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(Annual Report to Congress)

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WITHDRAWAL SHEET

Ronald Reagan Library

Collection: TAHIR-KHELI, SHIRIN R.: Files

Archivist: mjd

File Folder: PAKIS: Certification (Annual Report to Congress)
Box 91880 4

Date: 7/1/98

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	William Burns to Colin Powell re Certification, 2p D, 6/14/00 NLSF 96-128/1 #211	11/17/88	P1
2. memo	Powell to the President re Certification, 3p P, 6/14/00 NLSF 96-128/1 #212	n.d.	P1
3. memo	George Shultz to the President re Certification, 3p	11/10/88	P1
4. memo	to Powell re report, 1p	11/14/88	P1
5. memo	William F. Burns to Powell re Certification, 1p	n.d.	P1 P5
6. report	re Certification, 4p	10/28/88	P1
7. paper	6p	10/7/88	P1
8. memo	Robert Oakley to Powell re Annual Report to Congress, 1p R, 6/14/00 NLSF 96-128/1 #217	3/8/88	P1
9. memo	Powell thru W.H. Executive Clerk to the President re report 1p " " #218	3/8/88	P1
10. report	re: Pakistan, 6p P, 6/14/00 NLSF 96-128/1 #219	n.d.	P1
11. memo	Melvyn Levitsky to Powell re report, 1p R 3/2/86 F96-128/1 #220	3/3/88	P1
12. report	re Pakistan, 6p P, 6/14/00 NLSF 96-128/1 #221	n.d.	P1
13. report	same as item #12 P, 6/14/00 NLSF 96-128/1 #222	n.d.	P1
14. memo	Burns to John Poindexter re report R, 6/14/00 NLSF 96-128/1 #223	10/28/86	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].

WITHDRAWAL SHEET

Ronald Reagan Library

Collection: TAHIR-KHELI, SHIRIN R.: Files

Archivist: mjd

File Folder: PAKIS: Certification (Annual Report to Congress)
Box 91880

Date: 7/1/98

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
15. memo	Poindexter to the President re report, 1p R, 6/14/00 NLS F96-12811 # 224	11/6/86	P1
16. report	re Pakistan, 4p P 3/2/06 F96-12811 # 225	n.d.	P1
17. memo	Nicholas Platt to Poindexter re report, 1p P 3/2/06 F96-12811 # 224	10/25/86	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].
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THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER / LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

TAB

A

THE WHITE HOUSE

SYSTEM IV
NSC/ICS 40544

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: COLIN L. POWELL

SUBJECT: Nuclear Certification for Pakistan

Issue

Whether to certify to Congress that Pakistan does not now possess a nuclear device and that the proposed assistance program for Pakistan significantly reduces the risk that Pakistan will possess a nuclear explosive device.

Facts

In order to continue security assistance to Pakistan, Section 620E(e) of 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 1988 on December 17, 1987.

Discussion

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 the judgments with certainty, but rather based upon whether you believe possession or non-possession is more likely. The statutory standard is whether Pakistan possesses a nuclear explosive device, not whether it is attempting to develop, or has developed, various relevant capabilities.

~~REDACTED~~

ACTED.

~~REDACTED~~

-REDACTED

~~SECRET/SENSITIVE~~
(WITH TOP SECRET CODEWORD
ATTACHMENT)

INDEXED IN PART
F96 728/1 #212
dlb Date 6/15/00

REDACTED

REDACTED

REDACTED

CTED

REDACTED

REDACTED

REDACTED

CTED

REDACTED

In accordance with NSDD 266 and in the absence of A. B. Culvahouse, Nicholas Rostow, Legal Adviser to the National Security Council, has coordinated this certification with Philip D. Brady in advance of its submission to you.

The Executive Clerk has approved the proposed certification as to form.

Recommendation

The determination is based on the statutory criteria of possession of an explosive device, not whether Pakistan is attempting to develop, or has developed various relevant capabilities.

