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OCA 1227-89  
12 April 1989

NOTE FOR: [redacted]  
C/ [redacted] NE

[redacted]  
Deputy General Counsel for Intelligence Operations  
[redacted]  
Deputy General Counsel for Administrative Support

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FROM: [redacted] Legislation Division  
Office of Congressional Affairs

SUBJECT: Afghanistan AID Legislation

The Afghanistan AID legislation has now reached the final stage of coordination within the Administration. Attached is a copy of that legislation. OMB has requested CIA comments by 14 April. We had previously provided our views to AID directly.

My only remaining concern with the legislation is that Section 5 of the bill on "Consultation" does not define what committees should be consulted to review the worldwide humanitarian assistance program for Afghanistan. To avoid confusion, I intend to suggest that the consultation be limited to the Appropriations and Foreign Affairs/Foreign Relations Committees.

If you have any other comments, please give me a call at [redacted] by COB 13 April 1989. Thanks for your cooperation.

[redacted]

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EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

**SPECIAL**

April 5, 1989

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LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer -

National Security Council (Hughes X3723)	49
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Central Intelligence Agency	

SUBJECT: AID draft bill, "Afghanistan Recovery Act of 1989."

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, APRIL 14, 1989.

Questions should be referred to SUE THAU/ANNETTE ROONEY (395-7300), the legislative analyst in this office.

*Ronald K. Peterson*

RONALD K. PETERSON FOR  
Assistant Director for  
Legislative Reference

Enclosure

cc: A. Raul/T. Thiele  
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S. Rademaker (374)  
J. Eisenhour

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AGENCY FOR INTERNATIONAL DEVELOPMENT  
WASHINGTON, D.C. 20523

THE ADMINISTRATOR

April 5, 1989

The Honorable Richard G. Darman  
Director  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Darman:

This letter transmits for inter-agency review legislation authorizing the transfer of funds to the Agency for International Development (A.I.D.) for use in the humanitarian assistance program for Afghanistan.

The proposed legislation authorizes the transfer to A.I.D. of funds (as well as commodities and services) presently available to other agencies for Afghanistan. These funds are to be used for relief, rehabilitation and reconstruction activities for the Afghan people and are authorized to remain available until expended. Obligations after September 30, 1992, would be subject to the President's determination that it is in the national interest of the United States to continue to provide assistance.

The proposed legislation has been reviewed informally by all interested agencies and reflects their comments. I hope that you will be able to give expeditious consideration to the proposed legislation.

Sincerely,



Alan Woods

Attachment: a/s

A BILL

To authorize assistance for the people of Afghanistan, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Afghanistan Recovery Act of 1989".

STATEMENT OF POLICY AND FINDINGS

SEC. 2. (a) The Congress finds as follows:

- (1) the departure of the Armed Forces of the Soviet Union from Afghanistan marks first and foremost a victory for the people of Afghanistan to restore freedom to their land;
- (2) the Government of Pakistan is to be commended for its unflinching economic, political, and moral support for Afghan refugees forced to flee to Pakistan;
- (3) Afghan refugees currently living outside their homeland continue to suffer from the deprivations caused by years of fighting for the freedom of that homeland; and
- (4) the years of fighting have also left Afghanistan in economic ruin, with those now living in Afghanistan and refugees who are returning to their country in immediate need of support to rebuild their lives and their country.

(b) It is the policy of the United States that it will provide humanitarian assistance, as well as support for the humanitarian efforts of multilateral programs, to help the Afghan people bring about their resettlement and the reconstruction of their country.

#### USES OF FUNDS AND AUTHORITIES

SEC. 3. (a) The President is authorized to use the funds made available pursuant to section 4 of this Act for relief, recovery, and reconstruction assistance, including support for multilateral humanitarian assistance efforts, for the Afghan people. Such assistance shall include, generally, a continuation and expansion of the activities authorized under section 537 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), for such purposes as-

- (1) the provision of food, medicines, fuel, transportation assets, and other commodities,
- (2) the provision of health services,
- (3) the provision of seed, fertilizer, and other agricultural implements and traction,
- (4) support for the reconstruction of infrastructure, including assistance in clearing land mines, and
- (5) such other assistance as may be consistent with the purposes of this Act.

(b) Assistance provided under this Act shall be made available in accordance with the general authorities contained in section 491 of the Foreign Assistance Act of 1961, as amended.

(c) Funds transferred under the authority contained in section 4 of this Act may also be used for the operating expenses of the Agency for International Development to meet administrative expenses necessary to carry out the purposes of this Act.

(d) To the extent practicable, local currencies which may become available as a result of the assistance provided under the authority of this Act should be used to carry out the purposes of this Act.

#### SOURCE OF FUNDS

SEC. 4. (a) Notwithstanding any other provision of law, in order to carry out the purposes of this Act, the President is authorized during the fiscal years 1989 through 1991 to transfer from any department or agency to the Agency for International Development funds, commodities, or service contracts which are available for Afghanistan on the date of enactment of this Act.

(b) Funds transferred pursuant to the authority of this section shall remain available for obligation until expended. No funds made available pursuant to this Act may be obligated after September 30, 1992, unless the President determines that to do so is in the national interest of the United States.

### CONSULTATION

SEC. 5. Not later than March 1, 1990, and each year thereafter, the designated representatives of the President shall initiate consultations with the appropriate Committees of the Congress to review the worldwide humanitarian assistance program for Afghanistan and the role that the United States assistance is having in meeting the objectives of this Act.

### Section-by-Section Analysis

Section 1 states that the Act may be cited as the Afghanistan Recovery Act of 1989.

Section 2 contains congressional findings and a statement of policy which, generally, note the success of the Afghanistan people in their efforts to restore freedom to their country and the need for economic assistance in order to help with the reconstruction efforts of the Afghan people.

Section 3 provides authority to use funds transferred under the authority of section 4 of the Act for, among other things, the provision of food, medicines, fuel, health services, agricultural inputs, and the reconstruction of infrastructure including mine clearing. In addition, transferred funds may be used for the operating expenses of the Agency for International Development necessary to carry out the purposes of this Act. Assistance is to be provided in accordance with the general authorities of section 491 of the Foreign Assistance Act of 1961.

Section 4 authorizes the transfer to A.I.D. of funds, commodities, or service contracts currently available to any agency or department for Afghanistan. The actual transfer of funds may take place during fiscal years 1989 through 1991. Transferred funds are to remain available until expended. None of the transferred funds may be obligated after September 30, 1992 unless the President determines that it is in the national interest of the United States to do so.

Section 5 establishes, beginning March 1, 1990, an annual consultation process with the Congress regarding the provision of assistance for Afghanistan.



OCA 1227-89

**SUBJECT: Afghanistan AID Legislation**

OCA/LEG/ [redacted] (12 April 1989)

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