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Collection: Tahir-Kheli, Shirin R.: Files, 1984-1989

Series: I: COUNTRY FILE

Folder Title: Pakistan – Certification 1987

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Last Updated: 11/28/2023

WITHDRAWAL SHEET

Ronald Reagan Library

Collection: TAHIR-KHELI, SHIRIN R.: Files

Archivist: mjd

File Folder: PAKIS: Certification 1987 Box 91880 8

Date: 6/30/98

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	Robert Oakley to Colin Powell re Presidential Certification Requirement, 1p R, 6/14/00 NLSF96-12811 #166	12/11/87	P1
2. memo	Powell to the President re Nuclear Certification, 2p P, 6/14/00 NLSF96-12811 #167	12/15/87	P1
3. memo	George Shultz to the President re Certification, 2p P 3/2/06 F96-12811 #168	11/20/87	P1
4. memo	Kenneth Adelman to the President re Certification, 1p	11/21/87	P1 P5
5. memo	same as item # 3, 2p P 3/2/06 F96-12811 #169	11/20/87	P1

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

~~SECRET/SENSITIVE~~

~~(WITH TOP SECRET~~

~~CODEWORD~~

~~ATTACHMENT - SYSTEM IV)~~

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

SYSTEM IV
40783

December 11, 1987

ACTION

MEMORANDUM FOR COLIN L. POWELL

FROM: ROBERT B. OAKLEY *Re*

SUBJECT: Presidential Certification Requirement for
Pakistan (Section 620E(e) of the
Foreign Assistance Act)

The Department of State has recommended (TAB D) that the President forward the attached determination and certification (TAB A) on Pakistan to Congress along with letters to the Speaker of the House (TAB B) and the Chairman of the Senate Foreign Relations Committee (SFRC) (TAB C). OMB concurs.

The program of security assistance to Pakistan cannot legally continue without immediate certification. The Congressional climate is currently suitable for a strong signal of support for Pakistan. We had earlier held off, in consultation with State, when the situation on the Hill became unsettled and caused a major negative reaction by India.

RMS
R. Saunders, P. Stevens, and *one* ~~D.~~ Jenkins concur.

RECOMMENDATION

That you sign the memo to the President at TAB I.

Approve *✓*

Disapprove _____

Attachments:

TAB I Your Memo to the President

TAB A Presidential Determination

TAB B Presidential Letter to Speaker of the House

TAB C Presidential Letter to Chairman of the SFRC

TAB D Shultz Memo to the President dated
November 20, 1987

TAB E Intelligence Assessment (SYSTEM IV - 08692)

~~SECRET/SENSITIVE~~

~~(WITH TOP SECRET CODEWORD~~

~~ATTACHMENT - SYSTEM IV)~~

~~DECLASSIFY ON: OADR~~

DECLASSIFIED

NLS F96-128/1 #166

BY *dlb* NARA, DATE *6/15/00*

*Not attached
in new
files
fy*

T
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B

I

~~SECRET/SENSITIVE~~
~~(WITH TOP SECRET~~
~~CODEWORD~~
~~ATTACHMENT - SYSTEM IV)~~

THE WHITE HOUSE
WASHINGTON

SYSTEM IV
40783

December 15, 1987

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: COLIN L. POWELL 
SUBJECT: Nuclear Certification for Pakistan

Issue

Whether to certify to the Congress that Pakistan does not now possess a nuclear device.

Facts

In order to continue security assistance to Pakistan, the International Security and Development Cooperation Act of 1985 requires you to certify (1) that Pakistan does not now possess a nuclear explosive device and (2) that our assistance program will reduce significantly the risk that Pakistan will possess such a device. You provided such a certification to the Congress for FY 86 on November 25, 1985, and on October 27, 1986 for FY 87.

Discussion

The law calls upon you to make your best judgment based on the intelligence available to the Government recognizing that the intelligence is not necessarily complete. You are not expected to make the judgment with certainty.

REDACTED

REDACTED

ACTED

REDACTED

REDACTED

~~(WITH TOP SECRET CODEWORD~~
~~ATTACHMENT - SYSTEM IV)~~
~~DECLASSIFY ON: OADR~~

DECLASSIFIED IN PART

F96-17811 #167

DATE 6/15/00

RecommendationOKRRNO

That you sign the determination and certification at TAB A and the letters to the Speaker of the House and the Chairman of the Senate Foreign Relations Committee at TABS B and C.

