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Central Intelligence Agency



Washington, D.C. 20505

18 SEP 1985
OIL 85-2764

Mr. James M. Frey
Assistant Director for
Legislative Reference
Office of Management and Budget
Room 7207, New Executive Office Building
Washington, D. C. 20503

Dear Mr. Frey:

25X1 This is in further response to your legislative referral memorandum of 21 August 1985 asking for our views on a draft report by the Arms Control and Disarmament Agency (ACDA) on H.R. 1415, "Conventional Arms Control Transfer Act." [redacted]

25X1 The CIA had no objection to the ACDA report and we communicated our views in that connection to you earlier so that the report would not be held up. However, there were other concerns in H.R. 1415 not addressed in the ACDA report that may have a substantive impact on CIA activities. Accordingly, we feel compelled to address these issues independently to the extent they potentially affect CIA activities. [redacted]

While we believe that certain terms in the proposed Act, such as "selective" or "qualitative" as used in Section 3 of H.R. 1415, require clarification if they are to have any effect, our main concern is focused on Section 5. Section 5, in part, amends the provision on arms transfer estimates and justifications of the AECA, 22 U.S.C. §2765(a) (5). In pertinent part, the amended provision would read:

(a) no later than February 1 of each year, the President shall transmit to the Congress, as part of the annual presentation materials for security assistance programs proposed for the next fiscal year, a report which sets forth...

(b) the aggregate dollar value and quantity of defense articles, defense services, and design and [redacted]

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construction services furnished by the United States to each foreign country and international organization, by category, for the preceding fiscal year, specifying whether such articles and services were furnished--

- (i) by sale under chapter 2 of this Act,
- (ii) by sale under chapter 2A of this Act,
- (iii) by commercial sale licensed for permanent export under section 38 of this Act. . .

(iv) by other authority . . . (emphasis added).

CIA does not participate in transfers made pursuant to security assistance programs, and the bill basically would be unobjectionable were it so limited. Under the proposed language of Section 5, however, the scope of the annual reporting provision is unclear largely because of the inclusion of the sweeping phrase "by other authority."

To the extent that the phrase "by other authority" in Section 5 could be interpreted to require reports of activities undertaken pursuant to §403(d)(3) of the National Security Act of 1947, 50 U.S.C. §§402 et seq., and to the extent that such reports would duplicate the reports provided to the Intelligence Oversight Committees pursuant to §413 of the National Security Act, we believe that Section 5 would be: (1) objectionable as an unnecessary proliferation of sensitive intelligence reporting to Congress; (2) contrary to the intent and spirit of the oversight provisions of the National Security Act which expressly limited intelligence reporting by the CIA to two oversight committees; and (3) redundant.

Should the bill be actively considered, we would ask the Administration's assistance in seeking further clarification from the Committee of the term "other authority" found in section 5 (a)(2)(B) of H.R. 1415.

Sincerely,

15/

Charles A. Briggs
Director, Office of Legislative Liaison

Enclosure

Distribution:

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March 5, 1985

CONGRESSIONAL RECORD — Extensions of Remarks

EXTENSIONS OF REMARKS

CONGRESSMAN TONY P. HALL
INTRODUCES CONVENTIONAL
ARMS TRANSFER CONTROL
ACT

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 1985

• Mr. HALL of Ohio. Mr. Speaker, today I am introducing the Conventional Arms Transfer Control Act. The objectives of the bill are to promote limitations on conventional arms transfers and to improve congressional oversight of conventional arms transfers.

The global conventional arms race has been a matter of deep concern to me since the 97th Congress. My interest in conventional arms transfer policies was stimulated in part by the Falkland Islands conflict. I was concerned that a country like Argentina could acquire the sophisticated military equipment capable of challenging—and almost defeating—the British Navy. Ironically, over 200 million dollars worth of this equipment was sold by Great Britain itself to Argentina.

My study and research of conventional arms transfers led me to introduce House Concurrent Resolution 415 on September 29, 1982. I followed up on this initiative in the 98th Congress with the introduction of House Joint Resolution 128 on February 7, 1983. In both 1983 and 1984, I appeared before the House Foreign Affairs Committee's Subcommittee on International Security and Scientific Affairs to discuss my legislation and issues relating to conventional arms transfer limitations. Section 123 of H.R. 5119, the International Security and Development Cooperation Act of 1984, would have required the President to submit to Congress a report on conventional arms transfers. The information that would have been provided by the report reflected the concerns and issues raised by House Joint Resolution 128.

