whether our Government should allow the continuance of "covert" military operations in Angola, I have yet to hear any justifiable reason why this Congress should authorize covert assistance when the entire world already knows exactly what we have been doing in Angola. The President, the Vice President, the Assistant Secretary of State for African Affairs, and other high-ranking officials of the Reagan administration, have publicly detailed the type and extent of aid Jonas Savimbi and UNITA have received from the United States.

As an instrument of foreign policy, covert assistance is an important tool for the Chief Executive to have available. But when that assistance is public knowledge, all of the justifications for its use are moot.

So who are we trying to deceive? Is it because this type of assistance could not stand a through debate? Is it because an open discussion of such aid would uncover the fact that supporting UNITA is tantamount to supporting apartheid?

The Intelligence Committee correctly approved this prohibition for a number of reasons, not the least of which is the fact that aiding UNITA would, in fact, be aiding the United States with the Republic of South Africa. The Reagan Administration's policy of constructive engagement has already proven to be a failure and has been overwhelmingly rejected by both Houses of Congress.

I believe we have an obligation to ourselves and to our constituents, to fully and openly debate a decision which would essentially put our country in the same posture that we have already rejected. Fifty African Nations have publicly opposed American aid to UNITA. I strongly urge my colleagues to do likewise. Retain section 107 and oppose the Stump amendment.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. FISH].

(Mr. FISH asked and was given permission to revise and extend his remarks.)

Mr. FISH. Mr. Chairman, South Africa provides UNITA with weapons, logistical support, intelligence information, and strategic planning. South Africa periodically invades Angola. South Africa's aim is to create a buffer

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of surrounding nations that are dependent upon it for survival. South Africa believes that this oppression will prevent the other southern African states from joining in a call for international sanctions against South Africa. Assisting UNITA rebels is an integral part of this plan.

The United States program of covert lethal assistance to UNITA puts the United States squarely behind South African attempts at regional domination and destabilization. To the rest of Africa and much of the rest of the world, it smacks of complicity with the apartheid regime in Pretoria. This was made clear during last week's visit by several members of European parliament, who said that a United States policy of aid to UNITA is seen as contradictory to stated U.S. policy regarding South Africa.

As long as the United States continues to support UNITA, South Africa will believe they have a free hand to destabilize Angola and the rest of the region. This would clearly send a contradictory and wrong message to the white leadership of South Africa as well as the black majority of South Africa.

Congress has already taken the important step of approving sanctions against South Africa. The next step is to stop U.S. cooperation with South Africa's aggression against its neighbors and to require South Africa to begin cooperation with the United Nations in implementing U.N. resolution 435, which provides for the demilitarization of southern Angola and northern Namibia with an agreed-to international peacekeeping force.

Aid to UNITA does not make practical sense. It increases the reliance of the Angolan Government on its shield of Cuban troops. It has interfered with the search for a settlement in Namibia, since the Angolan Government is hardly likely to view Washington as a fair mediator so long as the United States helps arm its internal enemies.

The language in section 107 of H.R. 4759 does not prohibit aid to UNITA, it merely says that any aid must be approved by Congress. This issue is clearly controversial—therefore public debate about the merits of such a program is clearly in the public and national interest.

The United States is Angola's largest trading partner. U.S. investment presently exceeds \$500 million. Two-way annual trade between the United States and Angola has grown to over \$1 billion during the Reagan administration, a significant portion of which was backed by U.S. Eximbank credits.

Today the United States remains the only country besides South Africa that does not recognize the Government of Angola—referred to as MPLA [popular movement for the liberation of Angola]. Negotiations between the United States and Angola for the establishment of relations were broken off earlier this year over the issues of withdrawal of Cuban troops from

Angola and independence for South African occupied Namibia. The Angolan Foreign Minister announced yesterday that he is asking for a meeting with Secretary Shultz to discuss normalization of relations. We would certainly be in a better position to monitor developments and influence policy in Angola if we had a mission there, and clearly support for UNITA erodes such a possibility. Angolan President Jose Eduardo Dos Santos said last week he would welcome a meeting with President Reagan to ease tensions and discuss diplomatic relations.

Savimbi is an opportunist. In the early sixties he broke with another group opposed to Portuguese colonization, the FNLA, because that group was too closely tied to the United States. In the early seventies UNITA courted Chinese support. At the same time UNITA was helping Portugal against the MPLA and FNLA. In 1985, there was a split in the ranks of UNITA. Dissidents within UNITA accused Savimbi of waging a war against "those who do not obey him unconditionally." It is thus not entirely clear that aid for Savimbi is aid to our national interests in the region.

