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4/21/76

APPROVED
APR 21 1976

THE WHITE HOUSE
WASHINGTON
April 20, 1976

ACTION

Last Day: April 26

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *[Signature]*

SUBJECT:

S. 3056 - Guatemala Relief and Rehabilitation Act of 1976

Attached for your consideration is S. 3056, sponsored by Senators Humphrey and Kennedy, which authorizes FY 76 appropriations of \$25 million to the President to provide emergency relief, rehabilitation and humanitarian assistance to the people who have been victimized by the recent earthquakes in Guatemala.

A discussion of the provisions of the enrolled bill is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Bill Seidman and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign S. 3056 at Tab B.

*Posted
4/22/76*

*To Archives
4/22/76*





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

APR 16 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3056 - Guatemala Relief
and Rehabilitation Act of 1976
Sponsors - Sen. Humphrey (D) Minnesota and
Sen. Kennedy (D) Massachusetts

Last Day for Action

April 26, 1976 - Monday

Purpose

Authorizes fiscal year 1976 appropriations of \$25 million to the President to provide emergency relief, rehabilitation and humanitarian assistance to the people who have been victimized by the recent earthquakes in Guatemala.

Agency Recommendations

Office of Management and Budget	Approval
Department of State	Approval
Agency for International Development	Approval
National Security Council	Approval (informally)
Department of the Treasury	No objection

Discussion

S. 3056 authorizes the \$25 million in appropriations you requested in your message to the Congress of February 19, 1976, to provide relief and rehabilitation for Guatemala for the extensive earthquake disaster it suffered beginning on February 4, 1976.

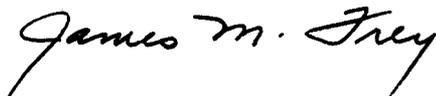
In addition to the appropriation authorization, S. 3056 would:

- Make this assistance subject to the provisions of existing law applicable to other disaster assistance.

- Permit the reimbursement of appropriation accounts that have already been drawn upon to aid Guatemala.
- Provide that not more than \$4 million of the funds appropriated under the bill could be used to repair the Puerto Barrios highway, the nation's principal commercial artery. (This provision is designed to assure that the bulk of the assistance goes for immediate humanitarian relief.)
- Require that, to the maximum extent feasible, construction funded under the authorization be seismic resistant.
- Require that, to the maximum extent feasible, U.S. voluntary agencies and international agencies be used to distribute this assistance.
- Require quarterly reporting to Congress of the programming and obligation of funds appropriated under the authorization.

Commenting on the foregoing provisions in its enrolled bill letter, the Agency for International Development states:

" ... None of these provisions should impede the successful completion of our projected assistance program, and we recommend that the President sign the bill."



Assistant Director for
Legislative Reference

Enclosure

DEPARTMENT OF STATE
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, D.C. 20523

APR 15 1976

Mr. James Frey
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Frey:

On behalf of A.I.D., I am pleased to recommend that the President approve the Enrolled Bill, S. 3056, an Act to amend the Foreign Assistance Act of 1961 to provide emergency relief, rehabilitation and humanitarian assistance to the people who have been victimized by the recent earthquakes in Guatemala.

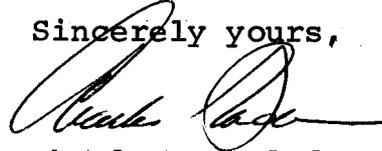
The Bill is in substance responsive to the Executive Branch's request for funding and authority to assist the victims of the Guatemalan earthquake which occurred in February of this year. S.3056 contains an authorization of appropriations of \$25,000,000 for fiscal year 1976 for disaster assistance to Guatemala and provides that the assistance may be furnished in accordance with the policies and authorities of existing international disaster relief legislation contained in section 491 of the Foreign Assistance Act of 1961, as amended. It also permits obligations previously incurred against other accounts to be charged against the authorized appropriation.

The Bill varies from the Executive Branch submission in that it amends the Foreign Assistance Act and contains, as a consequence, technical modifications to ensure that the amounts authorized are only used for the specific purpose set forth in the bill. Minor modifications have been made with respect to the dates on which quarterly reports on the obligation of funds will be due, and language has been added

which would require special emphasis on the construction of housing with seismic resistant materials and which would limit obligations for the Puerto Barrios Highway - the major Guatemalan artery damaged by the earthquake - to \$4,000,000. The legislation also requires that to the maximum extent practicable assistance be distributed through voluntary agencies and international organizations. None of these provisions should impede the successful completion of our projected assistance program, and we recommend that the President sign the bill.

Appropriations of \$25,000,000 for the Guatemala relief program are contained in the Conference Committee's recommendations for H.R. 12203 (the FY 76 Foreign Assistance and Related Programs Appropriations Bill) which are presently awaiting House and Senate ratification.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Charles L. Gladson", written in dark ink.

Charles L. Gladson
General Counsel



THE GENERAL COUNSEL OF THE TREASURY
WASHINGTON, D.C. 20220

APR 15 1976

Director, Office of Management and Budget
Executive Office of the President
Washington, D.C. 20503

Attention: Assistant Director for Legislative
Reference

Sir:

Reference is made to your request for the views of this Department on the enrolled enactment of S. 3056, "To amend the Foreign Assistance Act of 1961 to provide emergency relief, rehabilitation, and humanitarian assistance to the people who have been victimized by the recent earthquakes in Guatemala."

The enrolled enactment would authorize the President to provide assistance, on such terms and conditions as he may determine, for the relief of people victimized by the recent earthquakes in Guatemala.

The Department would have no objection to a recommendation that the enrolled enactment be approved by the President.

