Mr. PRESSLER. Mr. President, I ask unanimous consent that I may speak as in morning business.

The PRESIDING OFFICER. The Senator has that right.

PAKISTAN AND THE F–16'S

Mr. PRESSLER. Mr. President, many years ago I sponsored an amendment dealing with our aid to Pakistan, and it has been a thorn in the side of our relationship with Pakistan. It ultimately involved the delivery of several F–16's. I had recently proposed a solution to that problem, a resolution of that problem, to the President of the United States.

As my colleagues know, I have held a special interest in South Asia for a number of years. I have the highest admiration for the character of the South Asian people as they strive to better their conditions.

The singular tragedy of South Asia has been war—the reality of conflicts past and the fear of future bloodshed. Pakistan and India have fought three wars since independence in 1947. Tension still remains high.

What was once a conventional military standoff has now become more ominous. Both sides can assemble nuclear weapons. Both sides are striving to obtain modern delivery systems, such as ballistic missiles and aircraft. Just last week, the New York Times and Defense News reported that in the past 3 months, Pakistan has received from Communist China key components that could be used in M–11 ballistic missiles. Without question, a nuclear war between India and Pakistan would be cataclysmic. The names of the perpetrators, and their accessories, would be cursed for a millennium.

To its credit, Mr. President, the U.S. Senate consistently has taken the initiative to promote peace and stability in South Asia—the core of that leadership has been the Senate Foreign Relations Committee. A decade ago, the committee—under the chairmanship of the distinguished senior Senator from Indiana [Mr. LUGAR]—decided to use the leverage of our aid to Pakistan to try to keep it from going nuclear. Just as important, the committee also decided that should Pakistan choose a nuclear option, we would not condone its action through United States aid.

Mr. President, those were the key reasons why the U.S. Congress adopted the so-called Pressler amendment 10 years ago. It was the right thing to do. President Ronald Reagan agreed. So did the Government of Pakistan at that time. I believe the Pressler amendment is needed now more than ever. To the extent that the current administration and this Congress chooses to back away from that standard, the prospects for regional instability and war are increased accordingly. Unfortunately, some have called for a myriad of modifications to the Pressler amendment, ranging from one-time waivers to outright repeal.

Mr. President, I have a more in-depth analysis of the Pressler amendment, which I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PRESSLER. In summary, any unilateral attempt to weaken or modify the Pressler amendment for whatever reason—whether it be for economic assistance, or drug or terrorism control—would not be in the best interest of our more critical nuclear nonproliferation goals. I urge my colleagues to study this extended analysis before the Senate considers the foreign aid authorization bill later this year.

Today, however, I would like to discuss the initiative I offered to the committee 1 month ago—a new, constructive initiative that will make a significant contribution toward achieving a number of our foreign policy goals.

As my colleagues well know, in 1990, President Bush could no longer certify, under the terms of the Pressler amendment, that Pakistan did not possess a nuclear explosive device. As a result, 28 F–16 aircraft ordered by Pakistan could not be delivered. Today, those planes remain undelivered. Of these 28, 11 were sold on a foreign military sales basis—paid for up-front by the American taxpayer. The remaining 17 were paid for by Pakistan for about $650 million.

Let me be clear: I will oppose any attempt to waive the Pressler amendment to allow for Pakistan to take delivery of these aircraft. My rationale is simple: F–16's are capable of carrying a nuclear payload. It would be contrary to the spirit and letter of our Nation's nuclear non-proliferation policy for this Congress to allow Pakistan to take possession of nuclear delivery vehicles under any condition short of current law.

Doing so would have grave implications. Delivery of the F–16's could spark an unprecedented, destabilizing arms buildup in South Asia. This is not in the best interests of the people of the region. I would hope that no Member of Congress would want his or her fingerprints on any proposal that would spark such an unfortunate turn of events.

I recognize this leaves the United States in a quandary—a quandary that I hope we can eliminate. To do so, Mr. President, please allow me to turn our attention to the South China Sea, where the Communist Chinese military machine is on the march.

Taiwan continues to be threatened with an increasing level of intimidating military exercises by Communist China. In addition, the Philippine Government is the victim of Chinese aggression in the Spratley Islands. The Philippines and the other surrounding countries in the region are concerned that this increased activity by the Chinese military is a prelude to an outright attempt to gain control over the South China Sea.

Three points about the Philippines are worth mentioning:

First, the Philippines is the democratic country in Asia with the weakest military. Its government needs modern planes and naval craft. Second, the Philippines has a security treaty with the United States. The Philippine people are our allies.

Third, the U.S. Senate—through the leadership of former Foreign Relations Committee Chairman LUGAR and the distinguished Senator from Massachusetts, Mr. KERRY—was instrumental in bringing democracy back to the Philippines in 1986. We must not turn our back on them now.

My initiative is very simple. First, we arrange for the immediate delivery to the Philippines, on a FMS basis, of 11 F–16's of the 28 held up by the Pressler amendment—the ones already paid for by the American taxpayer.