Some have argued that passage of the bill's language will set a precedent that will require a vote on all covert actions. This is not the case. The Intelligence Committee approves the vast majority of covert operations. Today's vote should be seen simply as the oversight process in action. As in the case with aid to the Contras of Nicaragua, Congress has the chance to determine whether it will approve funding for a controversial program.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the gentleman from Louisiana [Mr. ROEMER].

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. I thank my colleague for this time.

Mr. Chairman, this is a difficult and complex subject, and I know Members, like myself, are struggling to do the right thing. I am going to urge today that we support the committee's position and section 107 of Mr. HAMILTON and reject this amendment for four reasons.

First, in 1985 we, I, voted to repeal the Clark amendment because it was an unnecessary restriction on Presidential discretion. The question was never one of providing covert or overt aid to the Angolan rebels. In fact, the administration said then it had no such plans.

Second, the administration now talks—you can talk about leaks and phone calls all you want—but the administration now talks publicly and often about supporting UNITA. Clearly, that removes the aid from the covert category. But none of the administration's talk has been with the Congress. We have been denied the opportunity to fulfill our constitutional authority to debate the policy. The

question is not informing the Communists; it is informing the Congress.

There are questions that need to be answered. How much money? It is \$15 million to \$25 million this year alone.

For how long? Committed to whom? Savimbi is the chameleon of African politicians.

Third, aiding the rebels in Angola may or may not allow us to reach important objectives, which are an end to apartheid, withdrawal of foreign troops, independence for Namibia.

But I believe any foreign policy initiative to be successful requires the support from the Congress. Any attempted end run past congressional authority is a bad start to any important initiative.

Fourth and finally, providing aid to UNITA will put America squarely on the side of the South African Government in a murderous civil war and in opposition to most of Africa.

Cuba and the Soviet Union have generously supported the other side. So there is good reason to consider American assistance. But the dangers accompanying that assistance demand a full debate. We ought not blindly serve as a tool of South Africa foreign policy. Aiding UNITA hurts our ability to work against apartheid with South Africa's frontline neighbors and damages our relations with other African governments and future South African leaders.

Like Angola, the other six African countries bordering South African-controlled territory have been the target of South Africa's military and economic campaign to force them to abandon groups fighting against apartheid.

These countries, virtually all of the other African countries and the leaders of every major antiapartheid group inside Africa and Namibia oppose United States aid to UNITA.

Support Hamilton, vote against the misguided, open-ended spending, knee-jerk administration amendment. That vote is both good and procedure and in the long run for America good policy.

Mr. STUMP. Mr. Chairman, I yield 10 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Florida [Mr. PERRY] to close debate for this side.

Mr. PEPPER. I thank the gentleman for yielding.

Mr. Chairman and my colleagues of the committee, you know that this bill provides that no military or paramilitary aid may be given to Angola without the authority of the Congress. The effect of that provision which we seek to strike in our amendment is primarily twofold: First, it would stop the relatively insignificant aid that we are now giving to Angola; and second, it would hamstring the arm of the President of the United States and the Government of our country in giving assistance to those who seem to be worthy of the support of the greatest democracy in the world.

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I have a letter here that came through an international organization, TKY, from Savimbi, and he says of these people in Angola:

In Angola we have never had elections. The country is ruled by an illegitimate minority regime propped up by 45,000 Cubans, 1,500 Soviets, 2,500 East Germans, 2,000 North Koreans and other Eastern-bloc forces.

That is who these people in Angola are. What are we proposing to do now? To give them some help.

Nobody knows better than the distinguished Intelligence Committee of this House exactly what aid we are now giving them. I am not at liberty to disclose all the information I have. But I think anybody knowledgeable of the subject will realize from what was said by the minority leader quoting the Secretary of State, and by the knowledge that we have, that it is very small, relates to one weapon that they need the most. Why is it that we do not have the matter before the Congress? Well, there again the Intelligence Committee, I am sure, knows more about it than anybody else except the Government itself.

But I can tell you according to the information that I have there is a reason, because it would be impossible to get the aid to them if we were publicly to announce that we were sending them this aid.

