

MEMORANDUM
INFORMATION

NATIONAL SECURITY COUNCIL January 28, 1983

MEMORANDUM FOR WILLIAM P. CLARK

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SUBJECT: Legislative Update

In an earlier memorandum, we outlined national security legislative priorities during the 98th Congress. This memorandum provides a brief overview and current status report on some of those priorities.

M-X (Peacekeeper): The Second Continuing Resolution (CR) conference language requires the President to submit a report to Congress on strategic forces -- including a comparison of possible M-X basing modes and a basing recommendation -- not earlier than March 1, 1983. When, and if, Congress approves an M-X basing mode, the \$988 million deleted production funding would have to be restored, likely via a supplemental. The President named a distinguished bipartisan Commission to carry out the strategic forces study and asked the Commission to report its findings by February 18.

Caribbean Basin Initiative (CBI): Despite a sizable victory in the House last December 17, CBI did not pass the Senate and will have to be retackled. State and USTR are currently consulting with Congress -- especially Russell Long in the Senate -- about the contents of a new CBI bill. We plan to publicize CBI by having the President seek the personal endorsement of key members at a White House meeting on the same day the new bill is introduced in Congress. We are working toward having the new bill introduced before the February 4 Lincoln's birthday recess.

Defense Budget: The Second CR included defense funding for the remainder of FY 83. Defense will be seeking supplemental appropriations early in the new session, though the content of this request is still being reviewed. We are also focusing on the FY 84 budget process, which officially begins with the President's budget message on January 31. There are a number of major challenges: funding levels, major programs, and anti-European restrictions. Among these, funding for Pershing II is crucial to NATO's INF program. Congress has indicated that Pershing II production funding could be restored once the missile has had a series of successful test flights. Like M-X, the Defense budget will undergo intense scrutiny in the 98th Congress, especially in the wake of the President's announcement to seek a freeze in non-defense spending in FY 84.

Foreign Assistance: The Second CR also funded foreign assistance for the remainder of FY 83, but it falls far short of the President's request. Africa has been especially hard hit; some programs there

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may be literally wiped out. Further, some countries, such as Pakistan and Tunisia, will not be able to pay for existing FMS purchases. As a result, even though Congress has cautioned against it, State is seeking a \$1.2 billion supplemental, which will be submitted with the FY 84 budget. Adequate foreign assistance, both for the remainder of FY 83 and for FY 84, constitutes a major challenge for the President. To build a broader base of Congressional support, Secretary Shultz and AID Director McPherson have developed plans for a bipartisan Secretarial commission on foreign assistance.

Nuclear Arms Resolutions: Numerous resolutions on limiting, reducing, or freezing nuclear weapons have been introduced since January 3. In the House, the three most notable are (1) Broomfield-Carney-Stratton-Price, (2) Markey-Conte and, (3) Zablocki. The Administration prefers the Broomfield alternative, which calls for a freeze after reductions have been negotiated. Both the Markey-Conte and Zablocki resolutions call for an immediate freeze. On the Senate side, Senators Kennedy and Hatfield reintroduced their freeze resolution earlier this week. Senator Cohen is attempting to gain support for his alternative "Guaranteed Build-Down" proposal. Close and frequent dialogue with Members is essential to head-off passage of an unfavorable nuclear freeze resolution this year. Bud McFarlane and Ambassadors Rowny and Nitze got us off to a good start by briefing new Members on nuclear arms the week of January 3. The President also asked freshmen Members to keep open minds on nuclear arms resolutions.

Radio Marti: Although Radio Marti's authorization passed the House during the 97th Congress, a filibuster led by Senators Zorinsky and Exxon kept it from coming to a vote in the Senate. Senators Hawkins and Chiles sought passage of a CR amendment that would have appropriated \$7 million for the radio, but the Senate, on a voice vote, tabled this helpful proposal. Therefore, we must relaunch Radio Marti early in the new Congress. State has begun informal consultations with the Hill. An interagency group will meet early next week to develop compromise legislation, hopefully acceptable to those Members opposing Marti because of the nagging frequency questions. We will need the President's personal involvement and endorsement for Congress to approve Radio Marti.

Military Construction: In order to meet the projected 1986 completion date for the Ras Banas facility, we are focusing on ways to restore the \$86 million that was cut in FY 83; the two prime possibilities are either augmented FY 84 funding or reprogramming FY 83 funds.

Export Administration Act: The Senate Banking Committee, led by Senator Garn, begins hearings next month on the Export Administration Act, which must be renewed by September. Coming on the heels of a number of export-related controversies (e.g., helicopter sales to Iraq and Soviet pipeline sanctions), the rewrite will, inter alia, fuel debate over Presidential control of exports. Two potentially controversial proposals are to (1) pull export administration out of

the Commerce Department and set up an independent office of strategic trade and (2) compensate firms that suffer financial losses from Presidential export control actions.

Chemical Weapons (CW): Of the \$73 million requested in the FY 83 budget for initiation of binary production and Bigeye bomb facility construction, Congress authorized \$54 million for production of binary munitions and Bigeye equipment but appropriated only \$8 million in construction funds, to be used solely for environmental work and site preparation. On November 16, 1982 a SIG on Chemical Weapons decided to seek restored Bigeye facility construction funding by reprogramming FY 83 funds. The SIG decided not to renew our request for bomb production until FY 84. An IG, chaired by Defense, has subsequently met several times to map out our CW modernization and legislative strategy. Recent tests revealed technical problems with the Bigeye bomb. No further action on reprogramming FY 83 funds will be taken until DOD determines how serious the problem is.

cc: NSC Staff