In 1982 developing nations allocated \$190,800,000,000 for military spending. In the developing world, ten times more is spent on arms than on health, education, and welfare combined. Currently, the world spends \$22 on military purposes for every \$1 it spends on development aid to poor countries.

For developing nations, the importing of sophisticated arms is economically taxing. A very high proportion of the available import capacity of some developing countries has been absorbed largely by military expenditures.

In past years, arms imports have accounted for about 59 percent of total Third World imports. In some countries, this has been an important con-

tribution to the debt that has been dragging down their economies—which, in turn, has affected the industrialized nations.

From the perspective of the United States as an arms supplying nation, a General Accounting Office report in 1983 noted that a dozen countries were receiving guaranteed loans, even though they already were in default on prior loans for military assistance.

Between 1980 and 1983, according to the Congressional Research Service, conventional arms transfer agreements between developing nations and arms supplying nations totaled \$149,185,000,000, with agreements by non-Communist nations totaling \$92,125,000,000 and agreements by Communist nations totaling \$57,060,000,000. Between 1980 and 1983, conventional arms transfer agreements with developing nations by non-Communist nations other than the United States totaled \$53,710,000,000, agreements by the Soviet Union totaled \$40,715,000,000, and agreements by the United States totaled \$38,415,000,000.

The weapons transfers are more than matters of symbolism and prestige. The facts demonstrate that the world is in the midst of wars and these wars are being fought with the conventional weapons sold to the Third World. According to the Center for Defense Information, there are approximately 40 major and minor conflicts in the world today, involving 45 of the world's 164 nations. Over 4 million soldiers already are directly engaged in combat. Estimates of the total loss of lives to date in these conflicts run from more than 1 million up to 5 million. It is worthwhile to recall that while there have been no deaths since World War II as the direct result of the use of nuclear weapons, between 12 and 15 million people have been killed in wars and conflicts involving conventional weapons.

I believe the time is long overdue for the United States to develop a coherent and a visible conventional arms transfer limitation strategy. We must take the initiative to make global conventional arms limitation a priority on the world's agenda.

Weapons and warfare have been an ongoing element of the human experience. It is unrealistic to expect that all arms transfers can be stopped or that swords will be beaten into plowshares around the globe. Nevertheless, I do believe that there are specific, practical steps that the United States can take to rein in the runaway conventional arms race. The situation becomes hopeless only if we refuse to act.

The Conventional Arms Transfer Control Act would set forth a 4-point

program to set in motion the process to achieve conventional arms limitations. It urges the administration to begin preliminary discussions with non-Communist arms supplying nations and with the Soviet Union to establish limits and guidelines for conventional arms transfers to developing nations. It further calls for talks between the nations selling conventional weapons and those purchasing such weapons. Finally, it reaffirms a commitment to self-restraint on the part of the United States with respect to selective conventional arms transfers to developing nations, particularly those involving sophisticated technology.

Now is an especially good time to move forward with initiatives relating to conventional arms transfer limitations. Although conventional arms transfer agreements have involved billions of dollars in recent years, the boom years of the past may not be sustained. Some markets may be approaching the point of saturation, and depressed Third World economies loaded with billions of dollars of foreign debt may not be in a position to continue high levels of conventional arms acquisitions.

According to the most current data of the Congressional Research Service, it appears that 1983 was not a particularly good year for global arms transfers. Both the Soviet Union and France suffered substantial declines in their shares of Third World arms transfer agreements values in 1983 from the previous year. The Soviet Union's share of agreements declined from 26.9 percent in 1982 to 16.9 percent in 1983. France's share of agreements declined from 18 percent in 1982 to 4.8 percent in 1983. It is interesting to note that the only major Western European supplier not to register a decline in agreements was Italy, which made an increase of about \$270 million over its 1982 total.