It might be similar in respect to Afghanistan. You remember that we authorized aid to the Afghan rebels who are fighting for their lives against an insidious Soviet Communist conquest of their own country. Yet everybody knows we are giving them aid. There is a reason, I assure you, why we are not publicizing to the world what we are giving to Afghanistan. There is a reason. Should we stop giving aid to certain countries in the Far East, to those besieged people in Afghanistan fighting as courageously as patriots have ever fought for their land and their lives? Who wants to stop that? Are we going to say here in this House by the action we take this afternoon that nowhere on Earth when our Government, elected by the people of our country, says somebody is entitled to the support of the world's greatest democracy in their fight for freedom, that unless we follow a certain public formula we cannot give them anything? We understand, of course, that if the amount of aid given is voluminous, large, immense in importance, of course the Government would not have the aid to give them unless Congress authorizes that aid. But I can assure you that if we cut off this aid that we are now giving, small and inconsequential in character, then this is what Savimbi says about it, and this section places large and unqualified roadblocks in the way of any President of the United States, present or future, which would help Angolan freedom fighters, the Soviet Union and Cuba, in doing so, it would weaken the prospects of a negotiated settle-

ment to our tragic civil war by encouraging the Soviets, Cubans, and MPLA Communists to believe military victory over UNITA is possible.

□ 1545

Now then they say, oh, but the people in Angola, Sambibi, is receiving help from the South Africans and they are an odious people because they have apartheid as their policy against their own black people.

My friends, you remember there was a man named Benjamin Franklin who was the United States Minister to France during the time that the colonies began their intrepid struggle for our independence so we could establish a democracy in this blessed America. To whom did he go for help? He went to one of the most despotic monarchies on the face of the Earth, Louis XVI, and he persuaded Louis XVI to give help to the struggle of the American colonies for freedom. We were fighting for democracy. He was so much of an odious monarch that his own people cut off his head and that of his queen, too. So he was not exactly a Democrat.

We have heard the expression in America, "Any old port in a storm." We needed help, and if a despotic king could give it to us, it made it possible for Yorktown to come to be the end of the Revolutionary War. It denied Cornwallis the opportunity to escape from the seclusion in Washington that forced him. It held off the possible British fleet interference. America, through the aid of this despotic monarch, who was not long after to lose his head because he abused his own people, it made it possible for us to have our democracy.

Remember Churchill talked about, "I'd say a few kind words for the devil if he would come out against Hitler." And he said some rather unkind things about the Soviet Union, but when the Soviet Union headed its mighty force against the dastardly Hitler, he said some kind words for him.

Give Savimbi the help that he needs from America, and I can assure you he will not get any help from South Africa.

Here is what he says about apartheid.

We in UNITA take a back seat to no one in abhorrence of apartheid. Apartheid is an evil system doomed to perish. However, those seeking justice in South Africa cannot morally ignore the right of Angolans to fight for their own freedom. The charge that UNITA is a "tool of South Africa" is ridiculous and unsubstantiated. Whom would UNITA apply the apartheid system against? Would we apply this system against ourselves?

So here are some people in part of black Africa, no elections, 45,000 Cuban military personnel over there, these people from East Germany, from North Korea, these mighty Communist forces concentrated there, who deny these people of Angola the right to be free, and we are giving them a

little help. And because of some tactical reasons, we cannot ask Congress' full support. They want to cut off the little help that we are giving them.

That is not the thing that we ought to do. Are we going to stop all covert aid all over the Earth? Who are more meritorious than these people over there in Angola?

We passed the other day sanctions against apartheid in South Africa because they cannot vote. They do not have freedom. These Africans in Angola cannot vote. They do not have freedom either, because they are in the vice of the Communist forces that have their grip on this land.

So I ask you, my colleagues, let our amendment be passed. Let us strike this prohibition out of the bill. Let us allow this little help which is meaningful to these people who are fighting for their freedom, to continue to aid them in their struggle and promote the likelihood of a negotiated settlement or likelihood that possibly the Government would be changed and we can have freedom on that country, too. That, it seems to me, would be the proper role of our country. I hope we will not approve this prohibition under these peculiar and particular circumstances that mean so much to these fighting people for their own liberty and their freedoms.

Mr. HAMILTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. BONIOR].

(Mr. BONIOR of Michigan asked and was given permission to revise and extend his remarks.)