Attachments:

TAB A Presidential Determination
TAB B Presidential Letter to the Speaker of the House
TAB C Presidential Letter to the Chairman of the SFRC
TAB D Shultz Memo to the President
dated November 20, 1987
TAB E Intelligence Assessment (SYSTEM IV - 08692)

Prepared by:
Shirin Tahir-Kheli

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THE WHITE HOUSE

WASHINGTON

December 17, 1987

Presidential Determination
No. 88-4

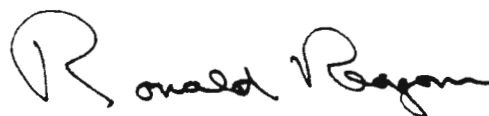
TAMR-KHELI

MEMORANDUM FOR THE HONORABLE GEORGE P. SHULTZ
The Secretary of State

SUBJECT: Determination Pursuant to Section 620E(e) of the
Foreign Assistance Act of 1961, as Amended

Pursuant to Section 620 E(e) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2375(e), I hereby certify that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

You or your delegatee are authorized and directed to publish this determination and certification in the Federal Register.

 Ronald Reagan

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THE WHITE HOUSE

WASHINGTON

December 17, 1987

Dear Mr. Speaker:

I am writing you with respect to Section 620E(e) of the Foreign Assistance Act of 1961, as amended, which requires an annual certification concerning Pakistan to permit assistance to be furnished and military equipment or technology to be sold or transferred to that country during the fiscal year. I made this certification for FY 1986 on November 25, 1985 and for FY 1987 on October 27, 1986.

Information on the status of Pakistan's nuclear program is provided to Congress in the annual classified report pursuant to Section 735 of the International Security and Development Cooperation Action of 1981. In addition, the Administration has fulfilled its legal obligation to keep the appropriate committees of Congress fully and currently informed of activities in Pakistan which are of significance from the proliferation standpoint. In this regard, information bearing on my certification will be offered to the Congress.

I have made my best judgment based on the information available to the United States Government, taken as a whole. I have also taken into account the fact that the statutory standard as legislated by Congress is whether Pakistan possesses a nuclear explosive device, not whether Pakistan is attempting to develop or has developed various relevant capacities. Based on the evidence available, and on the statutory standard, I have concluded that Pakistan does not possess a nuclear explosive device.

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 to us for dissuading 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. Pakistan is clearly aware of the inevitable cessation of our security assistance program should it acquire a nuclear explosive device. Thus, I believe the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

A copy of my certification pursuant to Section 620E(e) is enclosed.

A handwritten signature in dark ink, reading "Ronald Reagan". The signature is fluid and cursive, with the first name "Ronald" and last name "Reagan" clearly distinguishable.

Enclosure:
Presidential Certification

The Honorable Jim Wright
Speaker of the House of Representatives
Washington, D. C. 20510

THE WHITE HOUSE

WASHINGTON

December 17, 1987

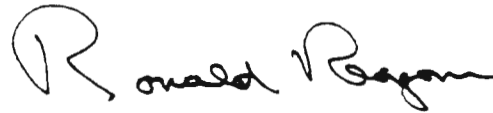
Presidential Determination
No. 88-4

MEMORANDUM FOR THE HONORABLE GEORGE P. SHULTZ
The Secretary of State

SUBJECT: Determination Pursuant to Section 620E(e) of the
Foreign Assistance Act of 1961, as Amended

Pursuant to Section 620 E(e) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2375(e), I hereby certify that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

You or your delegatee are authorized and directed to publish this determination and certification in the Federal Register.

 Ronald Reagan



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THE WHITE HOUSE

WASHINGTON

December 17, 1987

Dear Mr. Chairman:

I am writing you with respect to Section 620E(e) of the Foreign Assistance Act of 1961, as amended, which requires an annual certification concerning Pakistan to permit assistance to be furnished and military equipment or technology to be sold or transferred to that country during the fiscal year. I made this certification for FY 1986 on November 25, 1985 and for FY 1987 on October 27, 1986.

