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# Reagan to Bypass Congress to Fund El Salvador Fight

By Joanne Omang  
Washington Post Staff Writer

The Reagan administration announced yesterday that it will bypass Congress and use a special emergency defense fund to send military and medical aid to the government of El Salvador in its fight against leftist guerrillas.

The decision is likely to worsen the administration's already tattered relations with Congress over Central American policy. It came after Congress recessed for a week without acting on the administration's request for \$61.75 million in emergency assistance for El Salvador, and after both houses condemned CIA participation in the laying of mines in Nicaraguan waters.

White House spokesman Larry Speakes said that the action allows El Salvador to defer payment on military supplies for 120 days, and that the Defense Department budget would have to absorb the cost if Congress does not provide El Salvador with money for the equipment by then.

The aid, he said, will initially include four medical evacuation helicopters, training equipment and funding, ammunition and spare parts for helicopters and communications equipment.

In a formal statement, the White House said the aid was needed "in order to prevent unnecessary loss of life and to assure the security required for [El Salvador's] runoff election" for president next month.

Rep. Clarence D. Long (D-Md.), chairman of the House Appropriations subcommittee on foreign operations, immediately condemned the decision.

"I think it's wrong, wrong, wrong," he said. He called the move "counterproductive," saying it was a signal to Congress to "go work your head off, but if we don't get exactly what we want, we'll bypass you."

A State Department official, however, said that a marathon telephone consultation session yesterday afternoon found most members of Congress willing to support the move.

"There was a consensus that something had to be done. It was a question of how you were going to do it," he said.

Long had reached a tentative agreement late Thursday with ad-

ministration officials to provide El Salvador with \$32 million—about a third of the original White House request—for ammunition and medical evacuation equipment by reprogramming unspent aid funds assigned to other nations.

In return, the administration would have guaranteed to implement a number of relatively minor actions in El Salvador aimed at strengthening human-rights controls over the Salvadoran armed forces, according to Long's staff.

But the agreement did not suit Long's counterpart in the Senate Appropriations subcommittee on foreign operations, Sen. Robert W. Kasten Jr. (D-Wis.), nor the author of the \$61.75 million compromise that passed the Senate last week, Sen. Daniel Inouye (D-Hawaii).

"We had a series of overwhelming votes over here" in the Senate, a key Republican staff member said. "Why should we or the administration accede to a recommendation of one person in the House for half the money?"

At a news conference, Kasten said he had objected because \$32 million was not enough to meet the need and because the reprogramming would hurt other nations. "The White House has been bending over backward to work with Congress on this," he said. "This route is the second-best because now they [in the administration] can get the dollars they need."

The administration statement did not specify how much money would be sent to El Salvador, but the State Department official said the administration "will try to keep it within \$32 million until Congress has had a chance to act, barring unforeseen circumstances and assuming Congress acts expeditiously."

The \$61.75 million emergency aid request passed by the Senate is pending as a top priority before the House when it returns from its Easter recess April 24.

After much debate on which of three emergency funding mechanisms to use, the administration chose Section 21-D of the Arms Export Control Act, in essence a buy-now-pay-later plan for weapons. It allows arms to be shipped overseas COD rather than prepaid, and for payment to be delayed automatically for 60 days. If there is a presidential finding that national security interests are at stake, payment may be delayed another 60 days.

The 120-day period can carry El Salvador into mid-August, by which time the administration hopes that Congress will have acted to provide funds to pay for the arms, either through the pending emergency aid request or through the administration's broader aid request for all of Central America.

A verdict is also likely by then in the case of four Salvadoran National Guardsmen charged with murdering four American churchwomen in 1980, and that would release another \$19 million in funds set aside for El Salvador last year.

In a related development, CIA Deputy Director John N. McMahon issued an unusual formal

statement denying a report in yesterday's Washington Post that he had "believed from the beginning" that U.S. covert activities against the Sandinista government of Nicaragua were "ill conceived."

He said he and CIA Director William J. Casey "are of one mind when it comes to agency programs, including those to counter the threat of the Sandinistas to the stability and peace of Central America."

The report cited a source familiar with McMahon's thinking as saying he had known that public and congressional support for the program would dwindle "and we'd withdraw."

NEW YORK TIMES  
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# House Unit Says Report on Mines Arrived Jan. 31

## Asserts Panel Watched Actions in Nicaragua

By PHILIP TAUBMAN

Special to The New York Times

WASHINGTON, April 13 — The House Select Committee on Intelligence was informed about United States involvement in the mining of Nicaraguan ports in late January and it later monitored the operation closely, according to the committee's chairman.

