

S.3394

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Executive Registry

74-7016

FROM:

EXTENSION

NO

Legislative Counsel

DATE

12 December 1974

STAT

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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Attached for your information, are excerpts from yesterday's Congressional Record on House floor action on the provision in the Foreign Assistance Act limiting intelligence activities including: (a) the adoption of an amendment by Mr. Burton (D., Calif.) tightening up the provision; (b) defeat of an amendment by Ms. Holtzman (D., N. Y.), and (c) the discussion of the Holtzman amendment which also includes a colloquy between Mr. Nedzi and the Chairman of the Foreign Affairs Committee, Mr. Morgan, interpreting the provision in line with the understanding reached with the Secretary of State and the Director.

The bill now goes to conference and the Senate and House versions, which differ somewhat, are attached.

Copies sent to all morning meeting participants

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Mr. GROSS. That is where we get into difficulty.

I would be most happy to offer an amendment to take something off Israel, if their spokesmen for this bill are so hot for taking on the support of more refugees throughout the world. The taxpayers of this country did not create this refugee problem.

We have had the Palestinian refugees on our hands for more years than I can remember and it has cost us hundreds of millions. Now, here we are embarking upon the care of more refugees and at a cost of \$25 million.

Where in the name of high heaven is it proposed to get the money to take care of refugees all over this world? It apparently is easy for some people here today to continue this business of sticking our long noses into the affairs of other nations all over the world. It has cost the citizens of this country \$260 billion.

I do not know what you tell your taxpayers when you go home. I had hoped that in the election campaign this fall that the public would tell Members of the House that they are sick and tired of inflation rocketing living costs, debt, and the way their money was being spent abroad. Apparently, the public did not speak very loudly to some of you or you were not listening—one or the other.

Whatever the merit or demerit of this amendment it saddles another \$25 million on the taxpayers of this country. You who vote for this amendment and the bill ought to be ashamed that you have added to the debt deficit, and inflation that is tearing down this country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BICER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. JOHN L. BURTON

Mr. JOHN L. BURTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHN L. BURTON: Page 23, line 13, insert immediately after "unless" the following: "and until".

Mr. JOHN L. BURTON. Mr. Chairman and members of the committee, I am offering this amendment on behalf of the gentlewoman from New York (Ms. HOLTZMAN) and myself in connection with discussions with the gentleman from California (Mr. RYAN) whose language is being awarded.

This language was shown to the ranking minority Member by the gentlewoman from New York and was discussed with the chairman of the full committee, and also with the subcommittee chairman who deals with the subject matter. It is my understanding that there was no controversy concerning the amendment; that it fit in with the intent of the committee's language.

I hope I am correct.

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

Mr. JOHN L. BURTON. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I know the gentleman consulted the chairman of the appropriate subcommittee. He has no objection to the

amendment. As far as our part of the committee is concerned, speaking for my own side, I have no objection.

Mr. JOHN L. BURTON. Mr. Chairman, I ask an "aye" vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. JOHN L. BURTON). The amendment was agreed to.

AMENDMENT OFFERED BY MR. ASHBROOK

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

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: Page 17: Strike lines 3-14 and renumber following sections accordingly.

Mr. ASHBROOK. Mr. Chairman, this amendment would leave the present prohibitions in effect against furnishing assistance to countries trading with North Vietnam. The committee's bill would authorize the President to waive prohibitions if such waiver is in the national interest.

I do not think that this is the time to start loosening up on prohibitions that effect North Vietnam.

Looking at one issue alone—without even discussing the thousands of North Vietnamese Paris accord violations against South Vietnam—there is abundant reason to not change the present statute. The issue that I am speaking about is American MIA's and American men killed in action.

American families do not know what has happened to their loved ones because the Vietnamese Communists refuse to carry out their agreements made with the United States. The Paris accords which both the United States and North Vietnam signed were clear as to the responsibilities of each side. Article 8, paragraph (b) states:

The parties shall help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action.

The responsibility of the North Vietnamese to aid American efforts in this regard is clear. In the supplemental agreements of June 13, 1973, article 8, paragraph (b) was reemphasized.

The record of the North Vietnamese is also clear. They have been consistently opposing American efforts to gain information. Last December 15 an American without weapons who was searching for bodies of American men was killed by the Communists.