Sincerely yours,



General Counsel

Richard R. Albrecht

MEMORANDUM

NATIONAL SECURITY COUNCIL

April 15, 1976

MEMORANDUM FOR: Mr. James M. Frey
Assistant Director for Legislative Reference
Office of Management and Budget

FROM: Jeanne W. Davi 
Staff Secretary

SUBJECT: Enrolled Bill S. 3056

The NSC Staff recommends the President approve S. 3056, to provide disaster relief to Guatemala.



DEPARTMENT OF STATE

Washington, D.C. 20520

APR 16 1976

Dear Mr. Lynn:

I refer to Mr. Frey's memorandum of April 14 requesting the views of the Department of State on the Enrolled Bill S-3056, An Act To amend the Foreign Assistance Act of 1961 to provide emergency relief, rehabilitation and humanitarian assistance to the people who have been victimized by the recent earthquake in Guatemala.

We believe the enrolled bill is responsive to the Administration's request for authorizing legislation to provide assistance to the people of Guatemala who have suffered the effects of this terrible disaster. We, therefore, strongly urge that it be approved by the President.

Sincerely yours,

A handwritten signature in black ink, reading "Robert J. McCloskey".

Robert J. McCloskey
Assistant Secretary for
Congressional Relations

The Honorable
James T. Lynn,
Director,
Office of Management and Budget

ACTION MEMORANDUM

THE WHITE HOUSE
WASHINGTON

Date: April 16

Time: 600pm

FOR ACTION:

N&G Friedersdorf
Ken Lazarus
Bill Seidman

cc (for information):

Jack Marsh
Jim Cavanaugh
Ed Schmitts

FROM THE STAFF SECRETARY

DUE: Date:

April 19

Time:

noon

SUBJECT:

S. 3056 - Guatemala Relief and Rehabilitation Act of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

cannot 4/20 800 am

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

WASHINGTON

April 19, 1976

MEMORANDUM FOR:

JIM CAVANAUGH

FROM:

MAX L. FRIEDERSDORF *mf*

SUBJECT:

S. 3056 - Guatemala Relief and Rehabilitation Act of '76

The Office of Legislative Affairs concurs with the agencies
that the bill be signed.

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: April 16

Time: 600pm

FOR ACTION: Max Friedersdorf
Ken Lazarus
Bill Seidman

cc (for information.): Jack Marsh
Jim Cavanaugh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: April 19

Time: noon

SUBJECT:

S. 3056 - Guatemala Relief and Rehabilitation Act of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection -- Ken Lazarus 4/19/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon
For the President

APR 17 1976 REC'D

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: April 16

Time: 600pm

FOR ACTION: Max Friedersdorf
Ken Lazarus
Bill Seidman

cc (for information): Jack Marsh
Jim Cavanaugh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: April 19

Time: noon

SUBJECT:

S. 3056 - Guatemala Relief and Rehabilitation Act of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*approval
JWS*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon
For the President

GUATEMALA RELIEF AND REHABILITATION ACT OF 1976

MARCH 3, 1976.—Ordered to be printed

Mr. HUMPHREY, from the Committee on Foreign Relations,
submitted the following

REPORT

[To accompany S. 3056]

The Committee on Foreign Relations, to which was referred the bill (S. 3056) to amend the Foreign Assistance Act of 1961 to provide emergency relief, rehabilitation, and humanitarian assistance to the people who have been victimized by the recent earthquakes in Guatemala, having considered the same, reports favorably thereon with an amendment and recommends that the bill (as amended) do pass.

PURPOSE OF THE BILL

The purpose of the bill is to authorize the appropriation of \$25 million to provide relief and rehabilitation assistance to the people of Guatemala who were victims of the earthquakes which occurred in that nation in February, 1976.

SUMMARY OF THE MAJOR PROVISIONS IN S. 3056

1. Authorization of Appropriations: The bill authorizes appropriation of \$25 million for relief and rehabilitation activities in Guatemala. The appropriations are authorized for the fiscal year 1976 and to remain available until expended.

2. The assistance is to be provided subject to the policy and general authority of section 491 of the Foreign Assistance Act of 1961 as amended.

3. Funds authorized by this bill may be used to reimburse appropriation accounts from which initial relief funds were drawn, but may not otherwise be transferred.

some equipment used for road construction or medical purposes may be desirable, but the committee would not expect other transfers, and certainly not any significant deviation from these understandings, without prior consultation.

The committee has noted reports of the effective response of U.S. and other voluntary organizations to the needs of the victims of the earthquake in Guatemala. The committee calls attention to its intent that to the maximum extent practicable assistance be distributed through the United States and inter-American voluntary agencies.

The draft bill for Guatemala relief submitted by the executive branch would have created independent statutory authority for these activities. The committee did not agree with this procedure, preferring instead to place these activities under title I of the Foreign Assistance Act of 1961, as amended. This new section of the act was created by the International Development and Food Assistance Act of 1975 specifically to provide a consolidated coherent body of legislation on disaster relief and assistance. At the time that 1975 act was under consideration, the Administrator of AID himself wrote the committee expressing the executive branch view that "it is preferable to include legislation on international disaster relief assistance in the basic Foreign Assistance Act, rather than as a separate law." The committee action is consistent with that view.

Relief Assistance to Lebanon

The committee has recently received various proposals to provide emergency relief and rehabilitation to the people of Lebanon. An amendment submitted to the committee by Senator Abourezk proposed such assistance to Lebanon as a part of the present Guatemala relief legislation.

The need for such assistance is recognized following the civil strife which has devastated Beirut and other cities and villages throughout Lebanon. This struggle has left thousands wounded, homeless or in less than adequate shelter. Many more, especially children, are sick and hungry.