The chairman, Representative Edward P. Boland, Democrat of Massachusetts, said during House debate late Thursday that the Central Intelligence Agency informed the panel about the mining on Jan. 31 after some of the explosive devices had been planted at Puerto Sandino on Nicaragua's Pacific coast.

Reported by Managua on Jan. 3

Although Mr. Boland has been a leading opponent of the C.I.A.'s covert activities in Nicaragua, and his remarks on Thursday were highly critical of the mining, he did not fault the C.I.A. for failing to notify Congress.

His comments added to growing evidence that Congress was informed about the mining by the Reagan Administration well before a flurry of reports last week about the C.I.A.'s role in the operation.

Although most members of Congress were presumably aware that Nicaraguan harbors were being mined — Mr. Boland said the mining was first revealed by the Managua radio on Jan. 3 — the current furor in Congress developed after the extent of direct American involvement was disclosed in news reports last week.

### Goldwater Letter

Mr. Boland made his comments during debate about a nonbinding resolution that opposed the use of Federal funds to mine Nicaraguan waters. The House approved the resolution late Thursday by a vote of 281 to 111. Mr. Boland supported the resolution, which was overwhelmingly approved earlier this week by the Senate.

Several members of the Senate Select Committee on Intelligence have accused the C.I.A. of failing to inform the panel about the mining. Earlier this week, the chairman of the Senate committee, Senator Barry M. Goldwater, Republican of Arizona, sent a scathing letter to William J. Casey, the director of Central Intelligence, complaining about the lack of notification.

Senator Daniel Patrick Moynihan, Democrat of New York, the vice chairman of the committee, said earlier this week that he had not seen the report before voting on April 5 in favor of \$21 million in new funding for the covert activities in Nicaragua. Mr. Moynihan said, however, that he had received a "a quick brief before the vote" from Gary J. Schmitt, the committee's minority staff director.

Other committee members, including Senator Patrick J. Leahy, Democrat of Vermont, have said that the committee was informed about the mining.

Mr. Boland, in an apparent reference to the Senate committee, said, "There's been some complaint that some other body was not keeping pace with what was happening." He added: "That's their responsibility. I knew what my responsibility was."

The House and Senate committees, while ostensibly sharing responsibility for overseeing the intelligence community, often concentrate on different issues and frequently disagree about intelligence matters. During the last year, the House committee has twice voted against providing aid to Nicaraguan rebels while the Senate committee has supported the program.

Mr. Boland, according to colleagues, made his remarks on Thursday, in part, to show that the House committee was more attentive to following the C.I.A.'s covert activities. Mr. Boland, according to the colleagues, also thought the C.I.A. was being unfairly blamed for keeping Congress ignorant of the mining.

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Because of his visibility in recent months as a critic of the covert activities, Mr. Boland may also have wanted to show some support for the agency, the colleagues said. Mr. Boland, a moderate Democrat from Springfield, is known in the House as a cautious lawmaker who prefers to avoid confrontations with the C.I.A.

Mr. Boland's description of the C.I.A.'s talks with Congress about the harbor mining generally conformed with accounts given by intelligence officials.

Mr. Boland said that in the first briefing on the mining, on Jan. 31, intelligence officials said the waters off Puerto Sandino had been mined. Apparently pressed by the committee to justify the mining of a Nicaraguan port, C.I.A. officials, according to Mr. Boland, said Puerto Sandino "was not a harbor, it's an anchorage." Mr. Boland, dismissing the characterization, told the House, "Of course, they're wrong."

### 'Enough to Warn Other Ships'

The remainder of the mining, which was concentrated at Puerto Sandino and Puerto Corinto, also on the Pacific coast, took place in February, Mr. Boland said.

The House committee held a second briefing about the mining on March 27, Mr. Boland said. "The indication then was that they were mining other harbors and had mined them before that briefing," Mr. Boland said. He said the C.I.A. reported that the mines had "hit some seven ships between the dates of March 7 and March 24."

"What kind of ships?" he asked, answering, "Japanese ships — freighters — loading cotton, Panamanian ships with molasses, a Russian ship with oil, some other, small shipping boats hit by mines, not lethal, but enough to warn other ships coming into those waters that there was a real danger."

Administration officials have said the actual placement of the mines in Nicaraguan territorial waters was handled by a team of Latin American commandos trained by the C.I.A.

Intelligence officials reiterated today that the Senate intelligence committee was notified about the mining in briefings on March 8 and March 13, although they said the subject was not discussed at length. On April 2, they

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