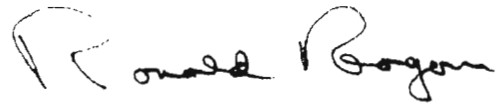
Information on the status of Pakistan's nuclear program is provided to Congress in the annual classified report pursuant to Section 735 of the International Security and Development Cooperation Act of 1981. In addition, the Administration has fulfilled its legal obligation to keep the appropriate committees of Congress fully and currently informed of activities in Pakistan which are of significance from the proliferation standpoint. In this regard, information bearing on my certification will be offered to the Congress.

I have made my best judgment based on the information available to the United States Government, taken as a whole. I have also taken into account the fact that the statutory standard as legislated by Congress is whether Pakistan possesses a nuclear explosive device, not whether Pakistan is attempting to develop or has developed various relevant capacities. Based on the evidence available, and on the statutory standard, I have concluded that Pakistan does not possess a nuclear explosive device.

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 to us for dissuading 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. Pakistan is clearly aware of the inevitable cessation of our security assistance program should it acquire a nuclear explosive device. Thus, I believe the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

A copy of my certification pursuant to Section 620E(e) is enclosed.

A handwritten signature in dark ink, appearing to read "Ronald Reagan". The signature is fluid and cursive, with the first name "Ronald" and last name "Reagan" clearly distinguishable.

Enclosure:
Presidential Certification

The Honorable Claiborne Pell
Chairman, Committee on Foreign Relations
United States Senate
Washington, D. C. 20510

THE WHITE HOUSE

WASHINGTON

December 17, 1987

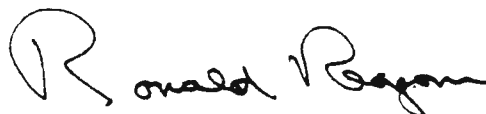
Presidential Determination
No. 88-4

MEMORANDUM FOR THE HONORABLE GEORGE P. SHULTZ
The Secretary of State

SUBJECT: Determination Pursuant to Section 620E(e) of the
Foreign Assistance Act of 1961, as Amended

Pursuant to Section 620 E(e) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2375(e), I hereby certify that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

You or your delegatee are authorized and directed to publish this determination and certification in the Federal Register.

 Ronald Reagan



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THE SECRETARY OF STATE
WASHINGTONSYSTEM II
91290

November 20, 1987

~~SECRET/SENSITIVE~~

MEMORANDUM FOR:

THE PRESIDENT

FROM:

George P. Shultz *GPS*SUBJECT: Certification to Permit Continued Assistance to
Pakistan, as Required by Section 620E(e) of the
Foreign Assistance Act

Section 620E(e) of the Foreign Assistance Act, enacted in 1985, prohibits assistance and sales or transfers of military equipment or technology to Pakistan unless you certify in writing to the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee that "Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device." This certification must be provided during the fiscal year in which the assistance is to be furnished or military equipment or technology is to be sold or transferred. You so certified for FY 86 on November 25, 1985 and for FY 87 on October 27, 1986. A new certification for FY 88 is required to continue assistance.

The issue of whether Pakistan "does not possess a nuclear explosive device" requires a judgment [REDACTED]

FOIA(b)(1)

The law calls upon you to make your best judgment based on the information made available to the Government, taken as a whole. You are not expected to make judgments with certainty,

[REDACTED] when the activity in question would by its nature be conducted in great secrecy and be very hard to detect.

FOIA(b)(1)

~~SECRET/SENSITIVE~~

DECL: OADR

DECLASSIFIED IN PART
NLS F96-128/1 #168
By AM, NARA, Date 3/2/06

RECOMMENDATIONS

- Attachments:

Tab 1 - Suggested Presidential Determination.
Tab 2 - Suggested Letter to the Speaker of the House and
Chairman of the Senate Foreign Relations Committee.

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Determination Pursuant to Section 620E(e) of the
Foreign Assistance of 1961, as Amended

Pursuant to section 620E(e) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2375(e), I hereby certify that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

You or your delegatee are authorized and directed to publish this determination and certification in the Federal Register.

Suggested Letter from the President to the Speaker of the House
and to the Chairman of the Senate Foreign Relations Committee

Dear [Mr. Speaker] [Mr. Chairman]:

I am writing you with respect to Section 620E(e) of the Foreign Assistance Act of 1961, as amended, which requires an annual certification concerning Pakistan to permit assistance to be furnished and military equipment or technology to be sold or transferred to that country during the fiscal year. I made this certification for FY 1986 on November 25, 1985 and for FY 1987 on October 27, 1986.