I urge the retention of the language presently in the statute by the passage of my amendment.

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

Mr. ASHBROOK. I yield to the gentleman from California.

Mr. LAGOMARSINO. I thank the gentleman for yielding.

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

Mr. LAGOMARSINO. I would like to join with the gentleman in his sponsorship and support of this amendment. I opposed the amendment in the bill. That was not the language we were trying to change. The amendment is not in the bill, the amendment in committee which I opposed.

I feel it is entirely inappropriate at this time, when we still do not know the fate of the missing in action men. That is tragic enough, but what is more tragic is that we are not able to look at the sites of known airplane crashes.

I feel this would be adding insult to injury, and for that reason I strongly support the amendment.

Mr. Chairman, the difficulty in voting on bills such as this one is that your vote is bound to be misinterpreted. I intend to vote "no" on this bill because I am convinced, after listening to hours of testimony in the Foreign Affairs Committee, that on the whole, this is a bad bill. Not that there are not some good things in the bill—I completely agree, and strongly support for example, the need to provide assistance to Israel. Yet even on this issue the bill is deficient, since the aid authorization is counterbalanced by commitments to Egypt and Syria. Nor is this the only contradiction in the bill. Many of my colleagues have already pointed out areas where we are reversing U.S. policy.

Mr. Chairman, I submit that this is ridiculous. And I resent being forced to accept something bad in order to provide something good. If the Egyptian example were the only one, I could still probably vote for the bill. But it is not. And the bad, believe me, far outweighs the good.

If we wish to help our friends, and I think we should, then let us pass a bill which does just that. Not one which gives them something with one hand, and their enemies something with the other. And certainly not one which has a price tag so large in a time when our taxpayers are being asked to do so much.

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

Mr. BINGHAM. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Ohio. First of all, I want to stress the fact that all this amendment does is to give the President the authority to waive the restriction in the act, if he deems that to be in the national interest, to give him that authority and not to tie his hands.

The fact of the matter is that this restriction has been in the act for a long time and no one can tell us it has done the slightest bit of good, so far as influencing North Vietnam's policies are concerned. It has not had a particle of influence on North Vietnam. What it has done is cause us to be unable to carry out useful relations with one country, a country in Africa, which today is leaning toward the Soviet Union because we have been unable to give to that country any of the kind of assistance that we give other countries in Africa. That country is Somalia. Somalia has ships, a flag, but which it does

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provide that the Commonwealth of Puerto Rico may not receive from the Caribbean Development Bank any funds provided to the Bank by the United States.

Mr. MORGAN. Mr. Chairman, I now move that all debate on the bill and all amendments thereto cease at 7 o'clock. The motion was agreed to.

POINT OF ORDER

Mr. CARNEY of Ohio. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CARNEY of Ohio. What about those of us who have had amendments at the desk all day?

The CHAIRMAN. Have they been printed in the Record?

Mr. CARNEY of Ohio. No; but I gave them to the desk today.

The CHAIRMAN (Mr. PRICE of Illinois). If the amendments are printed in the Record, under the Rules of the House the proponents will be entitled to 5 minutes of debate.

Members standing at the time the motion was made will be recognized for 1 minute each.

The Chair recognizes the gentleman from New York (Ms. HOLTZMAN).

AMENDMENT OFFERED BY MS. HOLTZMAN

Ms. HOLTZMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. HOLTZMAN: Page 23, line 14, strike out "important to the national security" and insert in lieu thereof "vital to the national defense".

(Ms. HOLTZMAN asked and was given permission to revise and extend her remarks.)

Ms. HOLTZMAN. Mr. Chairman, the purpose of this amendment is very simple. It is designed to enlarge congressional control over the Central Intelligence Agency's non-intelligence-gathering functions.

The provisions of this bill relating to the CIA constitute a major improvement over the situation in the past. This bill permits the CIA to engage in covert activities only after the President reports about these activities to the House and Senate committees dealing with foreign affairs and the House and Senate Armed Services Committees.

Despite the improvement, I still think these provisions are seriously deficient. This bill authorizes CIA activities designed to subvert or undermine foreign governments so long as they are "important to national security." This rubric is so broad as to be almost meaningless. Thus, the President is empowered to authorize CIA actions to subvert foreign governments basically when he thinks it would be desirable. It seems to me, however, that the circumstances in which the CIA ought ever to be permitted to subvert a foreign government with which we are at peace should be very limited at best.