Mr. BONIOR of Michigan. Mr. Chairman, last week this body overwhelmingly voted tough sanctions against the Government of South Africa. Today, we will consider the issue of covert aid to the UNITA rebels fighting in Angola. These issues are two sides of the same coin.

South Africa provides about 90 percent of UNITA's foreign aid. Its military aid to Angola has totaled \$1 billion in the past 5 years.

We cannot condemn the system of apartheid 1 week and endorse its campaign to destabilize southern Africa the next. Aid to UNITA is aid to apartheid, make no mistake about it.

If we vote today to continue covert aid to UNITA, by striking section 107 of the intelligence bill, we will be telling the world we are not serious about our campaign against apartheid, and will be endorsing a wider war in southern Africa.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY of Pennsylvania. Mr. Chairman, I rise in opposition to the Stump amendment. Prior to additional tax dollars being sent to UNITA, we must be given the opportunity to debate this issue.

The Congress debated whether or not we should aid the Contras in Nica-

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ragua. We debated whether or not we should aid the non-Communist resistance in Cambodia. We debated whether or not we should aid the Mujahadeen in Afghanistan.

Why shouldn't we debate the issue of aid to UNITA? Are we saying that if UNITA is good enough for South Africa, UNITA is good enough for us? Because South Africa finds it in its best interests to arm UNITA, does that automatically mean that it is in the best interests of the United States for us to do likewise?

I urge my colleagues to be very cautious.

Just 1 week ago, we voted overwhelmingly to reduce our economic ties with South Africa. Are we really ready now to increase our military ties with South Africa?

We must not walk into this issue blindly.

Some say that we must aid UNITA because this is the only way to get foreign troops out of Angola.

No one feels more strongly than I that foreign troops must leave Angola. But let us not forget how the Cubans came to be in Angola to begin with. South Africa was the first foreign force to descend upon Angola. It was in response to South African troops closing in on Angola's capitol in 1976 that that government issued an international appeal for military support.

From that day until now, South Africa has occupied southern Angola.

How then will our further strengthening the UNITA/South Africa alliance cause the Cubans to go home? This action on our part would only deepen Angola's reliance on foreign troops.

Mr. Chairman, I want Cuban troops out of South Africa. And I believe that all of my colleagues here today want Cuban troops out of Angola. But I also know that South Africa does not want Cuban troops out of South Africa, because South Africa has stated quite clearly that they will not end their illegal occupation of Namibia until Cuban troops leave Angola, and South Africa has no interest in leaving Namibia.

But this is not the issue. The issue is whether or not we have the right to debate further involvement with UNITA. I, for one, Mr. Speaker, feel that debate is crucial.

Continued American aid to UNITA has serious foreign policy implications, and has been met with strong opposition by the nations of Africa. Our providing aid to UNITA also destroys our credibility as an impartial arbiter of a settlement in Namibia. Mr. Chairman, the leader of UNITA has declared that he will destroy the American corporate presence in Angola. Clearly our providing aid to UNITA has not been thought through.

I urge my colleagues to debate the implications of aid to UNITA fully and openly.

We must defeat the Stump amendment.

Mr. HAMILTON. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS].

(Mrs. COLLINS asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS. Mr. Chairman, ever since Ronald Reagan took over the White House, he has been looking for Communists to kill. Unfortunately, his "shoot first and ask questions later" attitude threatens to destroy U.S. foreign policy.

The newest target for President Reagan's guns is the Government of Angola. Even though Angola is linked to the United States economically and welcomes American business investment, the President insists that United States interests will be best served by a change in government.

Instead of the existing government, the administration wants to install the rebel force of UNITA, under the leadership of Joseph Savimbi. One wonders if anyone in the White House has ever taken a close look at Savimbi.

In truth, Joseph Savimbi is no democrat, only a supreme opportunist. A former student in Communist China and a self-styled Marxist, Savimbi originally fought as a Communist. He only began to depict himself as a Western-oriented democrat in an effort to obtain American money.

Recently, during the same time he was begging for American money, Savimbi threatened to blow up American-owned oil facilities. In this the sort of individual that will bring democracy to Angola or who can be trusted with millions of United States dollars?

Savimbi has even allied his UNITA rebels with racist South Africa. Pretoria now supplies arms, training, fuel, and transport facilities to the rebels. A call from UNITA is all it takes to initiate South African air strikes in Angola. The Afrikaners are even providing close combat support for the rebels.