Information on the status of Pakistan's nuclear program is provided to Congress in the annual classified report pursuant to section 735 of the International Security and Development Cooperation Act of 1981. In addition, the Administration has fulfilled its legal obligation to keep the appropriate committees of Congress fully and currently informed of activities in Pakistan which are of significance from the proliferation standpoint. In this regard, information bearing on my certification will be offered to the Congress.

I have made my best judgment based on the information available to the United States Government, taken as a whole. I have also taken into account the fact that the statutory

[The Honorable
James C. Wright, Jr.,
Speaker of the House of Representatives.]

[The Honorable
Claiborne Pell,
Chairman, Committee on Foreign Relations,
United States Senate.]

standard as legislated by Congress is whether Pakistan possesses a nuclear explosive device, not whether Pakistan is attempting to develop or has developed various relevant capacities. Based on the evidence available, and on the statutory standard, I have concluded that Pakistan does not possess a nuclear explosive device.

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 to us for dissuading 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. Pakistan is clearly aware of the inevitable cessation of our security assistance program should it acquire a nuclear explosive device. Thus, I believe the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

A copy of my certification pursuant to Section 620E(e) is enclosed.

Enclosure:

Certification.

NATIONAL SECURITY COUNCIL

December 23, 1987

SITUATION ROOM:

Would you please LDX the attached to

Joe McMillan
Defense Security Agency

(LDX NO. 697-1656)

Room 4-B-740

Thanks,



Bob Oakley

Attachments:

- 1-Presidential Determination
No. 88-4 - December 17, 1987
- 2- Reagan/Jim Wright letter of
December 17, 1987

RUSH

UNCLAS

MOVAL OF
[S]

RECEIVED 23 NOV 87 10

TO

PRESIDENT

FROM SHULTZ, G

DOCDATE 20 NOV 87

MSP
6/15/98

KEYWORDS: PAKISTAN

FMS

TECHNOLOGY TRANSFERS

NUCLEAR MATTERS

CONGRESSIONAL

PD

SUBJECT: CERTIFICATION TO PERMIT CONTINUED ASSISTANCE TO PAKISTAN / SECTION
620E(E) OF FORN ASSISTANCE ACT

ACTION: PREPARE MEMO FOR PRES

DUE: 24 NOV 87 STATUS **C** FILES SII

FOR ACTION

FOR CONCURRENCE

FOR INFO

TAHIR-KHELI

SAUNDERS

JENKINS

STEVENS

COURTNEY

COMMENTS

REF# 8732826

LOG 8690716

NSCIFID

(J / m)

ACTION OFFICER (S)	ASSIGNED	ACTION REQUIRED	DUE	COPIES TO
Tahir-Kheli	11/23	Recd AUSA Memo		
Tahir-Kheli	S 12/1	Recd OMB Memo		
	C 12/11	Handled per 40783		SRT/Chen

DISPATCH

W/ATTCH FILE (C)

**NATIONAL SECURITY COUNCIL
EXECUTIVE SECRETARIAT STAFFING DOCUMENT**

TIME STAMP

RECEIVED

SYSTEM II

SYSTEM LOG NUMBER: * 91290

ACTION OFFICER [REDACTED]

DUE: 24 November

- | | |
|--|--|
| ☒ Prepare Memo For President | ☐ Prepare Memo Green to Peterson / Murr |
| ☐ Prepare Memo For Carlucci / Powell | ☐ Appropriate Action |
| ☐ Prepare Memo _____ | to _____ |