My amendment would permit the CIA to engage in non-intelligence-gathering activities only when such activities are "vital to our national defense." My amendment would thus limit the instances in which the CIA would run afoul of international law, and also we

would be limiting the instances in which foreign policy is in essence being created by the President, the CIA, and four committees of Congress.

I urge support of my amendment.

The CHAIRMAN. The time of the gentlewoman has expired.

The Chair recognizes the gentleman from Michigan (Mr. NEDZI).

Mr. NEDZI. Mr. Chairman, I rise in opposition to the amendment.

We have in this bill a provision restraining certain operations of the CIA to those "important to the national security" and in timely fashion they are obliged to bring to the notice of Congress any activities which the CIA may be engaged in which are important to the national security. I submit that is a very important statutory provision and a departure from what the situation is at the present time. When we speak about matters "vital to the national defense" we are then it seems to me restraining the agency from perhaps operating in antidrug programs or the agency could be prevented from conducting antiterrorist activities programs, among others. In my judgment it just is not the kind of constraint that it is desirable to apply with respect to the President and the CIA. The language offered has broad implications and should not be approved without careful and detailed consideration by appropriate committees prior to bringing the matter before the entire House under circumstances of very limited debate.

While I have a moment I would like for the purpose of clarification inquire of the chairman what his interpretation of the language in the bill relating to reporting to Congress by the CIA is, particularly as it relates to the understanding we reached with the Secretary of State and the Director of Central Intelligence.

Mr. MORGAN. If the gentleman will yield, it is my belief that the amendment contained in the committee bill carries out, and provides further statutory basis for the implementation of, the understanding to which the gentleman has referred as it applies to the foreign policy-related operations of the CIA.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Chairman, the committee adopted an amendment to bring the CIA under more effective congressional control and the author of the amendment, the gentleman from California (Mr. RYAN), is here. I yield to him to speak in opposition to this amendment.

Mr. RYAN. Mr. Chairman, I oppose this amendment for I think substantive reasons. This was my amendment in the committee and it was very carefully worked out. We deal here with a very sensitive area. It was my intention and the intention of the committee to try to bring the CIA under some kind of jurisdiction by the Foreign Affairs Committee because obviously the decisions of CIA have an enormous effect upon

The CHAIRMAN. The Chair recog-

nizes the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to speak in opposition to the amendment. In my opinion we should have reservations about the language in the committee bill with respect to intelligence activities. And certainly we would be very unwise to change the language of "important to the national security" to "vital to national defense." This would preclude many activities which might well be needed in our own interest. I hope this amendment is soundly defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. HALEY).

(By unanimous consent, Mr. HALEY yielded his time to Mr. MORGAN.)

Mr. MORGAN. Mr. Chairman, I yield to the gentleman from California (Mr. RYAN).

Mr. RYAN. Mr. Chairman, I was about to say that present language in this bill is very carefully drawn to derive the maximum amount of support from the various elements involved. If we can get this language through for those who are interested in having some kind of closer supervision for the CIA activities, this particular amendment is one which members of the committee think will pass and which we would be able to have signed. Without this particular language I think we will have serious problems with supervision of the CIA by the Foreign Affairs Committee.

I am concerned about the manner in which this particular subject is approached. On the one hand we have to be careful and delicate and on the other hand we do need jurisdiction.

Mr. Chairman, I oppose the amendment of the gentlewoman from New York because I believe that the language we have now is as strong as we can get at this particular time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. HOLTZMAN).

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I do not have an amendment, but I would like to say that I intend to vote against this legislation. I intend to vote against it for many reasons, particularly so because we now owe \$593 billion. When we started this game of Godfather to all the world, we owed \$4 billion. The interest alone on our debt is as great as the budget was in 1940. There is no way under the Sun that this Nation can possibly grow all the food for the world, provide all the guns for the world, provide all the machinery for the world, and then provide a marketplace for all the world's goods.

We are as poor as any nation we are helping, when we consider the kind of life that we have become accustomed to with our standard of living. If we really want to help some nation that is in imminent danger of collapse, one might suggest that we help the poverty-stricken

We sell this legislation many times

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any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government within the United States or abroad.