The United States in 1983 continued to rank first in Third World arms transfer agreements at \$9.53 billion, despite a notable drop from its record year total of \$14.9 billion in agreements in 1982. U.S. arms transfer agreement values with the Third World for fiscal year 1984 are projected to total nearly \$6.79 billion, which indicates that the downward trend is continuing.

The data would indicate that now is the time to begin discussions on conventional arms control measures—before increased competition picks up again. Special attention should be given to efforts to head off new arms races in regions of the world that have not seen the most intensive competition for arms transfer agreements.

• This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

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The Near East and South Asia region has historically been the greatest Third World arms market. In 1980-83, it accounted for more than three-quarters of the total Third World arms agreement values. However, Latin America and sub-Saharan Africa are two regions that seem ripe for an increased round of conventional arms transfer agreements. With conventional arms sales down in 1983, now would be the best time to raise the subject of regional guidelines and standards before the situation gets out of hand.

Conventional arms transfers contribute to regional instability and facilitate the use of force to resolve conflicts. In particular, the acquisition of sophisticated weapons by developing nations encourages regional arms races and upsets balances of power. In addition, the use of sophisticated weapons to settle disputes by force increases the possibility that nuclear weapons might be used.

I believe that expenditures for conventional arms by the developing world should be redirected, to the maximum extent possible, toward economic development and the fulfillment of human needs. The Conventional Arms Transfer Control Act would help create the policies through which this goal could be accomplished.

EXPLANATION OF THE CONVENTIONAL ARMS TRANSFER CONTROL ACT

1. POLICIES ON LIMITING CONVENTIONAL ARMS TRANSFERS

The Conventional Arms Transfer Control Act amends the Arms Export Control Act to establish a 4-point policy for pursuing conventional arms transfer limitations:

The United States reaffirms a commitment to self-restraint through selective conventional arms transfers to developing nations and through a commitment to qualitative guidelines for conventional arms transfers.

The United States and the Soviet Union should promptly begin negotiations to resume the conventional arms transfer talks.

The United States should promptly begin discussions with the non-Communist arms supplying nations to limit conventional arms transfers to developing nations and to establish qualitative guidelines for conventional arms transfers to developing nations.

The United States should promptly, through the Committee on Disarmament in Geneva or through some other appropriate international forum, begin conventional arms transfer discussions between nations selling conventional weapons and nations purchasing such weapons to limit such arms transfers.

The bill would require the administration to report to Congress not later than 6 months after enactment of these provisions and each 6 months thereafter on the actions taken by the United States in accordance with these provisions and the progress being made toward achievement of the objectives expressed in them.

2. REPORT ON CONVENTIONAL ARMS TRANSFER POLICIES

Section 4 of the bill requires the President to submit to Congress a report examining and analyzing U.S. policies regarding the export of conventional arms and possible approaches that might be undertaken to develop multilateral limitations and controls on conventional arms transfers. This report requirement reinforces the policy goals set forth in section 1 of the Arms Export Control Act by directing that a serious and comprehensive evaluation of where the United States currently stands in implementation of these policy goals be undertaken.

This part of the bill reflects provisions included in the International Security and Development Cooperation Act of 1984 by the Subcommittee on International Security and Scientific Affairs. This was section 123 of H.R. 5119.

3. ANNUAL REPORTS ON ARMS TRANSFERS

Section 25 of the Arms Export Control Act is amended to require that the President submit to Congress particularly useful data regarding arms transfers to enable it to more effectively carry out its oversight functions. One of the reports required by this section was inadvertently repealed in 1981, and would be reinstituted in an updated format. This report would give Congress on an annual basis the aggregate dollar value and quantity of defense articles and defense services furnished by the United States to each foreign country and international organization, by category, for the previous fiscal year, and it would indicate by what means these items were transferred. The report would indicate if these arms transfers were by government-to-government sales, by commercial sales licensed under the Arms Export Control Act, or by other authority. This report would not only give Congress details regarding deliveries that have occurred, but details regarding agreements for future deliveries. It would also give an indication of the extent to which commercially licensed arms sales have become a factor in the international arms marketplace.