The United Nations High Commissioner for Refugees (UNHCR) has recently issued a special appeal for \$50 million for emergency relief programs in Lebanon to be administered by the UNHCR and other UN agencies during calendar year 1976. The committee has been advised that the portion administered by the UNHCR (approximately \$25.5 million) would be used to repair housing and replace minimal essential household equipment such as blankets, clothing, and mattresses, and for medical supplies. Another portion, about \$14 million would be used by the United Nations Children's Fund (UNICEF) for maternal and child feeding. Approximately \$5 million would be for health services and medical supplies administered by the World Health Organization, and about \$500,000 would be administered through UNRWA, with the remaining \$5 million to cover administration costs.

The committee notes that the United States has already obligated \$959,805 from existing disaster relief funds to aid the people affected by this man-made disaster. But much more is needed. The committee,

therefore, urges the executive branch to give favorable consideration to participation with other nations in meeting the appeal of the UNHCR.

The committee is also aware of the relief work now being carried out in Lebanon by the International Committee of the Red Cross and by the American University of Beirut Hospital. The executive branch has provided support for this work in the past and should continue to give it favorable consideration. Other private and voluntary organizations have issued special appeals. The committee hopes that each of these will be given separate consideration on its own merits.

There are a number of sources from which the executive branch can fund assistance for Lebanon without new legislative action. Subsection 495A(f), which would be added to the Foreign Assistance Act by this bill, gives the executive branch the authority to transfer valid charges for Guatemala relief from the general disaster relief account to the special Guatemala disaster relief account authorized by subsection 495A(c). Based on existing obligations in the disaster relief account, and assuming the account is fully funded for the fiscal year 1976, the approval of this authority would make adequate funds available for disaster relief in Lebanon during the fiscal year 1976. The committee also notes that the legislative history of the contingency fund, section 451 of the Foreign Assistance Act of 1961, as amended, makes it clear that the contingency fund may be used for famine and disaster assistance such as that needed in Lebanon, as well as other contingencies. In the case of both the contingency fund and the regular disaster account, funds provided for the transition quarter could be added to fiscal year 1976 funds to meet needs during the current calendar year.

The committee urges the executive branch to consider all of these sources of possible funding, as well as emergency food supplies available under Public Law 480, as it evaluates appeals from the UNHCR and other worthy international agencies and private and voluntary organizations. If appropriate, direct appeals from the Government of Lebanon could be considered, but the committee feels that contributions and distributions must be made on a non-ideological, non-political basis to the people of both religious communities who have suffered from the war. U.S. assistance must be used only for the support of programs which are administered in such a way that distribution is not controlled by or channeled through political factions on outside forces such as the Palestine Liberation Army or other groups under non-Lebanese control. The committee strongly favors the use of the UNHCR and selected voluntary agencies as the vehicles for the distribution of the U.S. relief support.

The committee expects the executive branch to report to the committee not later than May 1, 1976, on its action to carry out a program of assistance to the people of Lebanon, so that the committee may consider the progress of such a program and a projection of further emergency aid before final Senate action on a fiscal year 1977 foreign assistance bill.

COST ESTIMATE

Section 252(a)(1) of the Legislative Reorganization Act of 1972 requires that committee reports on bills and joint resolutions contain:

(a) An estimate made by such committee of the costs which would be incurred in carrying out such a bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following such fiscal year.

The committee estimates that the cost of implementing this bill will be approximately as follows:

Fiscal period:	<i>Outlays in millions</i>
1976 -----	\$14
Transition quarter -----	5
1977 -----	6

APPENDIX I—PRESIDENT'S MESSAGE

To the Congress of the United States:

On February 4th a devastating earthquake struck Guatemala. That earthquake, together with its aftershocks, has left over 22,000 dead, more than 75,000 injured, and one million homeless.

The United States has a special responsibility to help meet the urgent needs in Guatemala. Immediate aid has already been extended by U.S. agencies, both public and private, including:

- Emergency shelters, medical supplies and food provided by the Agency for International Development.
- Transportation and medical facilities provided by the Department of Defense.
- Food distribution, medical services, and other disaster relief activities provided by numerous private voluntary agencies.

Last week I dispatched my Special Coordinator for International Disaster Assistance—AID Administrator Daniel Parker—to Guatemala for a firsthand review of the situation. He has now reported to me and to Congressional Committees on the extent of damage and need. Both the Senate and the House of Representatives have passed resolutions expressing sympathy for the people of Guatemala in their hour of distress and urging development of a comprehensive U.S. response. The Secretary of State will visit the Republic of Guatemala on February 24 to express further our support for the people of Guatemala.

I am now proposing urgent and specific action to turn these expressions of sympathy into tangible assistance. The proposed \$25 million "Guatemala Disaster Relief Act of 1976" which I am sending herewith represents an immediate humanitarian response of the United States to the victims of this tragedy who have been injured or have lost their relatives, their homes and possessions, and in many cases their very means of existence.

This legislation, and the ensuing appropriation, will enable us to respond to the human tragedy in Guatemala. Our response will reflect America's concern for the people of Guatemala.

GERALD R. FORD.

THE WHITE HOUSE, February 19, 1976.

(7)

APPENDIX II—AID PROPOSALS

DEPARTMENT OF STATE,
AGENCY FOR INTERNATIONAL DEVELOPMENT,
Washington, February 19, 1976.

HON. NELSON ROCKEFELLER,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: It is my honor to forward herewith explanatory material entitled "Proposed U.S. Relief and Rehabilitation of the Victims of the Guatemala Disaster." This material has been prepared in order to assist the Congress in the consideration of the proposed Guatemala Disaster Relief Act of 1976 transmitted by Presidential message on February 19, 1976.