"(b) Subsection (a) of this section shall not apply—

"(1) with respect to assistance rendered under section 515(c) of the Omnibus Crime Control and Safe Streets Act of 1968, or with respect to any authority of the Drug Enforcement Administration or the Federal Bureau of Investigation which related to crimes of the nature which are unlawful under the laws of the United States; or

"(2) to any contract entered into prior to the date of enactment of this section with any person, organization or agency of the United States Government to provide personnel to conduct, or assist in conducting, any such program.

Notwithstanding clause (2), subsection (a) shall apply to any renewal or extension of any contract referred to in such paragraph entered into on or after such date of enactment."

(b) Section 112 of such Act is repealed.

LIMITING INTELLIGENCE ACTIVITIES

Sec. 25. Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended by sections 23(a) and 24 of this Act, is further amended by adding at the end thereof the following new section:

"Sec. 661. LIMITATIONS UPON INTELLIGENCE ACTIVITIES.—(a) No funds appropriated under the authority of this or any other Act may be expended by or on behalf of the Central Intelligence Agency or any other agency of the United States Government for the conduct of operations in foreign countries pursuant to section 102(d)(5) of the National Security Act of 1947 (50 U.S.C. 403), other than operations intended solely for obtaining necessary intelligence. Notwithstanding the foregoing limitation, the President may authorize and direct that any operation in a foreign country be resumed, or that any other operation in a foreign country be initiated, and funds may be expended therefor, if but not before, he (1) finds that such operation is important to the national security, and (2) transmits an appropriate report of his finding, together with an appropriate description of the nature and scope of such operation, to the committees of the Congress having jurisdiction to monitor and review the intelligence activities of the United States Government.

"(b) The provisions of subsection (a) of this section shall not apply during military operations by the United States under a declaration of war approved by the Congress or an exercise of powers by the President under the War Powers Resolution."

WAIVER OF PROHIBITION AGAINST ASSISTANCE TO COUNTRIES ENGAGING IN CERTAIN TRADE

Sec. 26. Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended by sections 24 and 25 of this Act, is further amended by adding at the end thereof the following new section:

"Sec. 662. WAIVER OF PROHIBITION AGAINST ASSISTANCE TO COUNTRIES ENGAGING IN CERTAIN TRADE.—Any provision of this Act or the Agricultural Trade Development and Assistance Act of 1954 which prohibits assistance to a country because that country is engaging in trade with a designated country may be waived by the President if he determines that such waiver is in the national interest and reports such determination to the Congress."

POLICY WITH RESPECT TO INDOCHINA

Sec. 27. (a) The Congress finds that the cease-fire provided for in the Paris Agreement on Ending the War and Restoring Peace in Vietnam has not been observed by any of the Vietnamese parties and that the military operations of an offensive and defensive nature continue throughout South Vietnam. In Cambodia, the civil war between insur-

gent forces and the Lon Nol government has intensified, resulting in widespread human suffering and the virtual destruction of the Cambodian economy.

(b) The Congress further finds that continuation of the military struggles in South Vietnam and Cambodia are not in the interest of the parties directly engaged in the conflicts, the people of Indochina, or world peace. In order to lessen the human suffering in Indochina and to bring about a genuine peace there, the Congress urges and requests the President and the Secretary of State to under take immediately the following measures:

(1) to initiate negotiations with representatives of the Soviet Union and the People's Republic of China to arrange a mutually agreed-upon and rapid de-escalation of military assistance on the part of the three principal suppliers of arms and material to all Vietnamese and Cambodian parties engaged in conflict;

(2) to urge by all available means that the Government of the Khmer Republic enter in negotiations with representatives of the Khmer Government of National Union for the purpose of arranging an immediate cease-fire and political settlement of the conflict; and to use all available means to establish contact with the Khmer Government of National Union and to urge them to participate in such negotiations. The United States should urge all Cambodian parties to use the good offices of the United Nations or a respected third country for the purpose of bringing an end to hostilities and reaching a political settlement;

(3) to utilize any public or private forum to negotiate directly with representatives of the Democratic Republic of Vietnam, the Provisional Revolutionary Government, and the Republic of Vietnam to seek a new cease-fire in Vietnam and full compliance with the provisions of the Paris Agreement on Ending the War and Restoring Peace in Vietnam, including a full accounting for Americans missing in Indochina;

(4) to reconvene the Paris Conference to seek full implementation of the provisions of the Agreement of January 27, 1973, on the part of all Vietnamese parties to the conflict; and

(5) to maintain regular and full consultation with the appropriate committees of the Congress and report to the Congress and the Nation at regular intervals on the progress toward obtaining a total cessation of hostilities in Indochina and a mutual reduction of military assistance to that area.