At the same time, I recommended last month that we open negotiations with Taiwan on the immediate delivery of the remaining 17 aircraft. Taiwan already is purchasing 150 of the same model F–16 but the delivery date is not until June 1997.

At the time of my announcement, I sent letters to President Clinton, Philippine President Ramos and President Lee of the Republic of China, detailing my initiative. Last week, President Clinton responded to my proposal, stating that he was open to a third-party sale if it met certain areas of concern. First, the President said that a third-party transfer must serve our national interest. I agree. In fact, my initiative produces a number of winners:

For Pakistan, the F–16 issue goes away as an irritant in its relations with the United States. For India, 28 nuclear delivery vehicles do not show up on her border, and that is something I feel very concerned about. I think if these F–16's went to Pakistan, it would accelerate the arms race there. I feel strongly we should be friends with both India and Pakistan. Both countries have done a great deal with us and for us.

I see in the long range a trading partnership with both countries, and friendship. But also this will help us with Taiwan.

Taiwan can, for a price, close its 2-year window of vulnerability to modern Russian aircraft in the hands of Chinese pilots. Finally, the Philippines can get the air defense it needs.

By this initiative, a number of American foreign policy goals would be furthered: lower tensions in South Asia, maintenance of a strong nuclear nonproliferation policy, and an enhanced deterrent capability of two democratic, nonnuclear powers in Asia. At home, American aerospace would have new markets, and the American taxpayer would receive a measurable enhancement of our global security for almost no cost.

Second, the President stated that we would need to consider the return to Pakistan of the military equipment

other than the F–16's for which it has paid. Frankly, I believe we must study this option carefully. I would oppose the return of any military equipment to Pakistan that would serve to undermine our nuclear non-proliferation goals, and add to the current instability in the region. We should not limit the third-party sale option just to the F–16's exclusively.

Third, the President noted that a third party sale may not be satisfactory to Pakistan if it does not receive most, if not all, of the funds they originally paid to the United States Government for the aircraft. As I stated last month, if the Congress opts to use any of the funds raised from my initiative to compensate Pakistan for the previously paid F–16's, I would not object. However, I would hope that full compensation is not made a condition by the President for pursuing a third party sale. As it stands right now, I believe it would be difficult to convince Congress to either authorize the delivery of the F–16's to Pakistan, or appropriate the full amount paid by Pakistan. My initiative provides the Government of Pakistan the first real opportunity to gain some compensation in the near future.

I ask unanimous consent that the text of my letter to President Clinton dated May 23, 1995, and his response dated June 22, be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. PRESSLER. Mr. President, I am pleased the President remains open to a possible third party sale. Frankly, I believe that is his only option. Let me state for the record that the Republic of China is open to my proposal. I also received a very positive initial response from representatives of the Philippine Government.

This initiative is simple but bold. I hope my colleagues will join with me in urging the administration to make this initiative their own. I stand ready to do my part to reach a solution that serves our national interest—first and foremost being the preservation of a tough, sound nuclear nonproliferation policy.

Mr. President, last month, I had the opportunity to testify before the Foreign Relations Committee and present this idea. I am glad that the President has responded favorably. But much remains to be done to work out this agreement.

This has been a difficult matter to approach because in regard to the amendment that was passed in the 1980's, one could say that Pakistan purchased these planes with their eyes open, so to speak. They knew, on the one hand, of the existence of our law that said we would not continue aid if they developed a nuclear bomb. And, very frankly, they were not being candid in what they told the then Vice President and President George Bush about their nuclear program.

So if you take it from that point of view strictly, when the Pakistanis got into this thing, they had full knowledge of what they were doing back home in terms of developing a nuclear bomb. They knew our law said what it said, and they moved forward with this purchase which would have been in violation.

So we could say, ''Well, let us just let them be, that they made a bad deal, and they paid the price.'' On the other hand, there has been a great distinction in Pakistan. The military people have not always told the civilian government what is going on, very frankly. And the civilian government has engaged in some perhaps unwise decisions based on bad information. That is really Pakistan's problem, I suppose.

But, as the years have gone by, I see an opportunity to get these F–16's to Taiwan, which needs them to counterbalance China, and to the Philippines, which is a longtime ally of ours.

EXHIBIT 1

IN DEFENSE OF THE PRESSLER AMENDMENT

WHAT THE PRESSLER AMENDMENT REQUIRES

The Pressler Amendment requires Pakistan to satisfy two conditions before it is eligible to receive U.S. foreign assistance, including US military equipment or technology. Aid may be provided in any fiscal year only if the President has certified in that year that Pakistan (a) ''does not possess'' a nuclear explosive device and (b) that the proposed assistance ''will reduce significantly'' the risk of possession.