CONCURRENCES/COMMENTS*

PHONE* to action officer at ext. 3950

FYI	FYI	FYI
☐ Batjer	☐ Henhoeffter	☐ Perina
☐ Bemis	☐ Herbst	☐ Porter
☐ Brooks	☐ Howard	☐ Reger
☐ Burns	☐ Howland	☐ Rodman
☐ Childress	☐ Jameson	☐ Rosenberg
☐ Cobb	☐ Kelly, B.	☐ Ross
☐ Cockell	☐ Kelly, J.	☐ Rostow
☐ Cohen	☐ Kimberling	☒ Saunders
☐ Collins	☐ Kissell	☐ Scharfen
☐ Danzansky	☐ Ledsky	☐ Snider
☐ Dean	☐ Lewis	☐ Sorzano
☐ Donley	☐ Linhard	☐ Steiner
☐ Douglass	☐ Mahley	☒ Stevens
☐ Ermarth	☐ Matthews	☐ Tahir-Kheli
☐ Farrar	☐ McNamara	☐ Tarbell
☐ Flower	☐ Melby	☐ Tice
☐ Fortier	☐ Michael	☐ Tillman
☐ Frazier	☐ Miskel	☐ Tobey
☐ Grime	☒ Oakley	☒ Jenkins
☐ Heiser	☐ Paal	☐ _____

INFORMATION	☐ Green	☒ Courtney	☒ Secretariat
	☐ Carlucci (advance)	☐ Powell (advance)	☐ _____

COMMENTS

See - System IV - 40783

Logged By LO

Return to Secretariat

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WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

REFERRAL

~~SECRET~~

DATE: 23 NOV 87

MEMORANDUM FOR: DUSAULT, P

OMB RM 8201 NEOB

UNCLAS
CLASSIF

REMOVAL OF

NOV 15 1987

DOCUMENT DESCRIPTION:

TO: PRESIDENT

SOURCE: SHULTZ, G

DATE: 20 NOV 87

KEYWORDS: PAKISTAN

FMS

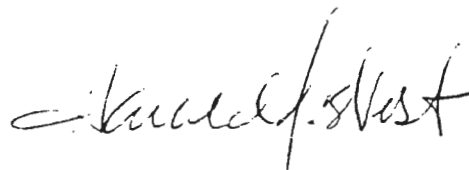
TECHNOLOGY TRANSFERS NUCLEAR MATTERS

SUBJ:

REQUIRED ACTION: COMMENTS/CONCURRENCE

DUEDATE: 24 NOV 87

COMMENTS:

for PAUL S. STEVENS
EXECUTIVE SECRETARY

----- FOR NSC USE ONLY -----

FOR INFO STEVENS

COURTNEY

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CLASSIFIED~~SECRET~~

NATIONAL SECURITY COUNCIL DISTRIBUTION RECORD

Log Number 91290
Date November 23, 1987

UNCLASSIFIED
CLASSIFIED

UPON REMOVAL OF
LOSURE(S)

MSP 6/15/88

Subject: PAKISTAN

DOCUMENT CLASSIFICATION:

☐ TOP SECRET

☒ SECRET

☐ CONFIDENTIAL

☐ UNCLASSIFIED

EXTERNAL DISTRIBUTION:

	#CYS	Date	Time	Received/Signed for By:
THE VICE PRESIDENT				
THE SECRETARY OF STATE Exec. Sec/Room 7241				
THE SECRETARY OF THE TREASURY Main Bldg/Room 3422				
THE SECRETARY OF DEFENSE The Pentagon				
DIRECTOR, ACDA Room 5933/Dept. of State				
CHAIRMAN US START DELEGATION % ACDA, 5933 State				
CHAIRMAN US INF DELEGATION % ACDA, 5933 State				
DIRECTOR, CIA Langley, VA				
CHAIRMAN, JCS The Pentagon				
DIRECTOR, OMB Room 252 OEOB	1	11/23/87	4:10	Matt M. Blum
U. S. REPRESENTATIVE TO UNITED NATIONS Room 6333, State Dept.				
THE SECRETARY OF COMMERCE 14th & Const. Ave. NW, Room 5851				
THE SECRETARY OF ENERGY GA257, Forrestal Bldg.				
DIRECTOR, AID Room 5942, Dept. of State				
THE ATTORNEY GENERAL Dept. of Justice, Room 5119				
DIRECTOR, OSTP Room 360, OEOB				
DIRECTOR, USA 400 C Street, S.W., Room 800				
THE SECRETARY OF THE INTERIOR 18th & E. Street N.W., Room 6151				
THE SECRETARY OF AGRICULTURE Independence & 14th S.W., Room 200A				
UNITED STATES TRADE REPRESENTATIVE Room 209 Winder Bldg. 17 & F St. NW				
THE DIRECTOR, FEMA 1500 C Street, Room 828				
DIRECTOR, DMSPA Room 3E813, Pentagon				
THE SECRETARY OF TRANSPORTATION 400 7th Street S.W.				
MANAGER, NATL COMMUNICATIONS SYSTEM (NCS), Room 4125 8th & SQ Courthouse Rd., Arlington, VA				
THE SECRETARY OF HHS 200 Independence Avenue, NW, Room 615F				
THE SECRETARY OF HUD 451 7th Street SW, Room 10000				
THE SECRETARY OF EDUCATION 400 Maryland Avenue, S.W. Room 4181				

