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# HOUSE COMMITTEE, ECHOING SENATE, OPPOSES MINING

## REAGAN IS FACING REVOLT

### But Officials Assert Operation Ended Last Weekend and Is Unlikely to Resume

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Special to The New York Times

WASHINGTON, April 11 — The House Foreign Affairs Committee today approved a resolution opposing the use of Government funds for the mining of Nicaraguan harbors as an impasse appeared to be developing between Congress and the Administration over continuation of covert activity in Nicaragua.

The resolution approved by the committee, in a vote of 32 to 3 with 2 abstentions, was identical to one passed by the Senate on Tuesday.

At the same time, Administration officials, suddenly faced with a revolt even by Republicans over their Central American policy, said that the latest phase of the mining of Nicaraguan harbors ceased last weekend. This was before the outcry in Congress against the mining had raised questions about the ability of the Administration to obtain financing for its key Central American programs. There was no explanation why this was not made known earlier.

#### Financing Is in Trouble

The officials, who privately acknowledged the mining was directed by the Central Intelligence Agency, still refused publicly to confirm that the agency was involved.

Kenneth W. Dam, Deputy Secretary of State, suggested that the United States would be justified in assisting the mining of Nicaraguan harbors as an act of collective self-defense. But in testifying before the House Foreign Affairs Committee, he too declined to acknowledge that the United States was involved in the mining.

In Honduras, the largest anti-Sandinista insurgent group decided at a meeting to continue the mining, a top official of the group said. But he denied that Americans were involved in it.

The Senate voted overwhelmingly last week to approve \$21 million to continue the covert program in Nicaragua and \$62 million for emergency military aid to El Salvador. But with Congress due to begin a 10-day Easter holiday by the end of the week, the House is unlikely to vote on either measure, raising serious questions about their passage.

#### Reagan Move Is Hinted

The full House was expected to approve the resolution passed by the Foreign Affairs Committee either later today or on Thursday. The resolution is not binding on the President, but an expression of the sentiment of the Congress.

A State Department spokesman, John Hughes, hinted strongly that if Congress recesses without approving the money for El Salvador, President Reagan might invoke emergency powers to provide the military aid for El Salvador on an interim basis. Such action, however, would be resented by many members of Congress and could lead to further confrontation with the Administration.

There is no legal authority for the Central Intelligence Agency to use other funds if the \$21 million for covert aid is not approved by Congress, C.I.A. officials said today. They said when the money for the insurgents in Nicaragua runs out — and it could within a matter of weeks — the operation there would have to cease. House Speaker Thomas P. O'Neill Jr. vowed today that no new funds would be authorized.

The officials who divulged that the mining of Nicaraguan waters had ended declined to say whether it would be resumed. A senior State Department official said that given the adverse publicity overseas and the strong Congressional opposition, it was "very, very unlikely" there would be additional mining financed or supported by the United States.

They said the ship that carried the mines and the Americans involved in directing the mining had left Nicaraguan coastal waters.

But Senate sources said they had not been informed by William J. Casey, the Director of Central Intelligence, that the mining had actually stopped. He met privately with senators on Tuesday and repeatedly refused to tell them the status of the mining, senators said today.

#### Reaction Stuns Administration

The Administration seemed stunned by the vehemence of the sentiment on Capitol Hill against the mining. Many senators, including those on the Intelligence Committee, which is supposed to be kept informed of all covert actions, asserted they knew nothing about the American involvement.

But officials of the Central Intelligence Agency, the State Department and the White House all insisted that the appropriate intelligence committees had been informed about the mining as well as other clandestine operations in Nicaragua last fall and subsequently. Last November, Congress approved \$24 million for Nicaraguan rebel activities.

The officials said President Reagan formally approved the mining last December. C.I.A. officials said they had transcripts of testimony before the intelligence committees to document that they were informed.

One State Department official said he had heard that some officials were considering seeking private financing for the Nicaraguan rebels if Congress does not act, but a senior State Department official said that was "off-the-wall thinking" and was "out of the question."

Senator Barry Goldwater, chairman of the Senate Intelligence Committee, said in a letter Monday to Mr. Casey that Mr. Reagan had given his consent to the mining last February, but officials said this was incorrect. The letter was made public by Senate sources on Tuesday.