COMMON CRITICISMS OF THE PRESSLER AMENDMENT

Critics of the Pressler Amendment have alleged that this legislation: (1) is unfair and discriminatory; (2) is not effective; (3) is counterproductive; (4) penalizes Pakistan when it has not even assembled, deployed, or tested weapons; (5) is inflexible; (6) inhibits US encouragement of a free market in Pakistan; (7) hurts US economic competitiveness; (8) sets back US human rights initiatives; (9) interferes with US counter-terrorism and counter-narcotics efforts; and (10) fosters anti-Americanism in Pakistan.

Not one of these criticisms holds up to responsible analysis. The criticisms reveal more about the critics themselves than about any real shortcomings in the legislation. In particular, these criticisms reflect: (1) a profound misunderstanding of the purposes of the Pressler Amendment, (2) a flagrant case of historical amnesia; (3) a cynical fatalism about the inevitability of proliferation; (4) an ignorance of the regional, global, and US national security consequences of a Pakistani bomb; (5) the susceptibility of the legislative process to special interest lobbying; (6) the triumpth of slogans over analysis as a basis of policy; (7) an utterly bizarre conception of what constitutes a ''friend'' of the United States; (8) a distorted perspective on US national priorities; (9) a preference for the management rather than the prevention of proliferation; and (10) a compulsive desire to channel even more taxpayer dollars into unproductive pursuits.

REBUTTALS TO SPECIFIC CRITICISMS

1. ''Unfair and Discriminatory''

Between 1981 and 1990, Pakistan gave the US government both formal and informal assurances about the peaceful nature of its nuclear program, the level of enrichment of its uranium, foreign nuclear procurements, cooperation with China, and other such issues relating to nonproliferation issues—in each case, Pakistan broke its word.

It is not unfair for America to defend its interests by punishing those who violate their commitments to us.

On eight occasions, Congress authorized special waivers of US nonproliferation laws to permit aid to continue to flow to Pakistan. To this day, Pakistan is the only country ever to have received (or required) a waiver of the Glenn/Symington sanctions in order to qualify for US aid. It is true that America engaged in discrimination, but this was discrimination on behalf of Pakistan and against all other countries that played by the rules.

How can Pakistan simultaneously condemn the country-specific discrimination in the Pressler Amendment without also condemning the country-specific discrimination that authorized such aid?

Pakistan is not the only country to be mentioned by name in the context of nonproliferation sanctions—for years, Iraq, Iran, Libya, North Korea, and Cuba have been designated for special controls and sanctions.

US relations with India also have been affected by a variety of US nonproliferation laws. Because of India's unsafeguarded nuclear program, there is no US/Indian agreement for nuclear cooperation; US military cooperation with India is negligible; and the US will not export certain forms of missile equipment and technology to India and other goods related to weapons of mass destruction. Though sanctions under Glenn/Symington have not been invoked against India, it is because India, unlike Pakistan, has not violated that law.

2. ''Not effective''

US policy throughout the 1980s asserted that US aid was an effective way to lure Pakistan away from the bomb—yet Pakistan made its most significant nuclear achievements precisely when US aid was flowing at its highest levels.

The Pressler Amendment sanctions accomplished what $5 billion in US economic and military aid failed to accomplish—it led Pakistan to stop producing highly-enriched uranium.

The Pressler Amendment succeeded in enabling the continuation of US efforts to drive the Soviets out of Afghanistan while not sacrificing a bottom-line US nuclear nonproliferation objective: nonpossession. If it were not for this compromise, aid could have been terminated in 1985.

The Pressler Amendment was then and remains now a statement of the priority that America attaches to nonproliferation as a goal of policy.

The Pressler Amendment has unquestionably made Pakistan—especially its air force, army, and navy—pay for its misguided decisions to pursue the bomb. Indeed, if Pakistan once again qualifies for US aid, it will no doubt be Pakistan's military that will stand to benefit the most from the new aid. This gives Pakistan a tangible incentive to satisfy the certification terms under Pressler.

3. ''Counterproductive''

Though the sanctions have undoubtedly weakened Pakistan's military capabilities, there is no evidence that the sanctions have ''driven'' Pakistan to rely more upon nuclear deterrence as a national defense strategy.

Pakistan's decisions to stop producing highly-enriched uranium, not to test, and not to assemble or deploy nuclear weapons hardly suggests a policy of increased reliance on a nuclear deterrent.

The US denial of technology and aid has slowed down Pakistan's bomb-making potential, a long-standing goal of US nonproliferation policy.

Though Pakistan still has a nuclear weapons-capability and is still cooperating with China on the bomb, these activities were not ''caused by'' the Pressler Amendment. Pakistan was seeking this capability and engaging in this cooperation with China well before the Pressler Amendment came into existence.

For a truly counterproductive policy, one must look to the 1980s, when US taxpayers shelled out $5 billion in aid that was supposed to appease Pakistan's nuclear ambitions . . . aid that coincided Pakistan's acquisition of the bomb. Today, critics of the Pressler Amendment are arguing that more US taxpayer money should be channeled down that drain.

4. ''No assembly, deployment, or testing''

Pakistan's decisions not to assemble, deploy, or test have very little to do with the flow of US aid.