DATE, TIME & SIGN THIS RECEIPT & RETURN TO: SITUATION ROOM, WHITE HOUSE

Page 1 of 1 pages

NATIONAL SECURITY COUNCIL DISTRIBUTION RECORD

Log Number 91290

Date November 23, 1987

Subject: PAKISTAN

UNCLASSIFIED

ON REMOVAL OF
SURE(S)

11/26/15/98

DOCUMENT CLASSIFICATION:

☐ TOP SECRET

☒ SECRET

☐ CONFIDENTIAL

☐ UNCLASSIFIED

EXTERNAL DISTRIBUTION:

	#CYS	Date	Time	Received/Signed for By:
THE VICE PRESIDENT				
THE SECRETARY OF STATE Exec. Sec/Room 7241				
THE SECRETARY OF THE TREASURY Main Bldg/Room 3422				
THE SECRETARY OF DEFENSE The Pentagon				
DIRECTOR, ACDA Room 5933/Dept. of State				
CHAIRMAN US START DELEGATION % ACDA, 5933 State				
CHAIRMAN US INF DELEGATION % ACDA, 5933 State				
DIRECTOR, CIA Langley, VA				
CHAIRMAN, JCS The Pentagon				
DIRECTOR, OMB Room 252 OEOB	1	11/23/87	4:10	M. M. Blair
U.S. REPRESENTATIVE TO UNITED NATIONS Room 6333, State Dept.				
THE SECRETARY OF COMMERCE 14th & Const. Ave. NW, Room 5851				
THE SECRETARY OF ENERGY GA257, Forrestal Bldg.				
DIRECTOR, AID Room 5942, Dept. of State				
THE ATTORNEY GENERAL Dept. of Justice, Room 5119				
DIRECTOR, OSTP Room 360, OEOB				
DIRECTOR, USIA 400 C Street, S.W., Room 800				
THE SECRETARY OF THE INTERIOR 18th & E. Street N.W., Room 6151				
THE SECRETARY OF AGRICULTURE Independence & 14th S.W., Room 200A				
UNITED STATES TRADE REPRESENTATIVE Room 209 Winder Bldg. 17 & P St. NW				
THE DIRECTOR, FEMA 1500 C Street, Room 828				
DIRECTOR, DMSPA Room 3E813, Pentagon				
THE SECRETARY OF TRANSPORTATION 400 7th Street S.W.				
MANAGER, NATL COMMUNICATIONS SYSTEM (NCS), Room 4125 8th & SO Courthouse Rd., Arlington, VA				
THE SECRETARY OF HHS 200 Independence Avenue, NW, Room 615F				
THE SECRETARY OF HUD 451 7th Street S.W., Room 10000				
THE SECRETARY OF EDUCATION 400 Maryland Avenue, S.W. Room 4181				

DATE, TIME & SIGN THIS RECEIPT & RETURN TO: SITUATION ROOM, WHITE HOUSE

Page 1 of 1 pages

NATIONAL SECURITY COUNCIL

EXECUTIVE SECRETARIAT STAFFING DOCUMENT

TIME STAMP

RECEIVED

SYSTEM II

91290

SYSTEM LOG NUMBER:

87 11 21 1107 37

ACTION OFFICER: TAHIR-KHELI

DUE: 24 November

☒ Prepare Memo For President

☐ Prepare Memo Green to Peterson / Murr

☐ Prepare Memo For Carlucci / Powell

☐ Appropriate Action

☐ Prepare Memo _____ to _____

CONCURRENCES/COMMENTS*

PHONE* to action officer at ext. 3950

FYI

☐ Batjer
☐ Bemis
☐ Brooks
☐ Burns
☐ Childress
☐ Cobb
☐ Cockell
☐ Cohen
☐ Collins
☐ Danzansky
☐ Dean
☐ Donley
☐ Douglass
☐ Ermarth
☐ Farrar
☐ Flower
☐ Fortier
☐ Frazier
☐ Grime
☐ Heiser