Proposed U.S. assistance would be concentrated on the immediate needs of the poor in Guatemala who have borne the brunt of this human tragedy in terms of death, injury, disease and economic loss. The construction of temporary shelter and reopening of key transportation arteries are vital first steps. After completing a first hand review of the situation in the field at the President's request, I can assure you that that human suffering in Guatemala is serious and deserves the urgent consideration of the Congress.

Sincerely,

DANIEL PARKER.

Enclosure.

PROPOSED U.S. RELIEF AND REHABILITATION OF THE VICTIMS OF THE
GUATEMALAN DISASTER

The total amount requested will permit AID to continue participation, in close collaboration with the Government of Guatemala and other donors, to help meet the highest priority immediate relief and rehabilitation needs. In addition to the ongoing emergency relief operations, our proposed input literally is geared to helping Guatemala to win a race against the elements—with an eye on the rainy season which normally begins in approximately 90 days. So as to minimize further suffering and additional major economic dislocation, at the request of the Government of Guatemala and based on continuing assessment in the field, we will concentrate assistance over the coming few months primarily on helping to insure adequate temporary shelter with supporting community facilities and on reopening critical transportation links, especially the badly damaged Guatemala City-Caribbean Highway, the main artery essential to the country's economic viability.

(B) EMERGENCY RELIEF OPERATIONS (\$7.5 MILLION)

The initial response of the U.S. Country Team in Guatemala and AID's Foreign Disaster Relief Center to requests of the Government

(8)

S.R. 679

of Guatemala was to dispatch a U.S. Military Disaster Assistance Survey Team from Panama and airlift a 100-bed U.S. military field hospital, fully staffed and equipped. Eighteen helicopters were deployed; medical supplies, tents, blankets and water equipment from U.S. disaster stocks followed. Additional teams of engineers, water specialists and medical/communication specialists were also sent to Guatemala to assist the Government.

The funds cover the continuing costs of initial emergency relief operations provided by the Department of Defense, other participating U.S. agencies, procurement of supplies, transportation, grants to U.S. Voluntary Agencies, the OAS, replacement of disaster stocks in Panama and other support costs. The actual level of expenditure will depend on the duration of the emergency phase, and particularly on the timing of withdrawal of the helicopters, and medical support.

(B) RURAL REHABILITATION (\$7.5 MILLION)

1. Shelter

Funds would be allocated to supply critically needed supplementary building construction materials and hand tools for up to 100,000 units of rural and small community housing in the devastated Indian highlands. The uniqueness of this disaster was its effect on the rural poor who because of the very nature of construction of their dwellings were singled out as the major victims of the earthquakes. The Government of Guatemala estimates that more than 150,000 such dwellings were lost in the earthquakes and subsequent tremors, in addition to more than 100,000 urban dwellings. We expect that roughly 1/3 of the rural needs will be rebuilt through individual and direct GOG and other donor assistance. To meet the balance of this requirement, and in support of self-help efforts, simple materials and tools that can be purchased locally or in nearby countries or, as necessary, shipped from the United States will be employed. We contemplate as was done in response to Hurricane Fifi in Honduras with considerable efficiency and economy, a grant-funded program executed through key private voluntary agencies such as CARE, wherein small farmers and the rural poor in general will be provided relatively inexpensive roofing materials (e.g., galvanized tin and asbestos composition corrugated sheets), hammers, saws, chisels, nails, reinforcing bars, simple hardware, etc., and limited technical help. Involvement of existing cooperative organizations in the Indian highlands also will be stressed.

Experience in similar situations has shown that the bulk of such reconstruction is carried out by the families involved. In fact, the process of clearing necessary sites and sorting out materials already has begun. Attention to farming and other economic activity typically takes second place to providing shelter for the surviving family, making this activity not only an essential element of social rehabilitation, but of economic import as well.

Benefits of research sponsored by AID since the 1970 earthquake in Peru will be applied, to the extent possible, in improving seismic resistance of basically adobe construction. With minimal cost increases, it is hoped that the affected families, with the direct help of the involved PVO's and cooperatives, will by the onset of the rainy season

S.R. 679

be sheltered in conditions that are sufficiently comfortable and secure to restore to them at least a semblance of the life—hard as it has always been—they knew prior to February 4. Roofing materials to be supplied will be of a kind that will limit the extent of personal injury in any future earthquakes (as compared to titles commonly used) and also will be useable in more permanent construction.

2. Supporting Community Facilities

To the extent complementary, relatively simple construction needs can be met quickly and economically, assistance also will be extended to restore a minimum of vital community services (small farmer markets, schools, slaughtering facilities, health posts, etc.) to permit communities to continue their traditional role as providers of social stability and cohesion in the Indian areas. In all cases, such assistance will be limited to keeping communities socially and economically viable until broader, more durable, public services can be restored. In this effort, close coordination will exist with the GOG's Municipal Development Institute (INFOM), with which AID has had a long and successful relationship in Guatemala.

As needed and requested by voluntary agencies with known competence, funds will be made available to support Guatemalan Government efforts in relieving the social trauma of victims.

(C) TRANSPORTATION LINKS, INCLUDING RESTORATION OF THE GUATEMALA CITY-CARIBBEAN HIGHWAY (\$7.5 MILLION)

Based on a careful survey just completed by an 11-man U.S. Army Corps of Engineers detachment, it now appears that in a period of 60-75 days (before the rainy season makes such work difficult, if not impossible), the immediate phase of restoring Guatemala's principal export and import link with the rest of the world can be accomplished.

The road must be made passable for the thousands of trucks and buses which normally transit this highway, now interrupted by a stretch of approximately 50 miles of severe slides and destroyed bridges.

