

OCA 86-1831

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**OFFICE OF CONGRESSIONAL AFFAIRS**

**Routing Slip**

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	X	
3. DD/Senate Affairs		X
4. Ch/Senate Affairs		
5. DD/House Affairs		X
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		
9. FOIA Officer		X
10. Constituent Inquiries Officer		
11.		
12.		

SUSPENSE

6 June 86  
Date

Action Officer:

Remarks:  
*ACTION COMPLETED 30 MAY 86*

*Susan  
Tell OIMB  
we defer to  
DOJ's views*

GJ / 29 May 86  
Name/Date

*called Sue  
Thau 5/30*

STAT

Action  
OCA 86-1651

### OFFICE OF CONGRESSIONAL AFFAIRS

#### Routing Slip

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	X	X
3. DD/Senate Affairs		X
4. Ch/Senate Affairs		
5. DD/House Affairs		X
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		
9. FOIA Officer		X
10. Constituent Inquiries Officer		
11.		
12.		

SUSPENSE

~~6/1/86~~  
Date

Action Officer:

Remarks:

01 / 29 May 86

Name/Date

STAT



REC'D # ~~RECORD~~  
EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

LEGISLATIVE AFFAIRS  
86-1831

**SPECIAL**

May 23, 1986

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer-  
National Security Council  
Department of State  
/ Central Intelligence Agency  
Department of Defense

SUBJECT: Justice draft report on H.R. 4276, requiring that any U.S. Government support for military or paramilitary operations in Angola be openly acknowledged and publicly debated.

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than FRIDAY, JUNE 6, 1986.

Questions should be referred to SueThau/AnnetteRooney ( 395-7300 ), the legislative analyst in this office.

*Ronald K. Peterson*  
RONALD K. PETERSON FOR  
Assistant Director for  
Legislative Reference

Enclosures

cc: R. Neely  
J. Carley  
J. Eisenhower



U.S. Department of Justice

Office of Legislative and Intergovernmental Affairs

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Office of the Assistant Attorney General

Washington, D.C. 20530

Honorable Dante B. Fascell  
Chairman  
Committee on Foreign Affairs  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

This letter proffers the views of the Department of Justice on H.R. 4276, a bill to Require That Any United States Government Support for Military or Paramilitary Operations in Angola Be Openly Acknowledged And Publicly Debated. The Department recommends against enactment of this legislation.

The bill is designed to require the President to openly acknowledge the military and financial assistance that our country may be providing to Jonas Savimbi's forces in Angola. It would obligate the President, in order to continue such aid, to seek a Congressional joint resolution "approving United States Government support for military or paramilitary operations in Angola."

We believe the enactment of H.R. 4276 would impermissibly intrude upon the President's constitutional powers as Commander-in-Chief and Chief Executive to conduct foreign policy. In particular, the enactment of H.R. 4276 in the present circumstances of sensitive discussions aimed at the withdrawal of Cuban troops in Angola and clarifying the status of Namibia would adversely affect the President's conduct of our foreign policy in the Angolan region. The bill would, in effect, require the President either to formally acknowledge Savimbi's forces as the legitimate government of Angola or to repudiate Savimbi in favor of the Marxist regime, and hence give it de facto recognition.

Enactment of the bill would be, thus, not only an unwarranted but also an unconstitutional intrusion by Congress into the President's conduct of foreign affairs. The Constitution does

not permit Congress to require the President to recognize governments of foreign countries. U.S. Const. art. II sec. 2, par. 2. To the extent the bill would require the President to recognize one representative of the Angolan people rather than another, it would, on these grounds, be unconstitutional.

Very truly yours,

John R. Bolton  
Assistant Attorney General