OK	No	That you sign the determination and certification at Tab A and the letters to Speaker of the House and the Chairman of the Senate Foreign Relations and Committee at Tabs B and C.
—	—	

Prepared by: Shirin Tahir-Kheli

~~SECRET SENSITIVE~~
~~(WITH TOP SECRET CODEWORD~~
~~ATTACHMENT)~~

3

Attachments

Tab A Presidential Determination
Tab B Presidential Letter to Speaker of the House
Tab C Presidential Letter to Chairman of the SFRC
Tab D Secretary Shultz' Memo to the President
Tab E ACDA Director Burns' Memo to General Powell
Tab F Intelligence Assessment

~~SECRET SENSITIVE~~
~~(WITH TOP SECRET CODEWORD~~
~~ATTACHMENT)~~

TAB

B

THE WHITE HOUSE

WASHINGTON

Presidential Determination
No. _____

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Determination Pursuant to Section 620E(e) of
the Foreign Assistance Act 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.

THE WHITE HOUSE

WASHINGTON

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, for FY 1987 on October 27, 1986, and for FY 88 on December 17, 1987.

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.

We remain extremely troubled, however, by the continued risk of a South Asian nuclear arms race. The Congress should be aware that as Pakistan's nuclear capabilities grow, and if evidence about its activities continues to accumulate, this process of annual certification will require the President to reach judgments about the status of Pakistani nuclear activities that may be difficult or impossible to make with any degree of certainty.

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 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:
Presidential Certification

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

THE WHITE HOUSE

WASHINGTON

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, for FY 1987 on October 27, 1986, and for FY 88 on December 17, 1987.

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

Enclosure:

Presidential Certification

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

TAB

D

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TAB

E

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WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

TAB

F

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~~SECRET~~

90207
~~Add-on~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

March 8, 1988

ACTION

MEMORANDUM FOR COLIN L. POWELL

FROM: ROBERT B. OAKLEY *RBO*

SUBJECT: Annual Report to Congress on Pakistani
Nuclear Program

Section 735 of the International Security and Development Cooperation Act of 1981 requires the President to submit annually a classified report to Congress describing the nuclear program. Attached at TAB A is the report prepared by the Department of State and has been cleared by all interested agencies.

As was the case with the previous such report, State recommends that, if approved by the President, it be transmitted only to the Senate and House Intelligence Committees.

LB Linton Brooks, *DR* Dennis Ross and *AF* Alison Fortier concur.

RECOMMENDATION

That you sign the memorandum at TAB I to the President forwarding the draft report for approval at (TAB A) and Presidential letters (TABS B & C) to the Senate and House Select Committees on Intelligence.

Approve *[Signature]* Disapprove

Attachments:

TAB I Your Memorandum to the President

TAB A Annual Report to Congress on
Pakistan's Nuclear Program

TAB B Draft Presidential Letter for Transmittal to
Chairman David L. Boren
Senate Select Committee on Intelligence

TAB C Draft Presidential Letter for Transmittal to
Chairman Louis Stokes
House Permanent Select Committee on Intelligence

Prepared by:
Shirin Tahir-Kheli

~~SECRET~~

DECLASSIFY ON: OADR

DECLASSIFIED

NLS

F96-128/1 # 217

BY *dlk*

NARA, DATE

6/15/00

~~SECRET~~

~~SECRET~~

3/0
90207
Add-on

THE WHITE HOUSE

WASHINGTON

March 8, 1988

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: WHITE HOUSE EXECUTIVE CLERK *RG*
FROM: COLIN L. POWELL *CP*
SUBJECT: The President's Annual Report to Congress
on Pakistan's Nuclear Program

Issue

Transmittal of annual report to Congress on Pakistani nuclear program.

Fact

The State Department has prepared and forwarded the attached draft report on Pakistan's nuclear program for your approval.

Discussion

Section 735 of the International Security and Development Cooperation Act of 1981 requires that you submit annually a classified report to Congress describing the nuclear program and related activities of any country for which a waiver of Sections 669 and 670 of the Foreign Assistance Act is in effect. The only country for which a waiver of Section 669 or 670 of the Foreign Assistance Act is in effect is Pakistan.