The amendments to section 25 of the Arms Export Control Act would also require data to be provided on specific elements of the commercially licensed arms trade. The President would be required to give the aggregate dollar value of all commercial manufacturing license agreements by country and international organization approved in the prior fiscal year under the authority of the Arms Export Control Act. These data would provide an indication of the extent to which the United States is providing foreign countries with the ability to manufacture defense articles abroad, a potentially important element in the proliferation of the arms trade in the developing world.

Similarly, the President would be required to give the aggregate dollar value of all commercial technical assistance agreements by country and international organization approved in the prior fiscal year under the authority of the Arms Export Control Act. These data would provide an indication of the extent to which the United States is providing foreign countries with technical data and knowledge or related defense services to enhance their ability to manufacture or utilize defense articles. The transfer of technical capability can be an important element in enabling developing nations to manufacture their own weapons—not merely for internal use, but for export as well. The emergence of arms suppliers in the developing world is a potentially significant factor in the international arms trade. Congress should be in a position to monitor effectively the evolution of this trend, and the U.S. role in it, through reports such as this.

It should particularly be noted that section 25 of the Arms Export Control Act is further amended to require the President to submit to Congress annually a report giving the aggregate dollar amount of all offset agreements associated with either government-to-government or commercial licensed arms sales made under the authority of the act. This report would be due on March 1 of each year and would provide data relating to the previous calendar year. Congress already has recognized that foreign purchasers of U.S. military equipment have increasingly required American arms suppliers to accept corollary agreements designed to offset the purchase price of the equipment sold.

Instead of simply purchasing U.S. military equipment, foreign countries are attempting to both obtain the equipment and recover some or much of their purchase price through a variety of arrangements. These arrangements or offset agreements can include coproduction of the U.S. military equipment in the purchasing country to enhance the ability of the buyer nation to develop an independent production capability. Just one of the arms control implications of such a trend is the prospect of further proliferation of arms industries in the developing world, and subsequent exports of military hardware by these nations.

There are other alarming implications for the United States, including the potential that U.S. corporations will be compelled to make unreasonable offset agreements in order to compete in the international arms marketplace, and that as a result the impact on U.S. employment and the U.S. defense industrial base will be adverse. This proposed annual reporting requirement on offsets as they relate to foreign arms sales is a small step forward toward enabling Congress to monitor these developments and to ex-

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exercise its oversight responsibilities in a timely and effective manner. This report would complement the effort already under way as the result of the initiative of Congress in enacting the Defense Production Act Amendments of 1984. It should be noted that section 309 of that legislation already requires a comprehensive report on major aspects of the offsets issue. Therefore, this provision of the Conventional Arms Transfer Control Act would not impose any new paperwork or reporting burdens on the affected corporations.

Section 25 of the Arms Export Control Act is also amended to change an existing reporting date from February 1, to April 1, in order to permit the President to submit the report on the volume of international arms traffic worldwide for the entire preceding calendar year.

4. SECURITY ASSISTANCE SURVEY

Section 26 of the Arms Export Control Act is amended to provide that upon the request of either the chairman of the House Foreign Affairs Committee or the chairman of the Senate Foreign Relations Committee, the President shall submit to that committee copies of security assistance surveys conducted by U.S. Government personnel. This amendment also clarifies the definition of security assistance surveys for purposes of this requirement. The rationale for this amendment is that security assistance surveys have proved to be the basis for many of the arms sales proposed for various nations by the executive branch. Through periodic review of these surveys, Congress will be able to better perform its oversight functions related to arms sales and transfers.

5. CONGRESSIONAL REVIEW OF ARMS SALES INVOLVING SENSITIVE TECHNOLOGY

Section 36(b) of the Arms Export Control Act is amended to require a notification to Congress of any change in arms sale, already considered by Congress, which provides a greater capability or which contains more sensitive technology than the defense articles or defense services described in the original certification submitted to Congress for review.

This amendment is intended to deal with situations such as the 1982 sale of F-16's to Pakistan. After that proposed sale cleared the required congressional review, the executive branch decided to upgrade the avionics of the Pakistani F-16 without notification to the Congress for review of that proposed upgrade of the aircraft. The avionics upgrade proposed for this F-16 sale involved more sensitive technology than was originally justified to Congress when the sales case was formally submitted. Because sensitivity of technology is often a key factor in a proposed arms sale, this section of the Arms Export Control Act merits revision to ensure that Congress will in the future be able to review any prospective major revisions in arms sales that have previously

cleared Congress in a notably different context.