PRINCIPLES GOVERNING ECONOMIC AID TO INDOCHINA

Sec. 28. (a) Congress finds that, after expending over a billion dollars in funds for economic purposes in Indochina last year, and vast amounts in previous years, little in lasting economic benefit remains. A large proportion of the funds expended have been used for consumable items related to the war effort. Very little of our money has found its way into capital investments of a lasting productive benefit to the people. Congress calls upon the President and Secretary of State to take immediately the following actions designed to maximize the benefit of United States economic assistance:

(1) to organize a consortium to include multilateral financial institutions to help plan for Indochina reconstruction and development; to coordinate multilateral and bilateral contributions to the area's economic recovery; and to provide continuing advice to the recipient nations on the use of their own and outside resources;

(2) to develop, in coordination with the recipient governments, other donors, and the multilateral financial institutions, a reconstruction and economic development;

(3) to develop country-by-country reconstruction and development plans, including

detailed plans for the development of individual economic sectors, that can be used to identify and coordinate specific economic development projects and programs and to direct United States resources into areas of maximum benefits;

(4) to shift the emphasis of United States aid programs from consumption-oriented expenditures to economic development;

(5) to identify possible structural economic reforms in areas such as taxation, exchange rates, savings mechanisms, internal pricing, income distribution, land tenure, budgetary allocations and corruption, which should be undertaken if Indochinese economic development is to progress;

(6) to include in Indochina economic planning and programing specific performance criteria and standards which will enable the Congress and the executive branch to judge the adequacy of the recipients' efforts and to determine whether, and what amounts of, continued United States funding is justified; and

(7) to provide humanitarian assistance to Indochina wherever practicable under the auspices of and by the United Nations and its specialized agencies, other international organizations or arrangements, multilateral institutions, and private voluntary agencies with a minimum presence and activity of United States Government personnel.

(b) This section shall not be construed to imply continuation of a United States financial commitment beyond the authorization provided for in this Act or amendments made by this Act.

INDOCHINA POSTWAR RECONSTRUCTION

Sec. 29. Section 802 of the Foreign Assistance Act of 1961 is amended to read as follows:

"Sec. 802. AUTHORIZATION.—There are authorized to be appropriated to the President to furnish assistance for the relief and reconstruction of South Vietnam, Cambodia, and Laos as authorized by this part, in addition to funds otherwise available for such purposes, for the fiscal year 1974 not to exceed \$504,000,000, and for the fiscal year 1975 not to exceed \$617,000,000. Of the amount appropriated for fiscal year 1975—

"(1) \$449,000,000 shall be available only for the relief and reconstruction of South Vietnam in accordance with section 806 of this Act;

"(2) \$100,000,000 shall be available only for the relief and reconstruction of Cambodia in accordance with section 807 of this Act;

"(3) \$40,000,000 shall be available only for the relief and reconstruction of Laos in accordance with section 808 of this Act;

"(4) \$4,100,000 shall be available only for the regional development program;

"(5) \$16,000,000 shall be available only for support costs for the agency primarily responsible for carrying out this part; and

"(6) \$7,000,000 shall be available only for humanitarian assistance through international organizations. Such amounts are authorized to remain available until expended."

ASSISTANCE TO SOUTH VIETNAMESE CHILDREN

Sec. 30. Section 803 of the Foreign Assistance Act of 1961 is amended as follows:

(1) In subsection (a), strike out "rights, particularly children fathered by United States citizens" and insert in lieu thereof "rights".

(2) In subsection (b), immediately after the second sentence, insert the following: "Of the sums made available for South Vietnam under section 802(1) of this Act for fiscal year 1975, \$10,000,000, or its equivalent in local currency, shall be available until expended solely to carry out this section."

LIMITATIONS WITH RESPECT TO SOUTH VIETNAM

Sec. 31. Part V of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"Sec. 806. LIMITATIONS WITH RESPECT TO SOUTH VIETNAM.—(a) Notwithstanding any

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States to Vietnam directly or through any other foreign country unless that assistance is authorized under this Act or the Foreign Military Sales Act."

