

Ploys the Administration May Use to Aid Contras

By WILLIAM M. LEOGRANDE

The mining of Nicaragua's harbors, undertaken by the Reagan Administration without any real consultation with Congress, has so angered the lawmakers that there is a real possibility that they will refuse to approve any additional funding for the CIA's not-so-secret war against the Sandinistas. "They're not going to get any more money," House Speaker Thomas P. O'Neill Jr. said flatly.

Can Congress really stop the war? Optimists point to the congressional ban that effectively halted the Central Intelligence Agency's covert operations in Angola in 1976. Pessimists point to the Reagan Administration's long record of being less than forthcoming and cooperative with Congress on Central American issues, particularly its ingenuity in getting around congressionally mandated limits and conditions on aid to El Salvador.

If Congress ties the purse strings, the Administration's options will be limited. It could, of course, accept the judgment of Congress and abandon operations against Nicaragua. But Nicaragua has been a *bete noire* of the Administration ever since it came to office. On various occasions senior Administration officials, including President Reagan himself, have said that peace in Central America is impossible so long as the Sandinistas rule in Managua. In addition William J. Casey, the CIA director and Reagan's close friend, has reportedly taken a personal interest in the covert war. It is unlikely that the Administration would simply bow to Congress' insistence that U.S. involvement be ended.

But how could the Administration keep the war going if Congress refused to pay for it? There are at least three possibilities, all of which have surfaced in the press only to be hotly denied by Administration spokesmen.

The first would be to recruit other countries to pick up the tab for the war, perhaps in exchange for a promise to increase U.S. aid to those countries accordingly. This, after all, is how the covert war began, with Argentina and Honduras acting as U.S. proxies. But the Argentine and Honduran generals who hired themselves out in 1982 have since been deposed, so new partners would have to be found. Israel is a prime candidate. The Likud government has already positioned Israel as a major arms supplier to rightist regimes in Latin America; to become the *contras'* patron could be seen as a logical next step. No item in the foreign-assistance budget has greater support, particularly among Democrats, than aid to Israel, thus making the Israeli option virtually immune to congressional retribution.

A second option for the Administration is

to encourage—or at least tolerate—private fund-raising within the United States. In the past few months Central America has moved to the top of the issues agenda for the New Right, so the potential for such a funding drive is clearly present. That, however, would be such a blatant violation of the Neutrality Act that the Administration would have a difficult time turning a blind eye to it over the long run. And private funding could not replace the technical and military advice that the CIA has provided to the *contras*.

The third option is for the Administration to simply continue funding the covert war, regardless of congressional action, by using various contingency funds and special emergency powers—as the President did Friday to provide military aid for El Salvador.

This tactic on behalf of the Nicaraguan *contras* is probably unlikely in the immediate future. The CIA's legal department recently prepared, at White House request, a study on the use of contingency funds to keep the covert war going; it advised that such action probably was illegal. It was specifically prohibited in the compromise on funding the covert war, which was crafted between the House and Senate last year. But when the new fiscal year begins in October this prohibition will lapse. Unless Congress renews it, rather than simply refusing to allocate money directly to the covert war, the Administration will be able to circumvent the spirit of congressional action without actually violating the letter of the law.

The battle between Congress and the executive branch over the covert war against Nicaragua has been under way for more than two years, and, while the recent skirmishes certainly have been among the most intense, the battle is far from over. The Reagan Administration has made clear its belief that Congress ought not meddle in foreign policy, and Congress has been equally adamant in its refusal to return to the passivity that marked the pre-Vietnam War era.

How the Administration reacts to Congress' unwillingness to continue the covert war will be a good indicator of whether the Administration is prepared to meet Congress halfway in the search for a bipartisan foreign-policy consensus, or whether the Administration's paeans to bipartisanship are little more than a demand for bipartisan acquiescence.

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