In return for this aid, Savimbi secures South Africa's borders, thereby releasing Pretoria's military forces to repress its black population. By supporting Savimbi, the United States will be propping up apartheid repression.

Support for UNITA will also destroy America's long-range interests in Africa. All of the frontline states, and almost every other African nation, has condemned Savimbi and his UNITA rebels. Funding for Savimbi would place the United States in a de facto alliance with South Africa and alienate other African nations. Black Africans would then be forced to turn to the Soviet Union for support. Such a policy would actually increase the spread of communism in Africa.

The House Intelligence Committee understood the true nature of Savimbi. They prohibited the covert funding of UNITA rebels in section 107 of the intelligence authorization

bill. This insures that any attempts to fund UNITA will be subject to congressional debate and its consequences fully considered. I urge my colleagues to support human justice and American interests—reject any attempt to delete section 107.

Mr. HAMILTON. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. McHUGH].

(Mr. McHUGH asked and was given permission to revise and extend his remarks.)

Mr. McHUGH. Mr. Chairman, I rise in opposition to the Stump amendment and urge my colleagues to support the Intelligence Committee's inclusion of section 107 in this bill.

Section 107 would prohibit the funding of military or paramilitary operations in Angola by any agency of the United States involved in intelligence activities, unless such funding is openly requested by the President and approved by the Congress. The effect of section 107 would be to preclude the President from using funds authorized in this bill for so-called covert operations in Angola.

In my judgment, and in the judgment of a majority of the Intelligence Committee, section 107 deserves your support on both procedural and policy grounds.

In this case, the procedural issue is at least as important as the policy argument. It relates to the question of when a President, acting alone, should be able to commit the United States to a fundamentally new policy without first obtaining congressional approval. More specifically, when should a President be able to circumvent the normal authorization and appropriations process in providing military aid to a foreign government or foreign forces?

As you know, Mr. Chairman, except in extraordinary circumstances the President must submit any request for foreign assistance to Congress for open consideration, debate, and disposition. This is because foreign policy commitments are not the sole province of the Executive; they are national commitments in which the Congress and our people have a vital interest. These fundamental decisions are shared responsibilities. Under most circumstances they must not be undertaken by the President alone and in secret.

Congress has recognized, however, that in exceptional cases the President should have the authority to initiate covert operations abroad without prior congressional consideration and approval. In such cases, Congress has ceded to the President the authority to initiate action unilaterally by simply notifying the Intelligence Committees of the House and Senate of his "finding" that the interests of the United States justify the use of this extraordinary procedure. In such cases, there is no congressional debate and there is no congressional vote.

H 7042

CONGRESSIONAL RECORD — HOUSE

September 17, 1986

Indeed, there is no knowledge on the part of most Members of Congress or the public that the United States has been committed.

In this democracy that is truly an extraordinary procedure, and it should be used only when the interests of the United States require secrecy, or require "plausible deniability." We can all appreciate that in certain limited cases the need for secrecy or plausible deniability should override the right of Congress to participate in fundamental policy decisions. Indeed, I should emphasize that all of us on the Intelligence Committee have supported certain covert operations for those very reasons. However, this is not an appropriate case for dispensing with congressional rights and responsibilities, and that is why the Intelligence Committee included section 107 in this bill.

In the case of Angola, the President himself has publicly disclosed the commitment of the United States to the Savimbi forces. He and other key members of his administration have ostentatiously taken political credit for it. Accordingly, there is no reason for secrecy in this case, and any denial of involvement by our Government now would hardly be plausible.

On November 23, 1985, in a statement to the New York Times regarding aid to Savimbi the President said:

We all believe that a covert operation would be more useful to us and have more chance of success right now than the overt proposal that has been made in Congress.

On December 6, 1985, Secretary Shultz said publicly:

As far as assistance to UNITA and Mr. Savimbi are concerned, as the President has said and I have said, we support those who fight for freedom against the Soviet and Communist regimes around the world, including Angola. Our desire is to support them effectively.

On February 6, 1986, in his State of the Union Address, President Reagan again announced support for Savimbi:

We are moved by the efforts of freedom fighters such as Jonas Savimbi and the members of UNITA. They deserve our support in their brave struggle against Soviet-Cuban imperialism in Angola.

On February 18, 1986, Assistant Secretary of State for African Affairs, Chester Crocker, proclaimed to the world that the covert operation was underway:

The decision has been made, and the process is in motion.