This amendment to section 36(b) also provides that the Committee on Foreign Affairs of the House or the Committee on Foreign Relations of the Senate may require the President to submit a detailed description of any changes that have been agreed to, or which are being considered, regarding any arms sale that has been previously notified to Congress under the Arms Export Control Act. The intent in making this change is to improve the ability of the Congress to fulfill its legitimate oversight functions in this important policy area.

CONCLUSION

The Conventional Arms Transfer Control Act is intended to provide Congress with better information concerning global conventional arms transfers. With better information and improved oversight, Congress can acquire an increased understanding of the issues relating to global conventional arms transfers and can develop appropriate policies to address these issues.

My bill also seeks to set in motion the processes that can eventually lead to bilateral and multilateral talks to establish restraints and guidelines for conventional arms transfers. Two years ago when I proposed a resumption of the conventional arms transfer (CAT) talks with the Soviet Union, there were those who said that the time was not right for such talks. Of course, there is never a good time to raise the conventional arms limitation issue with the Russians. There are always tensions between our countries and confrontations in the rest of the world between our systems of government and our ideologies. However, the fact that nuclear arms control talks appear to be on track in Geneva could provide an opening for preliminary discussions about resumptions of the talks.

In addition, we need to talk to the non-Communist nations which currently are ahead of both the United States and the Soviet Union in terms of conventional arms transfer agreements with developing nations. With global conventional arms sales down for 1983, now is the time to develop agreements with the other major arms suppliers to limit the quantity and quality of conventional arms transferred to developing nations—especially those developing nations in regions where a vigorous arms race has yet to begin.

Conventional arms transfer limitations will require a multilateral, multiyear effort. Nevertheless, it is my hope that the Conventional Arms Transfer Control Act will help to set in motion the processes through which conventional arms transfers to the developing world can be restrained.

For the benefit of my colleagues, the full text of the Conventional Arms Transfer Control Act follows:

H. R. —

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

SECTION 1. SHORT TITLE

This Act may be cited as the "Conventional Arms Transfer Control Act."

SEC. 2. FINDINGS

The Congress finds that—

- (1) developing nations allocated \$190,800,000.000 in 1982 for military spending;
- (2) between 1980 and 1983, conventional arms transfer agreements between developing nations and arms supplying nations totaled \$149,185,000,000, with agreements by non-Communist nations totaling \$92,125,000,000 and agreements by Communist nations totaling \$57,060,000,000;
- (3) between 1980 and 1983, conventional arms transfer agreements with developing nations by non-Communist nations other than the United States totaled \$53,710,000,000, agreements by the Soviet Union totaled \$40,715,000,000, and agreements by the United States totaled \$38,415,000,000;
- (4) some developing nations have established their own armaments industries and are becoming arms exporters;
- (5) conventional arms transfers contribute to regional instability and facilitate the use of force to resolve conflicts;
- (6) sophisticated new weapons are among the arms being transferred to developing nations;
- (7) the acquisition of sophisticated weapons by developing nations encourages regional arms races and upsets balances of power;
- (8) the use of sophisticated weapons to settle disputes by force threatens to expand such conflicts;
- (9) the use of sophisticated weapons to settle disputes by force increases the possibility that nuclear weapons might be used;
- (10) conventional arms sales have become an arena for competition in the developing world between non-Communist and Communist nations; and
- (11) expenditures for conventional arms by the developing world should be redirected, to the maximum extent possible, toward economic development and the fulfillment of human needs.

SEC. 3. POLICIES ON LIMITING CONVENTIONAL ARMS TRANSFERS

Section 1 of the Arms Export Control Act (22 U.S.C. 2751) is amended—

- (1) by inserting "(a)" after "Controls,—"; and
- (2) by adding at the end thereof the following new subsection:

"(b)(1) In recognition of the goals and policies set forth in subsection (a)—

"(A) the United States reaffirms a commitment to self-restraint through selective conventional arms transfers to developing nations and through a commitment to qualitative guidelines for conventional arms transfers;

"(B) the United States and the Soviet Union should promptly begin negotiations to resume the conventional arms transfer talks;

"(C) the United States should promptly begin discussions with the non-Communist arms supplying nations to limit conventional arms transfers to developing nations and to establish qualitative guidelines for conventional arms transfers to developing nations; and

"(D) the United States should promptly, through the Committee on Disarmament in Geneva or through some other appropriate international forum, begin conventional

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arms transfer discussions between nations selling conventional weapons and nations purchasing such weapons to limit such arms transfers.