(b) Section 655 of the Foreign Assistance Act of 1961 is amended as follows:

(1) by striking out "\$341,000,000" in subsection (a) and inserting "\$377,000,000" in lieu thereof.

(2) by striking out "1972" in subsection (a) and inserting "1975. Of that sum, there shall be available no more than \$200,000,000 for military assistance." in lieu thereof.

(3) by striking out "\$341,000,000" in subsection (b) and inserting "\$377,000,000" in lieu thereof.

(4) by striking out "1972" in subsection (b) and inserting "1975" in lieu thereof.

CONVENTIONAL WEAPONS TRANSFER

SEC. 17. Section 511 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following:

"It is the sense of Congress that the President should develop and propose as soon as possible at the appropriate international forum a United States draft international agreement for regulating the transfer of conventional weapons among the governments of the world."

SECURITY SUPPORTING ASSISTANCE

SEC. 18. Section 532 of the Foreign Assistance Act of 1961 is amended by striking out "for the fiscal year 1974 not to exceed \$125,000,000, of which not less than \$50,000,000 shall be available solely for Israel and inserting in lieu thereof "for the fiscal year 1975 not to exceed \$585,000,000.

PROHIBITIONS ON AID TO NATIONS TRADING WITH NORTH VIETNAM

SEC. 19. Section 620 of the Foreign Assistance Act of 1961 is amended by inserting before the period in subsection (n) the following: ", unless the President determines that such loans, credits, guarantees, grants, other assistance, or sales are in the national interest of the United States".

ASSISTANCE TO GREECE

SEC. 20. Section 620(v) of the Foreign Assistance Act of 1961 is repealed.

SUSPENSION OF MILITARY ASSISTANCE TO TURKEY

SEC. 21. Section 630 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(x) All military assistance, all sales of defense articles and services (whether for cash or by credit, guaranty, or any other means), and all licenses with respect to the transportation of arms, ammunitions, and implements of war (including technical data relating thereto) to the Government of Turkey shall be suspended on the date of enactment of this subsection unless and until the President determines and certifies to the Congress that the Government of Turkey is in compliance with the Foreign Assistance Act of 1961, the Foreign Military Sales Act, and any agreement entered into under such Acts, and that substantial progress toward agreement has been made regarding military forces in Cyprus.

SUSPENSION OF MILITARY ASSISTANCE TO CHILE

SEC. 22. Section 620 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(v) (1) Except as provided in paragraph (2), all military assistance, all sales of defense articles and services (whether for cash or by credit, guaranty, or any other means), and all licenses with respect to the transportation of arms, ammunition, and implements of war (including technical data relating thereto) to the Government of Chile under this or any other law shall be suspended for the period from the date of enactment of this subsection through the end of the year 1975.

paragraph (1), training may be furnished pursuant to the Foreign Assistance Act of 1961 in the United States or the Canal Zone to members of the armed forces of Chile in an amount not to exceed \$800,000 for fiscal year 1975.

"(3) The provisions of subsection (y) (1) shall cease to apply when the President reports to the Congress that the Government of Chile has made and is continuing to make fundamental improvements in the observance and enforcement of internationally recognized human rights: *Provided*, That the total amount of credits furnished or guaranteed under the Foreign Military Sales Act, and of any disposal of vessels made in accordance with section 7307 of title X of the United States Code, to Chile during fiscal year 1975 shall not exceed \$10,000,000."

EXCESS DEFENSE ARTICLE VALUE IN ANNUAL REPORT

SEC. 23. Section 634(d) of the Foreign Assistance Act of 1961 is amended by striking out "including economic assistance and military grants and sales" and inserting in lieu thereof the following: "including economic assistance, military grants, and including for any such grant of any excess defense article, the value of such article expressed in terms of its acquisition cost to the United States), and military sales".

FAMINE OR DISASTER RELIEF

SEC. 24. (a) Section 639 of the Foreign Assistance Act of 1961, dealing with famine or disaster relief, is amended to read as follows:

"SEC. 639. FAMINE OR DISASTER RELIEF.—Notwithstanding any other provision or this or any other Act, the President may provide famine or disaster relief assistance to any foreign country on such terms and conditions as he may determine. For fiscal year 1975 there is authorized to be appropriated not to exceed \$40,000,000, to provide such assistance. The President shall submit quarterly reports during such fiscal year to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and to the Speaker of the House of Representatives on the programming and obligation of funds under this section."