Finally, we can all recall that when Jonas Savimbi visited Washington he was received by the administration like a chief of state, including a well-photographed meeting with the President in the Oval Office. The administration orchestrated a high-profile campaign of public appearances for Mr. Savimbi to demonstrate its support for his cause.

For that same administration to argue now that an open debate and decision by Congress would compromise the covert nature of its operation is lu-

dicrous on its face. The covert nature of this operation was blown before it began by the President and key officials in his administration. To insist on covert procedures now is simply to deny to Congress its right and responsibility to participate in a major policy decision.

Therefore, whatever your views on the policy question may be—whether you support aid to Savimbi or not—the policy decision should be made in the traditional way, just as other important policy decisions are made: By open deliberation, debate and vote in Congress. That's all that section 107 requires, and that's one reason why the Stump amendment to delete it should be defeated.

Beyond this fundamental question of procedure, of course, there is substantive policy issue: Does it serve the interests of the United States to provide military aid to the Savimbi forces in Angola? In my view, it does not, and the Stump amendment should be rejected on substantive grounds as well.

A succession of administrations has said that promoting peaceful change and stability in southern Africa is consistent with American interest. More specifically, they have identified the following goals as paramount in the pursuit of our legitimate interests: A peaceful end to apartheid in South Africa; independence for Namibia; a reduction of Soviet and Cuban influence as compared to our own; and meaningful human and economic development as well as the evolution of democratic systems in the region. These are rational goals, consistent not only with our own interests but we believe with the interests of most Africans. They are goals that the American people can support. But does military aid to Jonas Savimbi advance those goals? I think not.

It's clear that aiding Savimbi appears to put us on the side of the white minority regime in South Africa, the regime which has been the major supplier and sponsor of Savimbi for more than ten years. The vast majority of Africans see this policy as inconsistent with an end to apartheid, as inconsistent with independence for Namibia, as inconsistent with stability and peaceful change in the region. As black African leaders have told us publicly and often, this policy is seen as United States complicity in the policies of South Africa. That can hardly serve the interests of the United States.

In fact, it plays into the hands of the Soviet Union and Cuba, whose influence we seek to diminish. It is they who seem to be resisting South African aggression. It is they who seem to be defending the black majority against the efforts of the white minority regime to destabilize the region and thereby hold into its power and privileges. At a time when our administration resists sanctions against that minority regime and supports its client

in Angola, it is we who seem to be resisting peaceful change and stability.

And what can we hope to gain by putting our country in this position? Certainly not a military victory in Angola. The aid we are providing to Savimbi is a mere fraction of what the South Africans are providing, and a mere fraction of what the Soviets and Cubans are providing to the Angolan Government. Our aid won't make a difference on the ground; even the administration concedes that our involvement will not tip the scales in Savimbi's favor. We are therefore paying an enormous political price in southern Africa for military aid that will have only a marginal impact in the conflict.

The administration argues that our aid will serve to bring the combatants to the bargaining table. That is a worthy goal, but is it realistic? Can we really expect the South Africans to negotiate? Why should they when they have reason to believe that the United States has now taken a partisan position—their position? And why should the Angolan Government negotiate? Isn't it more likely that in the face of escalating military pressure it will become even more dependent on the Soviets and Cubans?

No, Mr. Chairman, this is a losing policy. It has no prospect of securing a military victory on the ground and it is politically costly to our interests in southern Africa. The time to call a halt is now, before it is too late. Let us bring our policy in Angola into conformity with our policy in South Africa. Let us send a consistent message to the people of southern Africa. Congress can't credibly vote to impose sanctions on South Africa one week and then align itself with South African policies the next. Let us cast our lot today, clearly and unequivocally, with the majority in black Africa. That is what the American people want, and that is what will best serve American interests.

Mr. Chairman, I urge my colleagues to reject any simplistic appeal to anti-communism, to reject anything but a clear-eyed appraisal of American interests, and to reject, on both procedural and substantive grounds, the Stump amendment.