The officials noted that the Nicaraguan Democratic Force, the leading Nicaraguan rebel group, publicly announced on Jan. 8 that it had mined Nicaraguan ports and was declaring all Nicaraguan ports to be "danger zones."

#### Reservations by Shultz

"The money Congress approved has been used to help the contras in many ways, and the mining is only one aspect of it," a State Department official said, using the name by which the Nicaraguan rebels are commonly known.

Secretary of State George P. Shultz was said by his aides today to have had some reservations about the mining because of possible international criticism, but not about the overall harassment campaign against the Nicaraguan Government. They said that he did not register formal objections to the White House at the time.

One aide said Mr. Shultz felt that the C.I.A. had primary responsibility for the rebel activity and that the mining was not regarded as a particularly big step.

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The thinking at the time the decision was made late last year to go ahead with the mining was that 10,000 tons of military matériel had been shipped to Nicaraguan ports in 1983, with a value of \$90 million, mostly from Cuba and the Soviet Union. The mines were viewed as a means of causing some disruption to the economy of Nicaragua and, with some luck, at its military supply line.

The mines, said to be manufactured by the C.I.A. in a garage-type building in Honduras, were not seen as a vehicle for stopping the flow of munitions to El Salvador. They were meant to detonate against large cargo ships, not the smaller coastal craft used to carry matériel across the Bay of Fonseca.

The mines were carried in a cargo ship that stayed outside the 12-mile Nicaraguan waters and were placed in speedboats that actually planted them.

#### Foreign Vessels Damaged

The mining became an issue only after foreign vessels, including one from the Soviet Union, reported in recent weeks that they had been damaged as a result of striking mines. Last weekend there were press reports of C.I.A. personnel being involved in the mining operations. On Sunday, the State Department announced that it

would not submit to World Court jurisdiction for two years on any disputes concerning Central America.

The department said it was doing so to block Nicaragua from bringing action against the United States over the mining and other rebel actions. This announcement, coupled with the press reports on the C.I.A. involvement, produced an outcry from many members of the Congress that the mining was an "act of war" of which they had no advance knowledge.

A State Department official said that Mr. Shultz recommended to Mr. Reagan the decision to inform the World Court that the United States would not accept its jurisdiction over a complaint from Nicaragua. He said that the court might seek a temporary injunction to block all activity against Nicaragua, but if a similar case were brought against Nicaragua by El Salvador, the Nicaraguans would insist they had done nothing and would not abide by an injunction.

The Administration has expressed concern over what the White House on Tuesday called "a shrill and often confusing debate" over its goals, plans and activities in Central America.

A statement issued Tuesday afternoon by the White House, in which Mr. Shultz, Mr. Casey, Defense Secretary Caspar W. Weinberger and Robert C. McFarlane, the national security adviser, concurred, said "it is critical that the American people understand what is at stake in the Central American region."

"The real issues are whether we in the United States want to stand by and let a Communist Government in Nicaragua export violence and terrorism in this hemisphere," the statement said, "and whether we will allow the power of the ballot box to be overcome by the power of the gun."

"There is no doubt that the Soviet

Union and Cuba want to see Communism spread further in Central America," the statement said. "The question is: Will the United States support those countries that want democracy and are willing to fight for their own freedom?"

The statement specifically denied that there was consideration or plans for American military forces to invade Nicaragua or any other Central American country. It also denied there was planning for "a post-election military enterprise" in the region — a reference to the elections scheduled for November in Nicaragua.

The Administration insists that it wants a region-wide diplomatic solution in Central America. It says it supports the efforts of the so-called Contadora group — Mexico, Venezuela, Colombia and Panama — to obtain the agreement of Nicaragua, El Salvador and other Central American countries to an accord that would prohibit the export of subversion, reduce the size of military forces, and end the presence of foreign military advisers in those countries.

The Contadora group is seeking to present formal language on April 30 for such an accord, which would implement 21 broadly worded objectives agreed to last year by the Central American nations. But the White House statement said that "Nicaragua's response throughout has been fraudulent and cynical."