If this work can be accomplished, as proposed, using the services of the U.S. Army Corps of Engineers, or other emergency help that can be mobilized immediately, it is expected that the Guatemalan Government will be able to provide the maintenance capability to keep the road open during the rainy season. In the meantime, there are indications that international financing should be available for the major job of permanent reconstruction that cannot begin until later in the year when the detailed engineering and weather conditions would permit this major operation to get underway.

Additionally, destruction of a number of vital farm-to-market roads in the Indian highland area has cut off communities from the access they need to maintain some economic touch with 20th century life. Special priority will be given to opening up these vital lifelines of communication, necessary to facilitating broader reconstruction efforts in the future.

(D) OTHER URGENT ENGINEERING AND CONSTRUCTION REQUIREMENTS (\$2.5 MILLION)

Based on the results of high altitude aerial reconnaissance, dangerous topographical changes appear to have developed in various parts of the earthquake-affected area. Possible flooding from the rupture of naturally-formed dams as water accumulation occurs, particularly after the onset of the rainy season, could cause severe additional loss of life and physical damage if not corrected opportunely. Specialists in dealing with the difficult engineering and demolition problems entailed and other assistance as necessary, beyond that which is available and can be financed in-country, will be provided.

Summary

Immediate relief efforts, complemented by the undertakings listed above, represent a basic, necessary and immediate response to pressing humanitarian and economic needs felt by the Government of Guatemala and confirmed by our field assessments. They are essential to restoring near-normal life in Guatemala and to recapturing the momentum of development progress which, under the administration of President Laugerud, had only recently begun to move the large mass of Guatemala's urban and rural poor closer to enjoying the benefits of growth.

Some shifts in the application of requested funds may prove necessary as assessments of needs and costs continue to be refined and as the financial capacity of the Guatemalan Government itself and assistance from other donors can be better identified.

In this connection, AID will remain alert to ways of applying funds not only so as to meet pressing shelter and vital communications problems in the short run, but to facilitating as well, by community and cooperative action especially suitable in the Indian highlands of Guatemala, broader participation in the very process as well as the benefits of development.

Time has now become the major opponent in the continued support of our Government and people to Guatemala. If the assistance proposed herein can be made available immediately, essential work can be completed before the onset of the rainy season, so alleviating additional anguish for a burdened people.

○

GUATEMALA DISASTER RELIEF ACT OF 1976

MARCH 11, 1976.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. Diggs, from the Committee on International Relations,
submitted the following

REPORT

[To accompany H.R. 12046]

The Committee on International Relations, to whom was referred the bill (H.R. 12046) to provide for relief and rehabilitation assistance to the victims of the earthquakes in Guatemala, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

On page 2, after line 18, add the following:

SEC. 5. In order to limit the extent of deaths, injuries, and destruction in future earthquakes, assistance provided under this Act which is used for the construction of housing in the Republic of Guatemala shall, to the maximum extent possible, be used for housing which is constructed of seismic resistant materials or which will otherwise minimize the danger of injury to occupants during future earthquakes; and the President should encourage the Government of the Republic of Guatemala to promote the use of such materials.

SEC. 6. Assistance made available under this Act shall be distributed to the maximum extent practicable through United States voluntary relief agencies and other international relief and development organizations.

COMMITTEE ACTION

Shortly after the February 4, 1976, earthquake, which struck Guatemala, the Committee on International Relations began gathering information concerning the extent of the disaster and steps being taken to provide relief. Staff inquiry in Washington was followed by a staff survey on the scene in Guatemala February 12-14. On February 18, the Subcommittee on International Resources, Food and

Energy, under the Chairmanship of the Honorable Charles C. Diggs, Jr., received testimony from Daniel C. Parker, Administrator of the Agency for International Development and Special Coordinator for International Disaster Relief Assistance, on the findings of his inspection of the disaster area.

On February 19 the President sent a message to the Congress requesting emergency assistance to Guatemala. The President's legislative request was introduced February 24 as H.R. 12046, by Mr. Diggs, with bipartisan cosponsorship. Joining in sponsoring the bill were the Honorable Thomas E. Morgan, chairman of the full committee, and Congressmen Buchanan, Collins of Illinois, Fascell, Gilman, Hechler of West Virginia, Nix, Solarz, and Zablocki. On March 2, an identical bill, H.R. 12240, was introduced by Congressman Derwinski with the cosponsorship of Congressmen Biester, Conte, du Pont, Findley, Guyer, Lagomarsino, Whalen, and Winn.

The subcommittee held a second hearing, specifically directed to H.R. 12046, on March 4, and approved an amended version of the bill. The full committee considered the measure on March 9 and ordered it reported, as amended, by voice vote.

PURPOSE OF THE BILL

The purpose of the Guatemala Disaster Relief Act of 1976 is to authorize the appropriation of \$25 million for relief and rehabilitation assistance to the people of Guatemala victimized by the earthquakes which devastated significant portions of that country beginning on February 4, 1976.

SUMMARY OF THE MAJOR PROVISIONS OF THE BILL

1. The bill authorizes appropriations of \$25 million for earthquake disaster relief and rehabilitation activities in Guatemala, including reimbursement for obligations already incurred for this purpose. Such assistance is authorized for fiscal year 1976 and is authorized to remain available until expended.
2. Assistance under this act is to be consistent with the policy and general authorities applicable to the furnishing of disaster assistance as outlined in section 491 (International Disaster Assistance) of the Foreign Assistance Act of 1961 as amended.
3. Assistance provided under this act used for the construction of housing in Guatemala shall, to the maximum extent possible, be for housing constructed of seismic-resistant materials; and the President is to encourage the Government of Guatemala also to promote use of such materials or housing reconstruction.
4. Assistance made available under this act shall be distributed to the maximum extent practicable through United States private voluntary organizations and other international relief and development organizations.
5. Reports on the programming and obligation of funds under the act shall be submitted to the Speaker of the House of Representatives and to appropriate Senate Committees no later than 90 days after the enactment of appropriations and on a quarterly basis thereafter.