The US nuclear arsenal in the 1950s was stored in separate components: was the US a non-nuclear-weapon state as a result?

Even the State Department concedes that a country can still possess the bomb even if it has not yet actually assembled one.

Pakistan's position is that it does not ''possess'' the bomb because it has not assembled the requisite materials. By this logic, Pakistan could acquire a nuclear arsenal with hundreds of weapons simply by not tightening down the last screw on the casing of each bomb.

Pakistan's new emphasis on the issue of assembling is just another chapter of Pakistan's long history of dissembling about its bomb.

It is widely believed that Pakistan got a pre-tested bomb design from China. Why would Pakistan want to or need to test a pre-tested design?

Pakistan has very limited supplies of bomb-usable nuclear material. Why should it waste such precious material on an unnecessary test?

Why should Pakistan engage in a test that would only give India an excuse to commence a regional nuclear arms race that Pakistan could never win?

If Pakistan's nuclear program is, as its government claims, devoted entirely to peaceful purposes, how can it claim that it has ''kept components separate'' and not ''assembled'' the bomb? What would it have to assemble if its program were peaceful? If its program is so peaceful, why does it refuse to agree to international inspections independent of what India does?

5. ''Inflexible''

Supporters of the Pressler Amendment make no apologies to the charge that the law has been ''inflexible,'' assuming a normal dictionary definition of this term: ''of an unyielding temper, purpose, will, etc.'' The alternative of passive accommodation has little attraction to supporters of nonproliferation.

Even with the so-called ''inflexible'' label, the following activities take place: (a) the US still issues licenses to export commercial munitions and spare parts to Pakistan, including spares for Pakistan's nuclear-weapons delivery vehicle, the F–16; (b) US military visits and joint training exercises continue to take place; (c) US aid with respect to agriculture, counter-terrorism, nutrition, population control, literacy, advancement of women, health and medicine, environmental protection, disaster relief, and many other areas can continue to flow to Pakistan via nongovernmental organizations; (d) the Export-Import Bank also has extended loans, grants, and guarantees to Pakistan; (e) PL–480 agricultural aid continues; (f) arms control verification assistance continues (a seismic station); (g) millions of dollars of aid in the ''pipeline'' as of October 1990 was allowed to flow to Pakistan; (h) cooperation on peace keeping is continuing; and (i) Pakistan continues to receive billions of dollars in development assistance via multilateral lending agencies.

Pakistan used almost $200 million in FMS credits to fund the purchase of 11 F–16's between FY 1989 and 1993, of which about $150 million were used after the Pressler sanctions were invoked.

The US continues to review and approve licenses of dual-use technology to Pakistan.

All the above hardly suggest that the PRESSLER Amendment has been unduly inflexible.

6. ''Free Market''

Pakistan has a long way to go before it has a free market and the Pressler Amendment is hardly to blame.

A recent Heritage Foundation worldwide review characterized Pakistan's economy as ''Mostly Not Free.'' The report found that Pakistan has a ''very high level of protectionism.''

The only market that is truly free in Pakistan is its black market.

Free markets are an important US interest, but not an end in themselves—they need to be weighed against other US interests, especially national security, defense, and nonproliferation objectives. Encouraging a free market in weapons of mass destruction should not be high on America's list of priorities.

7. ''Hurts US Economic Competitiveness''

The US has exported hundreds of millions of dollars in defense goods to Pakistan since the Pressler Amendment came into effect.

In 1994, the Commerce Department approved $96 million in exports of dual-use goods to Pakistan, about triple the amount approved in each of the three previous years.

Total US exports to Pakistan still come to less than $1 billion. Even if all of this trade was lost, it would have no effect whatsoever upon the US national trade balance or US economic competitiveness. By comparison, US exports worldwide in 1994 were worth well over a half trillion dollars.

8. ''Sets Back Human Rights Initiatives''

Congress has expressly authorized the transfer of assistance to Pakistan via nongovernmental groups to advance the cause of human rights (as indeed several other nonmilitary causes).

Despite some modest improvements since the days of General Zia, the Pakistani government continues to repress the human rights of Pakistani citizens, as most recently documented both by the State Department's annual human rights report and a recent global survey by Amnesty International.

The US experience in Iran should have taught us to beware of cultivating cozy relationships with a repressive government.

9. ''Interferes with Counter-Terrorism and Counter-Narcotics Efforts''

Congress has expressly authorized the transfer of assistance to Pakistan via nongovernmental groups to terrorism and narcotics trafficking.

Widespread terrorism and narcotics trafficking persists in Pakistan.

Pakistan's recent cooperation with the US in apprehending terrorists indicates that the PRESSLER Amendment is no insuperable obstacle to such cooperation.

10. ''Fosters Anti-Americanism''

Anti-Americanism was not born in Pakistan with the enactment of the PRESSLER Amendment—it predated the amendment and has causes far beyond a nuclear dispute between the US and Pakistan.

America opposes the global spread of nuclear weapons: it should come as no surprise to witness leaders of governments that are secretly building bombs encouraging anti-Americanism.