The attached draft report (TAB A) fulfills the statutory requirement. It has been fully cleared by all interested agencies. As was the case with the previous such report, the Department recommends that, if approved, it be transmitted only to the Senate and House Select Committees on Intelligence (TABS B & C).

Recommendation

<u>OK</u>	<u>NO</u>	That you approve the attached report at TAB A, and sign the letters at TABS B & C to Congressmen Boren and Stokes.
<i>RR</i>	—	

Attachments:

- TAB A Draft Report to Congress on Pakistan's Nuclear Program
- TAB B Draft Presidential Letter of Transmittal to Chairman David L. Boren
Senate Select Committee on Intelligence
- TAB C Draft Presidential Letter of Transmittal to Chairman Louis Stokes
House Permanent Select Committee on Intelligence

~~SECRET~~

DECLASSIFY ON: OADR

cc: Vice President

Chief of Staff (2)

~~SECRET~~

DECLASSIFIED

NLS 96-12811 #218

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

REPORT TO CONGRESS PURSUANT TO SECTION 735 OF THE INTERNATIONAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1981: PAKISTAN'S NUCLEAR PROGRAM.

Section 735 of the International Security and Development Cooperation Act of 1981 requires the President to submit annually a classified report to Congress describing the nuclear programs and related activities of any country for which a waiver of sections 669 or 670 of the Foreign Assistance Act is in effect. The only country for which a waiver of sections 669 or 670 of the Foreign Assistance Act is in effect is Pakistan.

As required by the Act and complementary to information provided or made available in accordance with section 602 (c) of the Nuclear Non-Proliferation Act of 1978, this report describes Pakistan's nuclear program and related activities and includes assessments of (1) the extent and effectiveness of International Atomic Energy Agency (IAEA) safeguards in Pakistan and (2) the capability, actions, and intentions of the Government of Pakistan with respect to the manufacture or acquisition of a nuclear explosive device.

Extent of IAEA Safeguards in Pakistan

Pakistan has not accepted IAEA safeguards on all its nuclear activities ("full-scope safeguards"). The only nuclear reactors in Pakistan -- the 137 MW (e) Karachi Nuclear Power Plant (KANUPP) and a U.S.-supplied, 5MW (th) research reactor (PARR) at the Pakistan Institute of Nuclear Science and Technology (PINSTECH) -- are both safeguarded. The PARR reactor is fueled by 93 percent enriched uranium supplied by the United States. The fuel is nearly exhausted, and Pakistan is seeking IAEA assistance to refuel the reactor with 20 percent enriched fuel. Pakistan operates an unsafeguarded gas centrifuge uranium enrichment plant at Kahuta. Other unsafeguarded facilities are a pilot-scale reprocessing plant at PINSTECH (New Labs) which has not operated; a nuclear feed material complex at Dera Ghazi Khan, which produces uranium hexafluoride for the Kahuta enrichment plant, and a fuel fabrication facility (KNC-1) at Chasma. Although the latter facility is not subject to IAEA safeguards, its sole purpose at present is to produce natural uranium fuel for KANUPP, and any fuel introduced into that reactor is thereafter subject to safeguards.

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Ex 6-12811 # 219
alb NARA, Date 6/15/00

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~~SECRET~~~~REDACTED~~~~REDACTED~~~~ACTED~~~~REDACTED~~~~REDACTED~~~~REDACTED~~~~ACTED~~~~REDACTED~~Effectiveness of IAEA Safeguards in Pakistan

Previous reports submitted to Congress pursuant to section 735 of the International Security and Development Cooperation Act of 1981 have discussed in detail the efforts of the International Atomic Energy Agency to improve the effectiveness of the safeguards containment and surveillance system at the Karachi Nuclear Power Plant. As noted in the second report in this series, Pakistan and the IAEA agreed to and implemented measures designed to improve the effectiveness of safeguards at KANUPP. [REDACTED]