BACKGROUND

At 3:02 a.m. February 4, 1976, Guatemala was struck by its worst earthquake in over 20 years. Not since Antigua, the previous capital, was destroyed by an earthquake in 1773, has the country experienced such a disaster. The two major quakes in this year's disaster registered 6.0 and 7.5 on the Richter scale.

According to current estimates, the disaster killed 22,000 men, women, and children, injured 74,000, and left 1 million homeless. Damage has been estimated at upwards of \$600 million. Seismic activity has continued since the first quake, causing additional suffering and destruction.

Unlike the 1972 earthquake in Nicaragua, which was confined primarily to its urban capital of Managua, the 1976 Guatemalan earthquake is essentially a rural disaster. The major devastation occurred in a 3,530-square-mile area around Chimaltenango, in the Indian Highlands and along the Motagua fault, which runs east-west from a point about 15 miles north of Guatemala City and eastward as far as Puerto Barrios. The larger population centers experienced relatively little damage.

The high death toll resulted from the timing of the disaster and the nature of Guatemala's rural housing construction. Coming as it did at 3:02 a.m., the quake caught most of the population at home asleep. Initially thousands of Indians asleep in homes with adobe walls were crushed by heavy tile roofs, which collapsed on them.

Remarkably, virtually all of Guatemala's industrial plants remained intact. However, extensive earthquake damage has disrupted normal transit along the Guatemala City—Puerto Barrios highway and railroad—the nation's principal artery for exports and imports—with grave economic consequences for the national economy. Nearly 100,000 small farmers depend upon this highway to transport their produce to Guatemala City. The marketing of approximately 50 percent of Guatemala's rice production, 30 percent of its corn, and 97 percent of its tomatoes depends upon this highway where normal average two-way traffic is 2,745 vehicles per day.

Also, the earthquake inflicted severe damage to many essential community facilities. These included water supplies, hospitals, and schools.

INITIAL RELIEF EFFORTS

Within hours after the first quake the U.S. country team in Guatemala and the Agency for International Development's Foreign Disaster Center in Washington began around-the-clock relief operations. U.S. equipment, supplies, and personnel were sent in quickly including a U.S. military Disaster Assistance Survey Team (DAST) from Panama, a fully equipped and staffed 100-bed military field hospital, an Engineering Survey Team to assess road, bridge, and rail damage, 18 helicopters, 8 two-man medical/communications teams, physicians, and pharmacists.

As of March 4, the administration had obligated \$5.5 million from the Disaster Assistance Fund for relief activities in Guatemala. In addition, \$5 million in food was provided from Public Law 480.

The response of the Guatemalan Government and the international community to the disaster has been encouraging. By March 4, 27 countries and the International Bank for Reconstruction and Development and the Inter-American Development Bank had provided relief and rehabilitation assistance to Guatemala. Many private voluntary organizations such as CARE, Catholic Relief Services, Red Cross, CARITAS, Partners of the Americas (Alabama), and the Seventh Day Adventists have given generous and effective support.

PRESIDENTIAL REQUEST

The Presidential request for \$25 million for relief and rehabilitation for Guatemala's earthquake victims includes:

- \$7.5 million for rehabilitation of housing and community facilities;
- \$7.5 million for repairs to the major Guatemala City—Puerto Barrios highway;
- \$2.5 million for removal of landslides;
- \$7.5 million for reimbursement of the Disaster Assistance Account for funds spent in the initial emergency relief.

COMMITTEE COMMENTS

The American people have a long tradition of humanitarian help to those in need, and their reaction to the Guatemala tragedy has been no exception. News of the disaster was quickly followed by voluntary contributions from citizens across the United States. The United States Government provided prompt initial relief on the scene. The House and Senate passed resolutions expressing sympathy and urging development of a comprehensive response.

H.R. 12046, the Guatemala Disaster Relief Act of 1976, is a tangible response to Guatemala's emergency need in keeping with the American tradition.

The committee stresses the emergency nature of the bill particularly because of the requirement for expeditious enactment. Many thousands of Guatemalans are now without proper shelter and without adequate supplies. Their suffering will increase if help does not come before Guatemala's rainy season which begins sometime in May.

The relief programs proposed under this legislation focus mainly on quick assistance of practical value to earthquake victims this spring, before the rains come. The programs will provide materials for self-help shelter building and community facilities, open a vital highway artery, and undertake other urgent projects.

By the same token, the disaster assistance authorization in this legislation is limited to relief and rehabilitation and is not to be used for economic development programs.

The committee has emphasized legislatively, however, that even in the process of emergency housing rehabilitation, it is desirable to use seismic resistance materials to the maximum extent possible. It has done so in its section 5 amendment to the bill, with the goal of limiting the extent of deaths, injuries, and destruction in future earthquakes.

The committee also has examined reports that disaster assistance has been diverted to the benefit of privileged people or into rural areas to

the political advantage of the incumbent government. The preponderance of relief aid has in fact gone to nonmetropolitan areas, the earthquake having struck mainly in the countryside. However, there have been reported instances of favoritism, which the committee hopes will be reduced with its amendment added as section 6—requiring that to the maximum practicable extent, assistance under this Act shall be distributed through U.S. voluntary relief agencies and other international relief and development organizations.