America seeks to defend its national interests, not to win popularity contests. As President Clinton stated on October 18, 1994: ''There is nothing more important to our security and to the world's stability than preventing the spread of nuclear weapons and ballistic missiles.''

U.S. AID POLICIES AND PAKISTAN'S BOMB: WHAT WERE WE TRYING TO ACCOMPLISH?

Letters to Congress from Presidents Reagan and Bush, 1985 to 1989, required under sec. 620E(e) of Foreign Assistance Act (Pressler Amendment):

''The proposed United States assistance program for Pakistan remains extremely important in reducing the risk that Pakistan will develop and ultimately possess such a device. I am convinced that our security relationship and assistance program are the most effective means available for us to dissuade Pakistan from acquiring nuclear explosive devices. Our assistance program is designed to help Pakistan address its substantial and legitimate security needs, thereby both reducing incentives and creating disincentives for Pakistani acquisition of nuclear explosives.''—President George Bush, 10/5/89; President Ronald Reagan, 11/18/88; 12/17/87; 10/27/86; and 11/25/85.

President George Bush, letter to Congress (addressed to J. Danforth Quayle as President of the Senate), 12 April 1991, urging abandonment of Pressler certification requirement:

''. . . my intention is to send the strongest possible message to Pakistan and other potential proliferators that nonproliferation is among the highest priorities of my Administration's foreign policy, irrespective of whether such a policy is required by law.''

Deputy Assistant Secretary of State Teresita Schaffer, testimony before House subcommittee, 2 August 1989:

''None of the F–16's Pakistan already owns or is about to purchase is configured for nuclear delivery . . . a Pakistan with a credible conventional deterrent will be less motivated to purchase a nuclear weapons capability.''

Deputy Assistant Secretary of Defense Arthur Hughes, testimony before House subcommittee, 2 August 1989:

''Finally, we believe that past and continued American support for Pakistan's conventional defense reduces the likelihood that Pakistan will feel compelled to cross the nuclear threshold.''

Deputy Assistant Secretary of State Robert Peck, testimony before House subcommittee, 17 February 1988:

''We believe that the improvements in Pakistan's conventional military forces made possible by U.S. assistance and the U.S. security commitment our aid program symbolizes have had a significant influence on Pakistan's decision to forego the acquisition of nuclear weapons.''

Special Ambassador at Large Richard Kennedy, testimony before two House subcommittees, 22 October 1987:

''We have made it clear that Pakistan must show restraint in its nuclear program if it expects us to continue providing security assistance.''

Assistant Secretary of State Richard Murphy, testimony before Senate subcommittee, 18 March 1987:

''Our assistance relationship is designed to advance both our non-proliferation and our

strategic objectives relating to Afghanistan. Development of a close and reliable security partnership with Pakistan gives Pakistan an alternative to nuclear weapons to meet its legitimate security needs and strengthens our influence on Pakistan's nuclear decision making. Shifting to a policy of threats and public ultimata would in our view decrease, not increase our ability to continue to make a contribution to preventing a nuclear arms race in South Asia. Undermining the credibility of the security relationship with the U.S. would itself create incentives for Pakistan to ignore our concerns and push forward in the direction of nuclear weapons acquisition.''

Deputy Assistant Secretary of State Howard Schaffer, testimony before House subcommittee, 6 February 1984:

''The assistance program also contributes to U.S. nuclear non-proliferation goals. We believe strongly that a program of support which enhances Pakistan's sense of security helps remove the principal underlying incentive for the acquisition of a nuclear weapons capability. The Government of Pakistan understands our deep concern over this issue. We have made clear that the relationship between our two countries, and the program of military and economic assistance on which it rests, are ultimately inconsistent with Pakistan's development of a nuclear explosives device. President Zia has stated publicly that Pakistan will not manufacture a nuclear explosives device.''

Special Ambassador at Large Richard Kennedy, testimony before two House subcommittees, 1 November 1983:

''By helping friendly nations to address legitimate security concerns, we seek to reduce incentives for the acquisition of nuclear weapons. The provision of security assistance and the sale of military equipment can be major components of efforts along these lines. Development of security ties to the U.S. can strengthen a country's confidence in its ability to defend itself without nuclear weapons. At the same time, the existence of such a relationship enhances our credibility when we seek to persuade that country to forego [sic] nuclear arms . . . We believe that strengthening Pakistan's conventional military capability serves a number of important U.S. interests, including non-proliferation. At the same time, we have made clear to the government of Pakistan that efforts to acquire nuclear explosives would jeopardize our security assistance program.''

Statement by Deputy Assistant Secretary of State Harry Marshall, 12 September 1983, before International Nuclear Law Association, San Francisco:

''U.S. assistance has permitted Pakistan to strengthen its conventional defensive capability. This serves to bolster its stability and thus reduce its motivation for acquiring nuclear explosives.''