~~REDACTED~~~~REDACTED~~~~ACTED~~~~REDACTED~~~~SECRET~~

~~SECRET~~

The United States continues to urge Pakistan to accept IAEA-- safeguards on all its nuclear activities. In accordance with U.S. law, we will not permit the export of U.S.-origin nuclear material, equipment or technology to Pakistan until it accepts such comprehensive safeguards. We have also urged other nuclear suppliers not to provide Pakistan with significant nuclear equipment, material or technology until it agrees to place all its nuclear facilities under IAEA safeguards. In particular, we have sought to persuade other nuclear suppliers not to assist Pakistan in constructing its planned power reactor at Chasma in the absence of comprehensive safeguards. Thus far, no nuclear supplier has submitted a bid to Pakistan for the Chasma reactor, although the Government of France during 1987 reiterated its position that it would not regard the absence of full-scope safeguards in Pakistan as in itself necessarily precluding a possible reactor sale to Pakistan if other conditions were met.

Pakistan's Nuclear Program: Capabilities and Actions

The President certified in December 1987 that Pakistan does not possess a nuclear explosive device. The Government of Pakistan has stated that it will not acquire such a device. However, Pakistan continues to engage in activities directly related to the development of nuclear explosives.

REDACTED

REDACTED

REDACTED

CTED

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~~SECRET~~

~~SECRET~~~~REDACTED~~~~REDACTED~~~~REDACTED~~~~REDACTED~~~~REDACTED~~~~REDACTED~~~~REDACTED~~~~REDACTED~~

Pakistan has carried out extensive world-wide procurement activities in support of all aspects of its unsafeguarded nuclear program. These activities have been designed to circumvent Western export controls. In July, 1987 Arshad Pervez, a Pakistani national, was arrested in connection with efforts to export commodities from the U.S. for Pakistan's nuclear program in violation of U.S. export laws. Pervez was convicted in December 1987, following which the President determined that Pakistani procurement activities had triggered section 670 (a) (1) of the Foreign Assistance Act, which prohibits most assistance to countries which attempt to export illegally from the U.S. material which was to be used in the manufacture of a nuclear explosive device. (The President used his authority under section 670 (a) (2) to waive the prohibition on assistance, finding that a termination of assistance would be seriously prejudicial to the achievement of U.S. non-proliferation objectives or otherwise jeopardize the common defense and security.) Following Pervez' arrest, the Pakistan government took administrative steps to prevent the illegal procurement of U.S.-origin goods for its nuclear program. We

~~REDACTED~~~~REDACTED~~~~SECRET~~

~~ACTED~~~~REDACTED~~Pakistan's Intentions

The Executive Branch has made it clear to the highest levels of the Government of Pakistan that continuance of U.S. security and economic assistance to Pakistan presumes Pakistan's restraint in its nuclear program. President Zia and other senior Pakistani officials have assured the United States and stated publicly that Pakistan's nuclear program is entirely peaceful in intent and that it has no intention of acquiring nuclear explosives. [REDACTED]

~~REDACTED~~

In an address before the 40th U.N. General Assembly in October 1985, President Zia made the following proposals:

- simultaneous accession to the NPT by India and Pakistan;
- simultaneous acceptance by both countries of full-scope safeguards;
- mutual inspection of each other's nuclear facilities;
- a joint declaration renouncing the acquisition or development of nuclear weapons;
- establishment of a South Asia nuclear weapons-free zone.

Zia invited the Government of India to respond with proposals of its own if it found Pakistan's unacceptable, and stated that Pakistan was prepared to enter into any agreement or arrangement with India on the basis of sovereignty and reciprocity to keep the Subcontinent free of nuclear weapons. Pakistani officials have subsequently reiterated these proposals on various occasions and introduced a number of variations on the same theme. At the U.N. General Assembly in the fall of 1987, for example, Prime Minister Junejo proposed a regional nuclear test ban regime. India has regarded all these proposals as essentially insincere and as being advanced by Pakistan only in the expectation that India can be relied on to reject them.