The longer range reconstruction task and the extent to which the United States can or should partake in it, has yet to be determined. The committee is pleased to note, in this connection, the intention of Guatemala to undertake the largest share of reconstruction costs from her own resources.

RELIEF ASSISTANCE FOR LEBANON

The committee has received several bills for relief assistance to Lebanon. The civil war there has killed an estimated 10,000 people, wounded many more, uprooted perhaps 200 million, and caused losses estimated in billions of dollars.

The United Nations High Commissioner for Refugees and the International Red Cross have issued appeals for humanitarian aid in relief of the victims of this manmade disaster. While other nations have donated cash and commodities in varying amounts, the only U.S. Government response to date has been to contribute \$960,000 in medical supplies distributed through the American University in Beirut.

The Disaster Assistance Account of \$25 million in fiscal 1976 authorized under section 492 of the Foreign Assistance Act is nearly exhausted at this time for expenditures for various emergencies. However, the reimbursement for prior obligations incurred for Guatemala disaster relief authorized in section 3 of this bill will allow replenishment of some \$7.5 million to the Disaster Assistance Account. It is the committee's understanding that, in the absence of a separate Presidential request to Congress for war disaster relief for Lebanon, these funds will be used by the President for disaster assistance to Lebanon to the extent possible.

COST ESTIMATE

Pursuant to clause 7 of Rule XIII of the House Rules, the committee estimates that the costs involved in this legislation will total \$25 million. This is the amount requested by the executive branch and recommended by the committee after its examination of the request. Because of the emergency nature of the situation, most of the sum is expected to be obligated soon after the enactment of appropriations. Outlays are estimated at \$14 million in fiscal 1976, \$5 million in the transition quarter, and \$6 million in fiscal 1977. As a one-time relief measure, it will not incur costs in succeeding fiscal years.

STATEMENTS REQUIRED BY RULE XI(1)(3) OF THE HOUSE RULES

(A) OVERSIGHT FINDINGS AND RECOMMENDATIONS

The Guatemala earthquake disaster situation was the subject of oversight by the full Committee on International Relations and by the

Subcommittee on Resources, Food, and Energy both before and after the receipt of the executive request. Witnesses were called for testimony, and staff made an on-the-scene survey.

(B) BUDGET AUTHORITY

This bill does not create any new budget authority.

(C) CONGRESSIONAL BUDGET OFFICE ESTIMATE AND COMPARISON

No estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been received by the committee.

(D) COMMITTEE ON GOVERNMENT OPERATIONS SUMMARY

No oversight findings and recommendations directed to this bill have been received from the Committee on Government Operations under clause 2(b)(2) of rule X.

INFLATIONARY IMPACT STATEMENT

This legislation authorizes the expenditure of less than one hundredth of one percent of the administration's budget for fiscal 1976, and is not likely to have any identifiable inflationary impact.

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GUATEMALA RELIEF AND REHABILITATION ACT OF
1976

APRIL 6, 1976.—Ordered to be printed

Mr. DIGGS, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 3056]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3056) to amend the Foreign Assistance Act of 1961 to provide emergency relief, rehabilitation, and humanitarian assistance to the people who have been victimized by the recent earthquakes in Guatemala, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Guatemala Relief and Rehabilitation Act of 1976".

SEC. 2. Chapter 9 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 495A. GUATEMALA RELIEF AND REHABILITATION.—(a) The President is authorized to provide assistance, on such terms and conditions as he may determine, for the relief and rehabilitation of the people who have been victimized by the recent earthquakes in Guatemala. There is authorized to be appropriated to the President to carry out the purposes of this section \$25,000,000 for the fiscal year 1976, which amount is authorized to remain available until expended, except that not more than \$4,000,000 of this amount shall be available for repairs to the Puerto Barrios highway in Guatemala. Assistance under this section shall be provided in accordance with the policy and general authority of section 491 of this Act. Obligations incurred prior to the enactment of this section against other appropriations or accounts for the purpose of providing relief and rehabilitation assistance

to the people of Guatemala may be charged to the appropriations authorized under this section.

"(b) Assistance made available under this section shall be distributed to the maximum extent practicable through United States voluntary relief agencies and other international relief and development organizations.

"(c) In order to limit the extent of deaths, injuries, and destruction in future earthquakes, assistance provided under this section which is used for the construction of housing in the Republic of Guatemala shall, to the maximum extent possible, be used for housing which is constructed of seismic resistant materials or which will otherwise minimize the danger of injury to occupants during future earthquakes; and the President should encourage the Government of the Republic of Guatemala to promote the use of such materials.

"(d) Notwithstanding any other provision of law, the amount authorized to be appropriated in subsection (a) of this section may be used only for the purposes specified in this section. The authority contained in section 610 (a) of this Act may not be used to transfer funds made available under this section.

"(e) Not later than sixty days after the date of enactment of appropriations to carry out this section, and at the end of each quarter thereafter, the President shall transmit a report to the Committees on Foreign Relations and Appropriations of the Senate and to the Speaker of the House of Representatives on the programing and obligations of funds under this section."

And the House agree to the same.

That the House recede from its amendment to the title of the Senate bill.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
CHARLES C. DIGGS,
ROBERT N. C. NIX,
STEPHEN J. SOLARZ,
WILLIAM S. BROOMFIELD,
BENJAMIN A. GILMAN,

Managers on the Part of the House.

JOHN SPARKMAN,
GALE W. MCGEE,
HUBERT H. HUMPHREY,
CLIFFORD P. CASE,
J. JAVITS,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3056) to amend the Foreign Assistance Act of 1961 to provide emergency relief, rehabilitation, and humanitarian assistance to the people who have been victimized by the recent earthquakes in Guatemala, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the bill struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

TITLE OF THE LEGISLATION

The title of the Senate bill cited the legislation as an amendment to the Foreign Assistance Act of 1961.