FYI

☐ Henhoeffter
☐ Herbst
☐ Howard
☐ Howland
☐ Jameson
☐ Kelly, B.
☐ Kelly, J.
☐ Kimberling
☐ Kissell
☐ Ledsky
☐ Lewis
☐ Linhard
☐ Mahley
☐ Matthews
☐ McNamara
☐ Melby
☐ Michael
☐ Miskel
☒ Oakley
☐ Paal

FYI

☐ Perina
☐ Porter
☐ Reger
☐ Rodman
☐ Rosenberg
☐ Ross
☐ Rostow
☒ Saunders
☐ Scharfen
☐ Snider
☐ Sorzano
☐ Steiner
☒ Stevens
☐ Tahir-Kheli
☐ Tarbell
☐ Tice
☐ Tillman
☐ Tobey
☒ Jenkins
☐ _____
☐ _____

INFORMATION ☐ Green

☐ Carlucci (advance)

☒ Courtney

☐ Powell (advance)

☒ Secretariat

☐ _____

COMMENTS

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Return to Secretariat

THE SECRETARY OF STATE
WASHINGTONSYSTEM II
91290~~SECRET/SENSITIVE~~

November 20, 1987

MEMORANDUM FOR:

THE PRESIDENT

FROM:

George P. Shultz *GPS*SUBJECT: Certification to Permit Continued Assistance to
Pakistan, as Required by Section 620E(e) of the
Foreign Assistance Act

Section 620E(e) of the Foreign Assistance Act, enacted in 1985, prohibits assistance and sales or transfers of military equipment or technology to Pakistan unless you certify in writing to the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee that "Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device." This certification must be provided during the fiscal year in which the assistance is to be furnished or military equipment or technology is to be sold or transferred. You so certified for FY 86 on November 25, 1985 and for FY 87 on October 27, 1986. A new certification for FY 88 is required to continue assistance.

The issue of whether Pakistan "does not possess a nuclear explosive device" requires a judgment [REDACTED]

FOIA(b)(1)

The law calls upon you to make your best judgment based on the information made available to the Government, taken as a whole. You are not expected to make judgments with certainty, [REDACTED]

FOIA(b)(1)

[REDACTED] when the activity in question would by its nature be conducted in great secrecy and be very hard to detect.

~~SECRET/SENSITIVE~~
DECL: OADR

DECLASSIFIED IN PART
NLS F96-12811 #169
By ADL, NARA, Date 3/2/06

[illegible]

Attachments:

1. That you sign the determination at Tab 1.
2. That you send the letters at Tab 2 to the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee.

Attachments:

Tab 1 - Suggested Presidential Determination.
Tab 2 - Suggested Letter to the Speaker of the House and
Chairman of the Senate Foreign Relations Committee.

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Determination Pursuant to Section 620E(e) of the
Foreign Assistance of 1961, as Amended

Pursuant to section 620E(e) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2375(e), I hereby certify that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

You or your delegatee are authorized and directed to publish this determination and certification in the Federal Register.

Suggested Letter from the President to the Speaker of the House
and to the Chairman of the Senate Foreign Relations Committee

Dear [Mr. Speaker] [Mr. Chairman]:

I am writing you with respect to Section 620E(e) of the Foreign Assistance Act of 1961, as amended, which requires an annual certification concerning Pakistan to permit assistance to be furnished and military equipment or technology to be sold or transferred to that country during the fiscal year. I made this certification for FY 1986 on November 25, 1985 and for FY 1987 on October 27, 1986.

Information on the status of Pakistan's nuclear program is provided to Congress in the annual classified report pursuant to section 735 of the International Security and Development Cooperation Act of 1981. In addition, the Administration has fulfilled its legal obligation to keep the appropriate committees of Congress fully and currently informed of activities in Pakistan which are of significance from the proliferation standpoint. In this regard, information bearing on my certification will be offered to the Congress.

I have made my best judgment based on the information available to the United States Government, taken as a whole. I have also taken into account the fact that the statutory

[The Honorable
James C. Wright, Jr.,
Speaker of the House of Representatives.]