President Ronald Reagan, report to Congress pursuant to sec. 601 of the Nuclear Nonproliferation Act (''601 Report''), for calendar year 1982—

''Steps were taken to strengthen the U.S. security relationship with Pakistan with the objective of addressing that country's security needs and thereby reducing any motivation for acquiring nuclear explosives.''

President Ronald Reagan, report to Congress pursuant to sec. 601 of the Nuclear Nonproliferation Act (''601 Report''), for calendar year 1981—

''Military assistance by the United States and the establishment of a new security relationship with Pakistan should help to counteract its possible motivations toward acquiring nuclear weapons. . . . Moreover, help from the United States in strengthening Pakistan's conventional military capabilities would offer the best available means for counteracting possible motivations toward acquiring nuclear weapons.''

Assistant Secretary of State James Malone, address before Atomic Industrial Forum, San Francisco, 1 December 1981.

''We believe that this assistance—which is in the strategic interest of the United States—will make a significant contribution to the well-being and security of Pakistan and that it will be recognized as such by that government. We also believe that, for this reason, it offers the best prospect of deterring the Pakistanis from proceeding with the testing or acquisition of nuclear explosives.

Undersecretary of State James Buckley, testimony before Senate Foreign Relations Committee, 12 November 1981:

''We believe that a program of support which provides Pakistan with a continuing relationship with a significant security partner and enhances its sense of security may help remove the principal underlying incentive for the acquisition of a nuclear weapons capability. With such a relationship in place we are hopeful that over time we will be able to persuade Pakistan that the pursuit of a weapons capability is neither necessary to its security nor in its broader interest as an important member of the world community.''

Testimony of Undersecretary of State, James Buckley, in response to question from Sen. Glenn, Senate Foreign Relations Committee, 12 November 1981, on effects of a nuclear detonation on continuation of cash sales of F–16's:

''[Sen. Glenn] . . . so if Pakistan detonates a nuclear device before completion of the F–16 sale, will the administration cut off future deliveries?

''[Buckley] Again, Senator, we have underscored the fact that this would dramatically affect the relationship. The cash sales are part of that relationship. I cannot see drawing lines between the impact in the case of a direct cash sale versus a guaranteed or U.S.-financed sale.''

Undersecretary of State James Buckley, letter to NY Times, 25 July 1981:

''In place of the ineffective sanctions on Pakistan's nuclear program imposed by the past Administration, we hope to address through conventional means the sources of insecurity that prompt a nation like Pakistan to seek a nuclear capability in the first place.''

FROM MYTH TO REALITY: EVIDENCE OF PARKISTAN'S ''NUCLEAR RESTRAINT''

Early 1980's—Multiple reports that Pakistan obtained a pre-tested, atomic bomb design from China.

Early 1980's—Multiple reports that Pakistan obtained bomb-grade enriched uranium from China.

1980—US nuclear export control violation: Reexport via Canada (components of inverters used in gas centrifuge enrichment activities).

1981—US nuclear export control violation: New York, zirconium (nuclear fuel cladding material).

1981—AP story cites contents of reported US State Department cable stating ''We have strong reason to believe that Pakistan is seeking to develop a nuclear explosives capability . . . Pakistan is conducting a program for the design and development of a triggering package for nuclear explosive devices.''

1981—Publication of book, ''Islamic Bomb,'' citing recent Pakistan efforts to construct a nuclear test site.

1982/3—Several European press reports indicate that Pakistan was using Middle Eastern intermediaries to acquire bomb parts (13-inch ''steel spheres'' and ''steel petal shapes'').

1983—Recently declassified US government assessment concludes that ''There is unambiguous evidence that Pakistan is actively pursuing a nuclear weapons development program . . . We believe the ultimate application of the enriched uranium produced at Kahuta, which is unsafeguarded, is clearly nuclear weapons.''

1984—President Zia states that Pakistan has acquired a ''very modest'' uranium enrichment capability for ''nothing but peaceful purposes.''

1984—President Reagan reportedly warns Pakistan of ''grave consequences'' if it enriches uranium above 5%.

1985—ABC News reports that US believes Pakistan has ''successfully tested'' a ''firing mechanism'' of an atomic bomb by means of a non-nuclear explosion, and that US krytrons ''have been acquired'' by Pakistan.

1985—US nuclear export control violation: Texas, krytrons (nuclear weapon triggers).

1985—US nuclear export control violation: US cancelled license for export of flash x-ray camera to Pakistan (nuclear weapon diagnostic uses) because of proliferation concerns.

1985/6—Media cites production of highly enriched, bomb-grade uranium in violation of a commitment to the US.

1986—Bob Woodward article in Washington Post cities alleged DIA report saying Pakistan ''detonated a high explosive test device between Sept. 18 and Sept. 21 as part of its continuing efforts to build an implosion-type nuclear weapon;'' says Pakistan has produced uranium enriched to a 93.5% level.

1986—Press reports cite US ''Special National Intelligence Estimate'' concluding that Pakistan had produced weapons-grade material.