□ 1555

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. STUMP].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. STUMP. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 229, noes 186, not voting 16, as follows:

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CONGRESSIONAL RECORD — HOUSE

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[Roll No. 387]

AYES—229

Andrew
Anthony
Archer
Army
Badham
Barnard
Bartlett
Barton
Bateman
Bentley
Bereuter
Blaggi
Billrakis
Bibley
Boehlert
Boggs
Boulter
Broomfield
Brown (CO)
Bryant
Burton (IN)
Bustamante
Byron
Callahan
Carney
Carper
Chandler
Chapman
Chappell
Chappie
Chaney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Coughlin
Courter
Crawls
Crane
Daniel
Dannemeyer
Darden
Daub
Davis
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dwyer
Duncan
Dyson
Eckert (NY)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Fawell
Fiedler
Fields
Franklin
Frenzel
Frost
Fuqua
Gallo
Gaydos
Gekas
Gilman
Gingrich
Glickman
Goodling
Gradison
Green
Gregg

NOES—186

Ackerman
Akaka
Alexander
Anderson
Annunzio
Applegate
Aspin
Atkins
AuCoin
Barnes
Bates
Bedell
Beltonson
Bennett
Berman
Bevill
Bonar (TN)
Bonior (MI)
Borski
Bosco
Boucher
Boxer
Brooks
Brown (CA)
Bruce
Carr
Coelho
Coteman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Crockett
Daschle
de la Garza
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Dwight
Dwyer
Dymally

Early
Eckart (OH)
Edgar
Edwards (CA)
Evans (IL)
Fazio
Feighan
Fish
Florida
Foglietta
Foley
Ford (MI)
Frank
Garcia
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Gray (IL)
Gray (PA)
Guarini
Hall (OH)
Hamilton
Hawkins
Hayes
Hertel
Horton
Howard
Hoyer
Hughes
Jacobs
Jeffords
Jones (NC)
Jones (TN)
Kaptur
Kastenmeier
Keenelly
Kildee
Kleecka
Kolter
Kostmayer
LaFalce
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Long
Lowry (WA)
Lukens
Lundin
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McHugh
McKinney
McKulski
Miller (CA)
Mineta
Mitchell
Moakley
Moody
Morrison (CT)
Mrazek
Murphy
Neal
Nowak
Oakar
Oberstar
Obey
Olin
Owens
Panetta
Pease
Penny
Perkins
Price
Rahall
Rangel
Reid
Richardson
Rodino
Roemer
Rose
Rostenkowski
Rovbal
Russe
Sabo
Savage
Scheuer
Schneider
Schroeder
Schumer
Seiberling
Sharp
Sikorski
Siskisky
Slatery
Smith (IA)
Solarz
Spratt
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Torres
Toricelli
Towns
Traficant
Trazier
Udall
Vento
Visclosky
Waldon
Walgren
Waxman
Weaver
Weiss
Wheat
Whitley
Williams
Wirth
Wise
Wolpe
Wright
Wyden
Yates
Young (MO)

NOT VOTING—18

Boland
Bonker
Breaux
Burton (CA)
Campbell
Clay
Flippo
Ford (TN)
Fowler
Grotberg
Hartnett
Kindness
Lewis (FL)
Moore
Roe
Zachau

□ 1615

The Clerk announced the following pairs:

On this vote:

Mr. Kindness for, with Mr. Bonker against.

Mr. Campbell for, with Mr. Ford of Tennessee against.

Mr. Lewis of Florida for, with Mr. Clay against.

Mr. Hartnett for, with Mr. Boland against.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MINETA) having assumed the chair, Mr. MURTHA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4759) to authorize appropriations for fiscal year 1987 for intelligence and intelligence-related activities of the U.S. Government, the intelligence community staff, and the Central Intelligence Agency retirement and disability system, and for other purposes pursuant to House Resolution 545, he reported the bill back to the House with sundry amend-

ments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The amendments recommended by the Permanent Select Committee on Intelligence and the Committee on Post Office and Civil Service, now printed in the reported bill, are considered as having been adopted.

Is a separate vote demanded on any other amendment?

If not, the Chair will put them en-gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT AMENDMENTS OF 1986

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 536 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 536

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2452) to amend the Federal Insecticide, Fungicide, and Rodenticide Act, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and to the amendment made in order by this resolution and which shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill, it shall be in order to consider an amendment in the nature of a substitute consisting of the text of the bill H.R. 5440 as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered for amendment by titles instead of by sections and each title shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of clause 1 of rule XXIII and clause 5(a) of rule XXI are hereby waived. No amendment to titles I through of said substitute shall be in order unless germane amendments printed in the Congressional Record and pro forma amendments for the purpose of debate. No