(b) Of the funds appropriated to carry out section 639 of the Foreign Assistance Act of 1961, during fiscal year 1975 not less than \$25,000,000 shall be made available to Cyprus for the purposes of such section 639.

(c) Section 451 of the Foreign Assistance Act of 1961, dealing with the contingency fund, is amended to read as follows:

"SEC. 451. CONTINGENCY FUND.—(a) There is authorized to be appropriated to the President for the fiscal year 1975 not to exceed \$5,000,000, to provide assistance authorized by this part or by section 639 for any emergency purpose only in accordance with the provisions applicable to the furnishing of such assistance.

"(b) The President shall submit quarterly reports to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Speaker of the House of Representatives on the programming and obligation of funds under this section.

"(c) No part of this fund shall be used to pay for any gifts to any officials of any foreign government made heretofore or hereafter."

CHANGE IN ALLOCATION OF FOREIGN ASSISTANCE

SEC. 25. Section 633 of the Foreign Assistance Act of 1961 is amended—

(1) by striking out all after the period at the end of the first sentence of subsection (a); and

(2) by redesignating subsection (b) as subsection (c) and by inserting immediately after subsection (a) the following new subsection:

"(b) Notwithstanding any other provision supporting assistance, assistance under chapter 1 of part I of this Act, or assistance under

part V of this Act, may be furnished to any country or international organization in any fiscal year, if such assistance exceeds by 10 percent or more the amount of such military grant assistance, security supporting assistance, assistance under chapter 1 of part I of this Act, or assistance under part V of this Act, as the case may be, set forth in the report required by subsection (a) of this section, unless—

"(1) the President reports to the Congress, at least thirty days prior to the date on which such excess funds are provided, the country or organization to be provided the excess funds, the amount and category of the excess funds, and the justification for providing the excess funds; and

"(2) in the case of military grant assistance or security supporting assistance, the President includes in the report under paragraph (1) his determination that it is in the security interests of the United States to provide the excess funds.

This subsection shall not apply if the excess funds provided in any fiscal year to any country or international organization for any category of assistance are less than \$1,000,000."

VOLUNTARY PERSONNEL IN CAMBODIA

SEC. 26. Section 656 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following sentence: "This section shall not be construed to apply to employees of United States voluntary non-profit relief agencies registered with and approved by the Advisory Committee on Voluntary Foreign Aid or to employees of the International Committee of the Red Cross."

REIMBURSABLE DEVELOPMENT PROGRAMS AND LIMITING INTELLIGENCE ACTIVITIES

SEC. 27. The Foreign Assistance Act of 1961 is amended by adding at the end of part III the following new sections:

"SEC. 639. REIMBURSABLE DEVELOPMENT PROGRAMS.—The President is authorized to use up to \$2,000,000 of the funds made available for the purposes of this Act in each of the fiscal years 1975 and 1976 to work with friendly countries, especially those in which United States development programs have been concluded or those not receiving assistance under part I of this Act, in (1) facilitating open and fair access to natural resources of interest to the United States and (2) stimulation of reimbursable aid programs consistent with part I of this Act. Any funds used for purposes of this section may be used notwithstanding any other provision of this Act.

"SEC. 660. LIMITATION ON INTELLIGENCE ACTIVITIES.—(a) No funds appropriated under the authority of this or any other Act may be expended by or on behalf of the Central Intelligence Agency for operations in foreign countries, other than activities intended solely for obtaining necessary intelligence, unless and until the President finds that each such operation is important to the national security of the United States; and reports, in a timely fashion, a description and scope of such operation to the appropriate committees of the Congress, including the Committee on Foreign Relations of the United States Senate and the Committee on Foreign Affairs of the United States House of Representatives.

"(b) The provisions of subsection (a) of this section shall not apply during military operations initiated by the United States under a declaration of war approved by the Congress or, an exercise of powers by the President under the War Powers Resolution."

LIMITATION ON MILITARY ASSISTANCE AND EXCESS DEFENSE ARTICLES IN KOREA

SEC. 28. Section 633 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

(1) funds obligated or reserved for military assistance, including supply operations,

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