1986—Commenting on Pakistan's nuclear capability, General Zia tells interviewer, ''It is our right to obtain the technology. And when we acquire this technology, the Islamic world will possess it with us.''

1986—Recently declassified memo to then-Secretary of State Henry Kissinger states, ''Despite strong U.S. concern, Pakistan continues to pursue a nuclear explosive capability . . . If operated as its nominal capacity, the Kahuta uranium enrichment plant could produce enough weapons-grade material to build several nuclear devices per year.''

1987—US nuclear export control violation: Pennsylvania, maraging steel & beryllium (used in centrifuge manufacture and bomb components).

1987—London Financial Times reports US spy satellites have observed construction of second uranium enrichment plant in Pakistan.

1987—Pakistan's leading nuclear scientist states in published interview that ''what the CIA has been saying about our possessing the bomb is correct.''

1987—West German official confirms that nuclear equipment recently seized on way to Pakistan was suitable for ''at least 93% enrichment'' of uranium; blueprints of uranium enrichment plant also seized in Switzerland.

1987—US nuclear export control violation: California, oscilloscopes, computer equipment (useful in nuclear weapon R&D).

1987—According to photocopy of a reported German foreign ministry memo published in Paris in 1990, UK government officials tells German counterpart on European nonproliferation working group that he was ''convinced that Pakistan had 'a few small' nuclear weapons.''

1988—President Reagan waives an aid cutoff for Pakistan due to an export control violation; in his formal certification, he confirmed that ''material, equipment, or technology covered by that provision was to be

used by Pakistan in the manufacture of a nuclear explosive device.''

1988—Hedrick Smith article in New York Times reports US government sources believe Pakistan has produced enough highly enriched uranium for 4–6 bombs.

1988—President Zia tells Carnegie Endowment delegation in interview that Pakistan has attained a nuclear capability ''that is good enough to create an impression of deterrence.''

1989—Multiple reports of Pakistan modifying US-supplied F–16 aircraft for nuclear delivery purposes; wind tunnel tests cited in document reportedly from West German intelligence service.

1989—Test launch of Hatf-2 missile: Payload (500 kilograms) and range (300 kilometers) meet ''nuclear-capable'' standard under Missile Technology Control Regime.

1989—CIA Director Webster tells Senate Governmental Affairs Committee hearing that ''Clearly Pakistan is engaged in developing a nuclear capability.''

1989—Media claims that Pakistan acquired tritium gas and tritium facility from West Germany in mid-1980's.

1989—ACDA unclassified report cites Chinese assistance to missile program in Pakistan.

1989—UK press cites nuclear cooperation between Pakistan and Iraq.

1989—Article in Nuclear Fuel states that the United States has issued ''about 100 specific communiques to the West German Government related to planned exports to the Pakistan Atomic Energy Commission and its affiliated organizations,'' exports reportedly included tritium and a tritium recovery facility.

1989—Article in Defense & Foreign Affairs Weekly states ''sources close to the Pakistani nuclear program have revealed that Pakistani scientists have now perfected detonation mechanisms for a nuclear device.''

1989—Reporting on a recent customs investigation, West German magazine Stern reports, ''since the beginning of the eighties over 70 [West German] enterprises have supplied sensitive goods to enterprises which for years have been buying equipment for Pakistan's ambitious nuclear weapons program.''

1989—Gerard Smith, former US diplomat and senior arms control authority, claims US has turned a ''blind eye'' to proliferation developments in Pakistan and Israel.

1989—Senator Glenn delivers two lengthy statements addressing Pakistan's violations of its uranium enrichment commitment to the United States and the lack of progress on nonproliferation issues from Prime Minister Bhutto's democratically elected government after a year in office; Glenn concluded, ''There simply must be a cost to non-compliance—when a solemn nuclear pledge is violated, the solution surely does not lie in voiding the pledge.''

1989–1990—Reports of secret construction of unsafeguarded nuclear research reactor; components from Europe.

1990—US News cites ''western intelligence sources'' claiming Pakistan recently ''cold-tested'' a nuclear device and is now building a plutonium production reactor; article says Pakistan is engaged in nuclear cooperation with Iran.

1990—French magazine publishes photo of West German government document citing claim by UK official that British government believes Pakistan already possesses ''a few small'' nuclear weapons; cites Ambassador Richard Kennedy claim to UK diplomat that Pakistan has broken its pledge to the US not to enrich uranium over 5%.

1990—London Sunday Times cites growing US and Soviet concerns about Pakistani nuclear program; paper claims F–16 aircraft are being modified to nuclear delivery purposes; claims US spy satellites have observed ''heavily armed convoys'' leaving Pakistan uranium enrichment complex at Kahuta and heading for military airfields.

1990—Pakistani biography of top nuclear scientist (Dr. Abdul Qadeer Khan and the Islamic Bomb), claims US showed ''model'' of Pakistani bomb to visiting Pakistani diplomat as part of unsuccessful nonproliferation effort.

