REASONS WHY THE CLARK AMENDMENT SHOULD BE RETAINED

On Tuesday, June 17, 1980 the Senate passed an amendment to the Foreign Assistance Authorization Act of 1980 (H.R. 6942) which would have the effect of lifting the ban on any U.S. assistance to any group for military or paramilitary operations in Angola unless the Congress expressly authorizes such assistance. This ban, commonly referred to as the Clark Amendment (after then-Africa Subcommittee Chairman Dick Clark), became law in early 1976 during the Angolan war. It passed by large margins in both the Senate and the House after reports of CIA support for Holden Roberto's FNLA and Jonas Savimbi's UNITA were leaked to the press.

The new amendment, jointly sponsored by Senators Helms, Javits and Tsongas, was drafted as a compromise after Helms proposed that the Clark amendment be repealed outright. The new language, passed by voice vote, stipulates that no U.S. aid may be given to any group for paramilitary or military operations in Angola "unless and until the President determines that such assistance should be furnished in the national security interests of the United States." It provides further that if the President makes such a determination he must report to the Senate Foreign Relations Committee and the House Foreign Affairs Committee the amount and type of assistance, the identity of the recipient, and a certification that furnishing such assistance is important to the national security interests of the U.S. and the rationale for such a determination.

The effect of the new amendment is to wipe out the special Congressional authority over CIA activity in Angola, putting the Congressional oversight over covert operations in Angola on almost the same footing as CIA operations elsewhere in the world. The President must make a determination that any covert operations are important to the national security interests of the United States. The only difference is that the foreign affairs committees must be informed along with the intelligence committees of operations in Angola.

We believe that the Senate amendment on support of military and paramilitary actions in Angola should be rejected for the following reasons:

1. The Helms initiative to permit CIA operations in Angola opens the serious possibility of covert operations being started again in Angola.

According to a former high CIA official, Angola is one of the three top priority countries for the CIA (Afghanistan and Jamaica are the other two). During the Shaba rebellion in Zaire in 1977 the White House openly complained about the constraints on its actions imposed by the Clark
amendment. While the President's current position on CIA activity in Angola is not known, it is clear from substantial U.S. operations in Jamaica and Afghanistan that CIA activity in Angola is a definite possibility.

Ronald Reagan, Republican candidate for President, has stated that he favors supplying arms to the dissident forces of UNITA. In an interview with the Wall Street Journal published on May 6th, Reagan said: "Well, frankly, I would provide them [UNITA forces] with weapons... Apparently Mr. Savimbi has got quite a force there, and he's never asked for any kind of help, except weapons, and I don't see anything wrong with someone who wants to free themselves from the rule of an outside power, which is Cubans and East Germans -- I don't see why we shouldn't provide them with the weapons to do it." From this statement it appears that there is a strong possibility that, were Reagan to become President, he would determine that it is in the U.S. national security interest to give covert assistance to UNITA for its operations against the Angolan government.

2. The Senate-passed amendment could have serious negative repercussions for the three-year-old negotiations that the U.S. and four other western nations have been pursuing on Namibia.

Angola has been the most important frontline state in these talks, and has played a major constructive role in what progress has been made. In the summer of 1979 the late Angolan President Augustino Neto came forward with a new proposal for a demilitarized zone along the Angolan/Namibian border which broke a deadlock in the discussions on how to implement and monitor the ceasefire between the forces. South Africa has continuously stalled these talks, so that it can militarily attack SWAPO and also put into place an "internal settlement" similar to the Muzorewa/Smith government which was defeated in Zimbabwe early this year without having achieved any popular support. SWAPO, on the other hand, has agreed to participate in U.N. supervised elections, while South Africa has refused to go along with the plan. Lifting the ban on CIA activity in Angola is almost certain to create a chill in relations with the frontline states and SWAPO, further stalling the talks and extending the violence and destruction of the war for a longer time.

3. Lifting the ban on CIA activity in Angola at this time would identify the United States with the apartheid South African government. Such a move would be more dangerous now than at any time since the ban was imposed in 1976.