"(2) Not later than 6 months after the enactment of this subsection and each 6 months thereafter, the President shall report to the Congress on the actions taken by the United States in accordance with this subsection and the progress being made toward achievement of the objectives expressed in this subsection."

SEC 4 REPORT ON CONVENTIONAL ARMS TRANSFER POLICIES

(a) **REQUIREMENT FOR REPORT.**—Not later than 6 months after the date of enactment of this section, the President shall submit to the Congress a report which examines and analyzes United States policies concerning the export of conventional arms, especially sophisticated weapons, and possible approaches to developing multilateral limitations on conventional arms transfers.

(b) **INFORMATION TO BE INCLUDED.**—The report pursuant to this section shall examine and analyze—

(1) the lessons of earlier efforts to negotiate restraints on the export of conventional arms;

(2) the evolution of recipient country attitudes regarding conventional arms transfers;

(3) the prospects for engaging the Soviet Union in serious discussions concerning arms transfers, both globally and as they relate to regional security problems;

(4) possible measures by the United States and Western European suppliers to control levels of sophisticated weapons transfers, both regionally and globally;

(5) the relationship between arms exports by Western European countries and the needs of those countries to support their domestic military procurement programs; and

(6) the timing and phasing of international conventional arms control negotiations.

(c) **REPORT TO BE UNCLASSIFIED.**—The report pursuant to this section should be unclassified to the maximum extent possible, with classified addenda if necessary.

SEC 5 ANNUAL REPORTS ON ARMS TRANSFERS

(a) **REPORTS ON UNITED STATES ARMS TRANSFERS.**—Paragraph (5) of section 25(a) of the Arms Export Control Act (22 U.S.C. 2765(a)(5)) is amended—

(1) by inserting "(A)" immediately after "(5)"; and

(2) by adding at the end of the paragraph the following new subparagraph:

"(B) the aggregate dollar value and quantity of defense articles, defense services, and design and construction services furnished by the United States to each foreign country and international organization, by category, for the preceding fiscal year, specifying whether such articles and services were furnished—

"(i) by sale under chapter 2 of this Act,

"(ii) by sale under chapter 2A of this Act,

"(iii) by commercial sale licensed for permanent export under section 38 of this Act (including separate listings for the value and quantity of the defense articles and defense services which were licensed for permanent export during that fiscal year and for the value and quantity of the defense articles and defense services which were actually exported on a permanent basis during that fiscal year), or

"(iv) by other authority;

"(C) the aggregate dollar value of all commercial manufacturing license agreements approved under section 38 of this Act during the preceding fiscal year, listed by foreign country and international organization;

"(D) the aggregate dollar value of all commercial technical assistance agreements ap-

proved under section 38 of this Act during the preceding fiscal year, listed by foreign country and international organization; and

"(E) the aggregate dollar amount of all offset agreements (as defined for purposes of section 309 of the Defense Production Act of 1950 (50 U.S.C. app 2099)) associated with commercial licensed sales or government-to-government sales under this Act, which were entered into during the preceding calendar year by the United States suppliers of the defense articles, defense services, or design and construction services sold, listed by foreign country and international organization."

(b) **SUBMISSION DATES OF REPORTS ON INTERNATIONAL VOLUME OF ARMS TRAFFIC AND ON OFFSETS.**—Section 25 of such Act (22 U.S.C. 2765) is amended—

(1) in subsection (a) by striking out "No later than February 1" and inserting in lieu thereof "Except as provided in subsection (d) of this section, no later than February 1"; and

(2) by adding at the end thereof the following new subsection:

"(d)(1) The information required by subsection (a)(4) of this section, relating to international volume of arms traffic, shall be transmitted to the Congress no later than April 1 of each year.