[The Honorable
Claiborne Pell,
Chairman, Committee on Foreign Relations,
United States Senate.]

standard as legislated by Congress is whether Pakistan possesses a nuclear explosive device, not whether Pakistan is attempting to develop or has developed various relevant capacities. Based on the evidence available, and on the statutory standard, I have concluded that Pakistan does not possess a nuclear explosive device.

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 to us for dissuading 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. Pakistan is clearly aware of the inevitable cessation of our security assistance program should it acquire a nuclear explosive device. Thus, I believe the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

A copy of my certification pursuant to Section 620E(e) is enclosed.

Enclosure:

Certification.



~~SECRET~~

8791290

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

NOV 27 1987

MEMORANDUM TO: PAUL S. STEVENS
EXECUTIVE SECRETARY

FROM: PHILIP A. DUSAULT *Philip A. Dusa*
DEPUTY ASSOCIATE DIRECTOR
FOR INTERNATIONAL AFFAIRS

SUBJECT: Proposed Presidential Determination on Pakistan

OMB concurs with the proposed Section 620E(e) FAA Presidential Determination in which the President would certify that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

12/1
Original "handed" over to Shirin.
m.c.

White House Cl.
By *mon*

NOV 23 1987
6/30/98

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☐ DECL ☐ REVW ON _____
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11-20-87

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8791290

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

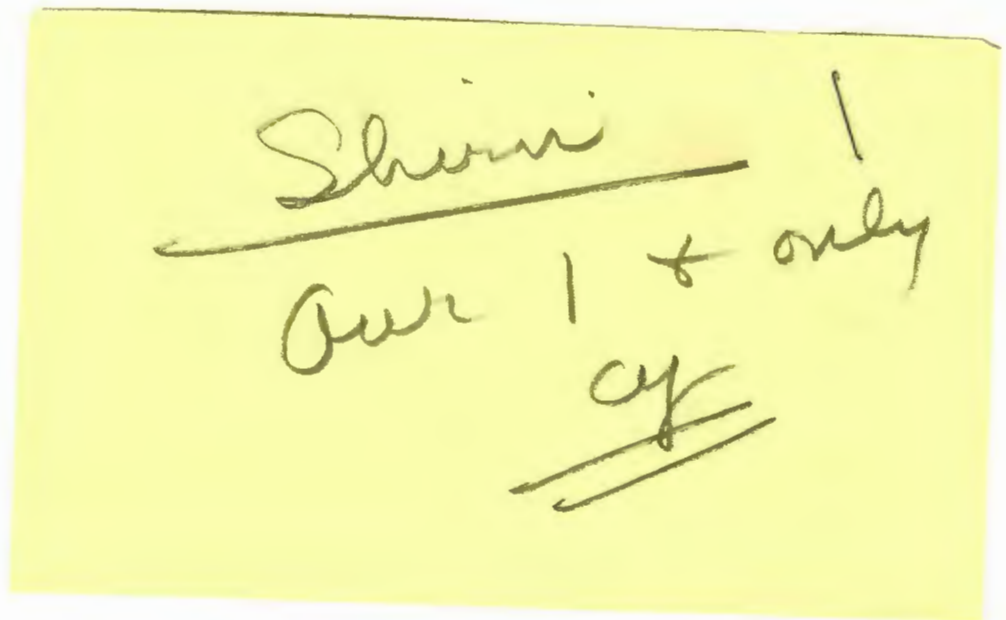
NOV 27 1987

MEMORANDUM TO: PAUL S. STEVENS
EXECUTIVE SECRETARY

FROM: PHILIP A. DUSAULT *Philip A. Dusaault*
DEPUTY ASSOCIATE DIRECTOR
FOR INTERNATIONAL AFFAIRS

SUBJECT: Proposed Presidential Determination on Pakistan

OMB concurs with the proposed Section 620E(e) FAA Presidential Determination in which the President would certify that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.



DECLASSIFIED
While Here Classified August 25, 1997
By MSH Date 6/30/98

DERIVATIVE CL BY OMB/IAO
☐ DECL ☐ REVW ON _____
DERIVED FROM Memo for Shultz to Pres.
11-20-87

~~SECRET~~