In 1975 South Africa openly invaded Angola in support of the UNITA movement and remained inside the country for six months. The CIA shared intelligence with South Africa and collaborated with South Africa in its invasion. This open U.S. identification with South Africa was very damaging to U.S. relations with all of Africa, and was one of the main reasons the Congress adopted the Clark Amendment.

In the last month, South Africa has significantly expanded its military and diplomatic support for Jonas Savimbi, and Congressional action lifting the ban at this time would be seen as a renewed collaboration with
South Africa has escalated its military attacks in southern Angola since the March 1980 election in Zimbabwe. On June 13th South African Prime Minister Botha announced the largest South African attack in Angola in two years, which left more than 200 Namibians dead. South Africa has also continued to provide weapons and logistical backing to Savimbi’s UNITA forces.

South Africa has also given new diplomatic support to UNITA recently. In a letter of May 12, 1980 to United Nations Secretary-General Kurt Waldheim, Prime Minister Botha supported a demand by Savimbi to be included in the negotiations concerning a demilitarized zone, saying that the implications of Savimbi’s demand “should not be underestimated.”

In addition to the close link that will be perceived between South Africa’s renewed support for Savimbi and the Congress’ lessening the constraints on U.S. support for him, Africa will also associate this move with South Africa’s recent violent measures against its own people. South African police have killed at least 42 people in recent days as the two-month old coloured school boycott and widespread strikes continue.

4. Reopening the possibility of CIA covert operations in Angola will not decrease the influence of the Cubans or the Soviet Union in Angola, as its proponents allege. It will have the opposite effect.

The Angolan government requested assistance from Cuban troops in 1975 after South Africa invaded the country, as was confirmed by CIA sources at the time. The Angolan government believes that it needs the support of the Cuban troops so long as South Africa continues its attacks on Angola and its support for the UNITA forces. Therefore, support for South Africa’s continued military activity by passage of the Senate amendment will delay the exit of the Cubans rather than encourage it.

5. UNITA is not a viable political party deserving of United States support, either overt or covert.

Jonas Savimbi’s UNITA movement is not a national party, but is rather an ethnic one based among the Ovimbundu people in the southern part of the country. Therefore, UNITA is taking the position of a spoiler, and not a serious contending force to govern the whole country. In addition, UNITA’s credibility was substantially weakened by its collaboration with the Portuguese during the anti-colonial war and with South Africa during the 1975-76 conflict. Savimbi’s claims to control two-thirds of the country are grossly exaggerated.

6. Angola should continue to be singled out for special Congressional oversight of CIA activity.

The Congress was right to take special authority over CIA actions in Angola in 1976. The United States was threatening to become involved in another Vietnam and to enter into an open military alliance with South Africa. The convergence of damage to the Namibia negotiations, identification with South Africa, and backing of a non-viable dissident group is good cause for retaining the Clark amendment. In addition, once
special oversight of CIA operations in Angola was begun, giving up that oversight will be seen as a major policy shift whose broad implications have not been debated in the Congress.

7. Overriding the Clark amendment will set back the important steps which have been taken toward normalizing relations between the United States and Angola.

Angola desires diplomatic relations with the United States, and support for recognition of the Angolan government has been growing in the U.S. Just two weeks ago the Angolan government released an American prisoner, George Gause, who had been detained for possession of firearms. Angola has maintained friendly relations with American corporations, notably Gulf Oil, ever since independence. The U.S., China and Senegal are the only remaining countries which have failed to recognize the Angolan government.

Former Secretary of State Vance advocated recognizing Angola in his first major speech after leaving the State Department. At the Harvard University commencement on June 5th, Vance said: "To make that difference we must first accept our differences with third world nations, yet work with them where our interests coincide. Peace came to Zimbabwe because of the ability of Britain and the United States to work with the African nations of the region. Had the opponents of improved relations with Mozambique, Zambia, Tanzania and others had their way, the situation today might well have been far different. The logical corollary is clear; it makes no sense not to recognize the Government of Angola, a Government with which we have cooperated in the search for peace in southern Africa despite fundamental differences on other issues."