The title of the House amendment, which did not amend the Foreign Assistance Act, did not contain such a citation.

The House receded, consistent with the agreement of the committee on conference to formulate the measure as an amendment to the Foreign Assistance Act.

SHORT TITLE

The Senate bill provided that the short title of the Act would be the "Guatemala Relief and Rehabilitation Act of 1976."

The House amendment provided that the short title of the Act would be the "Guatemala Relief Act of 1976."

The House receded.

FORM OF THE ACT

The Senate bill amended the Foreign Assistance Act of 1961. The House amendment provided for a free-standing statute. The House receded.

(3)

LIMITATION ON THE PUERTO BARRIOS HIGHWAY

The House amendment contained a \$4 million limitation on the amount of funds made available under the Act which could be used for rebuilding the Puerto Barrios highway in Guatemala.

The Senate bill contained no comparable provision.

The Senate receded.

POLICY GUIDANCE

The Senate bill contained mandatory language requiring that the use of the funds authorized be governed by the provisions of Section 491 of the Foreign Assistance Act, which concerns disaster assistance.

The House bill stated that assistance under the Act "may" be provided under Section 491, but was not mandatory.

The committee of conference agreed on mandatory language.

"SENSE OF CONGRESS" LANGUAGE

The Senate bill contained "sense of Congress" language concerning the humanitarian tradition of the United States.

The House amendment contained no comparable provision.

The Senate receded, since the language of its provision was very similar to that which already is in Section 491 of the Foreign Assistance Act.

SEISMIC-RESISTANT MATERIALS

The House amendment contained a provision to encourage the use of seismic-resistant materials in the re-building of housing funded from the Act.

The Senate bill contained no comparable provision.

The Senate receded.

TRANSFERS UNDER SECTION 610(a)

The Senate bill contained a prohibition designed to prohibit the transfer of any funds made available under the Act to other program accounts under the provisions of Section 610(a) of the Foreign Assistance Act.

The House amendment contained no comparable provision.

The House receded.

EXECUTIVE REPORTING REQUIREMENT

The Senate bill provided for an initial report from the Executive Branch on the expenditure of funds under the Act to be submitted to the Congress within 30 days.

The House bill provided for such reporting within 90 days.

The committee of conference agreed on reporting within 60 days. It is the intention of the committee that the initial report should be submitted 60 days after enactment of the appropriation legislation.

Quarterly reporting periods should begin with the succeeding quarter which begins July 1, 1976, and may be terminated upon the expenditure of all funds made available under the act.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
CHARLES C. DIGGS,
ROBERT N. C. NIX,
STEPHEN J. SOLARZ,
WILLIAM S. BROOMFIELD,
BENJAMIN A. GILMAN,

Managers on the Part of the House.

JOHN SPARKMAN,
GALE W. MCGEE,
HUBERT H. HUMPHREY,
CLIFFORD P. CASE,
J. JAVITS,

Managers on the Part of the Senate.

○

PROVIDING FOR THE CONSIDERATION OF H.R. 12046

MARCH 15, 1976.—Referred to the House Calendar and ordered to be printed

Mr. YOUNG of Georgia, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 1089]

The Committee on Rules, having had under consideration House Resolution 1089, by a nonrecord vote, report the same to the House with the recommendation that the resolution do pass.



Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,
one thousand nine hundred and seventy-six*

An Act

To amend the Foreign Assistance Act of 1961 to provide emergency relief, rehabilitation, and humanitarian assistance to the people who have been victimized by the recent earthquakes in Guatemala.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Guatemala Relief and Rehabilitation Act of 1976".

SEC. 2. Chapter 9 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 495A. GUATEMALA RELIEF AND REHABILITATION.—(a) The President is authorized to provide assistance, on such terms and conditions as he may determine, for the relief and rehabilitation of the people who have been victimized by the recent earthquakes in Guatemala. There is authorized to be appropriated to the President to carry out the purposes of this section \$25,000,000 for the fiscal year 1976, which amount is authorized to remain available until expended, except that not more than \$4,000,000 of this amount shall be available for repairs to the Puerto Barrios highway in Guatemala. Assistance under this section shall be provided in accordance with the policy and general authority of section 491 of this Act. Obligations incurred prior to the enactment of this section against other appropriations or accounts for the purpose of providing relief and rehabilitation assistance to the people of Guatemala may be charged to the appropriations authorized under this section.

"(b) Assistance made available under this section shall be distributed to the maximum extent practicable through United States voluntary relief agencies and other international relief and development organizations.

"(c) In order to limit the extent of deaths, injuries, and destruction in future earthquakes, assistance provided under this section which is used for the construction of housing in the Republic of Guatemala shall, to the maximum extent possible, be used for housing which is constructed of seismic resistant materials or which will otherwise minimize the danger of injury to occupants during future earthquakes; and the President should encourage the Government of the Republic of Guatemala to promote the use of such materials.

"(d) Notwithstanding any other provision of law, the amount authorized to be appropriated in subsection (a) of this section may be used only for the purposes specified in this section. The authority contained in section 610(a) of this Act may not be used to transfer funds made available under this section.

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“(e) Not later than sixty days after the date of enactment of appropriations to carry out this section, and at the end of each quarter thereafter, the President shall transmit a report to the Committees on Foreign Relations and Appropriations of the Senate and to the Speaker of the House of Representatives on the programing and obligations of funds under this section.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

April 14, 1976

Dear Mr. Director:

The following bills were received at the White House on April 14th:

✓ S. 1941
✓ S. 3056

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D.C.