1990—Defense & Foreign Affairs Weekly reports ''US officials now believe that Pakistan has quite sufficient computing power in country to run all the modeling necessary to adequately verify the viability of the country's nuclear weapons technology.''

1990—Dr. A. Q. Khan, father of Pakistan's bomb, receives ''Man of the Nation Award.''

1990—Washington Post documents 3 recent efforts by Pakistan to acquire special arc-melting furnaces with nuclear and missile applications.

1991—Wall Street Journal says Pakistan is buying nuclear-capable M–11 missile from China.

1991—Sen. Moynihan says in television interview, ''Last July [1990] the Pakistanis machined 6 nuclear warheads. And they've still got them.''

1991—Time quotes businessman, ''BCCI is functioning as the owners' representative for Pakistan's nuclear-bomb project.''

1992—Pakistani foreign secretary publicly discusses Pakistan's possession of ''cores'' of nuclear devices.

EXHIBIT 2

U.S. SENATE,
Washington, DC, May 23, 1995.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Occasionally there is an opportunity to take a bold initiative which will further multiple American foreign policy goals. Two of those goals are the maintenance of peace and stability in South Asia and the deterrence of aggression in East Asia. Such an opportunity is at hand.

The inability of the President since October 1, 1990, to make the necessary certification under section 620E(e) of the Foreign Assistance Act of 1961 (relating to the nuclear activities of Pakistan) has prevented the delivery of twenty-eight F–16 aircraft to Pakistan. Since F–16s in American service are nuclear delivery vehicles, the possibility that these aircraft might yet be delivered to Pakistan has raised enormous concern in neighboring India. At the same time, our inability to transfer the aircraft is an irritant in our relations with Pakistan. For now, the aircraft in question are in storage in Arizona.

In East Asia, both the Republic of China on Taiwan and the Philippines have been the victims of aggression from the People's Republic of China. In the case of the former, it's military exercises designed to intimidate; in the latter it's the actual take over of Philippine territory in the South China Sea.

To serve as a deterrent for aggression across the Taiwan Straits, Taiwan has ordered 150 American F–16 aircraft. However, these aircraft will not begin to arrive in Taiwan until June of 1997 suggesting that there may be a ''window of opportunity'' for conflict. With regard to the Philippines, a combination of historical factors and the need to devote defense resources to opposing internal subversion has led to a severe lack of external defense capability.

Considering the twenty-eight F–16 aircraft in storage, it appears that eleven of them were to be delivered to Pakistan under the United States Foreign Military Sales (FMS) program. Essentially, they were paid for already by the American taxpayer. The remaining seventeen aircraft were paid for by Pakistan.

Therefore, I recommend that the Administration open negotiations with the Governments of the Philippines and the Republic of China on Taiwan for the transfer of the aircraft. Eleven of the aircraft could be transferred to the Philippines on an FMS basis and the remaining seventeen could be the subject of negotiations for payment with Taiwan. If a decision is made to return to Pakistan some or all of the money collected, I would not object.

If this initiative were carried out, it would directly further American foreign policy goals in South and East Asia, respectively. In South Asia tensions would be reduced as twenty-eight potential nuclear delivery vehicles would be removed from the region. In East Asia the military strength of our friends and allies would be enhanced significantly and a clear signal would be sent regarding our determination to oppose aggression.

This initiative is simple but it requires a bold imagination for execution. I hope that you will join with me in putting it into effect and making a significant contribution to our national security.

Sincerely,

LARRY PRESSLER,
U.S. Senator.

THE WHITE HOUSE,
Washington, June 22, 1995.

Hon. LARRY PRESSLER,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for writing to me about the opportunity before us to resolve the F–16 issue with Pakistan. I appreciate your initiative and hope some new thinking will help create a consensus between the Administration and Congress for a satisfactory solution.

As you know, when I met with Prime Minister Bhutto in April, I told her I would explore with Congress the options for returning either the F–16s and equipment or the funds Pakistan had paid. The proposal to sell the planes and return the funds is one possibility if we can resolve some areas of concern. First, we must determine that the transfer of this equipment to third parties would be in our national interest. Second, we would need to be prepared to return to Pakistan the equipment other than F–16s for which it has paid. We would need to work with Congress on the necessary authorities to do so. Third, such a proposal may make this solution less than satisfactory for the Government of Pakistan if it results in the return to Pakistan of significantly less money then they originally paid for the aircraft.

Again, let me say that a solution accepted by Congress and by Pakistan will clear the way for a more serious discussion of the critical nonproliferation issues that concern us all. It will also help to improve the atmosphere in our bilateral relations and thus advance other U.S. interests in the region.

Sincerely,

BILL CLINTON.

MILITARY BUILDUP IN CHINA

Mr. PRESSLER. Mr. President, on a totally separate subject, I have been concerned about the military buildup by China. I cannot understand who China views as its enemy. I cannot understand why China is not only building up its nuclear arsenal, but also proliferating ballistic missile technology to countries like Iran and Pakistan. China should be concerned about the