"(2) The information required by subsection (a)(5)(E) of this section, relating to offsets, shall be transmitted to the Congress no later than March 1 of each year."

SEC 6 SECURITY ASSISTANCE SURVEYS

(a) **SURVEYS SUBJECT TO REQUIREMENTS.**—Section 26 of the Arms Export Control Act (22 U.S.C. 2766) is amended—

(1) in the section caption, by striking out "DEFENSE REQUIREMENT" and inserting in lieu thereof "SECURITY ASSISTANCE";

(2) by striking out "defense requirement" each place it appears in the section and inserting in lieu thereof "security assistance"; and

(3) by adding at the end of the section the following new subsection:

"(d) As used in this section, the term 'security assistance surveys' means defense requirement surveys, site surveys, general surveys or studies, engineering assessment surveys and any other comparable surveys or studies."

(b) **SUBMISSION TO COMMITTEE.**—Section 26(c) of such Act (22 U.S.C. 2766(c)) is amended by striking out "grant that committee access to" and inserting in lieu thereof "submit to that committee copies of".

(c) **TECHNICAL AMENDMENT.**—Section 26(c) of such Act (22 U.S.C. 2766(c)) is amended by striking out "International Relations" and inserting in lieu thereof "Foreign Affairs".

SEC 7 CONGRESSIONAL REVIEW OF ARMS SALES INVOLVING SENSITIVE TECHNOLOGY

Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended—

(1) by amending the second sentence of paragraph (1) to read as follows "Such numbered certifications shall also contain the information (relating to sensitive technology) required by paragraph (5) of this subsection"; and

(2) by adding at the end thereof the following new paragraphs:

"(5) Each numbered certification pursuant to this subsection shall contain—

"(A) an item, classified if necessary, identifying the sensitivity of technology contained in the defense articles, defense services, or design and construction services proposed to be sold; and

"(B) a detailed and specific description of the models and types of any defense articles or defense services proposed to be sold which contain sensitive technology."

"(6) If, after the submission to the Congress pursuant to paragraph (1) of a certification with respect to a proposed sale, the proposed sale is modified so that the sale would involve defense articles or defense services which have a greater capability or which contain more sensitive technology than the defense articles or defense services described in the original certification, then the President shall submit a revised certification with respect to that sale in accordance with paragraph (1). Such a revised certification shall be considered for purposes of this subsection as if it were a new certification; and the references in paragraph (1) to the issuance of a letter of offer shall be deemed, in the case of such revised certifications, to be references to the execution of the sales agreement.

"(7) Upon the request of the Committee on Foreign Affairs of the House of Representatives or the Committee on Foreign Relations of the Senate, the President shall submit to that committee a description of any changes which have been agreed to, or which are being considered, with respect to a sale for which a certification was submitted pursuant to paragraph (1), including any changes in the number, model, type, or capability of the defense articles, defense services, or design and construction services; and any changes in the sensitivity of the technology contained in the articles or services."

CASTRO'S OLD FOE HAS VICTORY VIBES

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 1985

● Mr. COURTER. Mr. Speaker, there is a new optimism that if we continue our support for the freedom fighters in Nicaragua, they will be victorious in their efforts to bring democracy to Nicaragua.

Mr. Huber Matos visited Nicaragua last fall and marched with the Contras. A great military leader during the anti-Batista revolution who later broke with Castro over the tyrannical drift of the Cuban revolution and was jailed by him for over 20 years. Mr. Matos feels that the seeds of victory are present.

If Mr. Matos' assessment is correct, we must continue to support the Nicaraguan freedom fighters so that democracy can flourish in that nation.

Georgie Anne Geyer interviewed Mr. Matos for a column in the Washington Times. I believe his comments and her analysis are unusually perceptive and I commend this column to my colleagues.

The column follows:

(From the Washington Times)

A WEATHERVANE FOR THE CONTRAS?

(By Georgie Anne Geyer)

When Huber Matos, the great military hero of the Cuban revolution, went clandestinely into Nicaragua recently to travel with the anti-Sandinista guerrillas, he was convinced they could not win their anti-Marxist war. After a few days, he changed his mind.

"Before I went into the rebel zone, I believed that the possibility of a victory was very remote, particularly when one took