We welcomed the stated intention of both countries, announced on the occasion of President Zia's meeting with Prime Minister Gandhi in New Delhi in December 1985, to enter into an agreement not to attack each other's nuclear facilities. Unfortunately, this agreement remains unformalized. We are encouraging both countries to move ahead with significant steps toward a resolution of the nuclear issue on a regional basis, and in particular we have urged India to respond positively to Zia's proposals or to advance proposals of its own. During his October 1987 visit to the U.S. Gandhi suggested a "three-tiered" approach to nuclear arms control, in which actions by the U.S. and USSR, the other nuclear weapon states, and the "near-nuclear" states (including India and Pakistan) might be linked in some undefined way. We have encouraged Gandhi to provide further elaboration.

The United States security relationship with Pakistan and assistance program for it are critically important means of dissuading Pakistan from building and testing a nuclear device. The program is designed to help Pakistan address its legitimate security needs, thereby reducing Pakistan's incentives to acquire nuclear explosives. We believe that Pakistan will be restrained from possessing a nuclear explosive device as long as it believes that such possession would result in termination of U.S. security assistance. A further restraining factor is Pakistan's awareness that possession or testing of a nuclear explosive device would almost certainly provoke an Indian response in kind. We expect, therefore, that Pakistan will continue to opt for ambiguity in its nuclear capabilities as best calculated to deal with U.S. and Indian concerns.

We are continuing to monitor Pakistan's nuclear program very closely. The Executive Branch will continue to bring any development of significance in this area to the attention of the leadership of relevant Congressional Committees, as required by section 602 (c) of the Nuclear Non-Proliferation Act of 1978.

Ronald Reagan



~~SECRET~~

8805926

United States Department of State

Washington, D.C. 20520

SYSTEM II
90207

March 03, 1988

MEMORANDUM FOR COLIN L. POWELL
THE WHITE HOUSE

SUBJECT: Draft Report by the President to the Congress on
Pakistan's Nuclear Program

Section 735 of the International Security and Development Cooperation Act of 1981 requires the President to submit annually a classified report to Congress describing the nuclear program and related activities of any country for which a waiver of sections 669 or 670 of the Foreign Assistance Act is in effect. The only country for which a waiver of section 669 or 670 of the Foreign Assistance Act is in effect is Pakistan.

The Department has prepared the attached proposed report to fulfill the statutory requirement. It has been fully cleared by all interested agencies. As was the case with the previous such report, the Department recommends that, if approved by the President, it be transmitted only to the Intelligence Committees of the Senate and House.

Melvyn Levitsky
Melvyn Levitsky
Executive Secretary

Attachment:
As stated

DECLASSIFIED / RELEASED

NLS F96-1221 #222

BY Snf, NAHA, DATE 3/2/16

~~SECRET~~

DECL: OADR

UNCLASSIFIED
WITH ~~SECRET~~ ATTACHMENT

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

March 10, 1988

Dear Mr. Chairman:

I hereby submit the classified report on Pakistan's nuclear program as required by Section 735 of the International Security and Development Cooperation Act of 1981. Due to the very sensitive nature of its contents, we are providing the report only to the Senate and House Intelligence Committees.

Sincerely,

Ronald Reagan

Attachment:

Report on Pakistan's Nuclear Program

The Honorable David L. Boren
Chairman
Senate Select Committee on Intelligence
United States Senate
Washington, D. C. 20510

UNCLASSIFIED
WITH ~~SECRET~~ ATTACHMENT

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RE(S)

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REPORT TO ~~CONGRESS~~ PURSUANT TO SECTION 735 OF THE INTERNATIONAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1981: PAKISTAN'S NUCLEAR PROGRAM.

Section 735 of the International Security and Development Cooperation Act of 1981 requires the President to submit annually a classified report to Congress describing the nuclear programs and related activities of any country for which a waiver of sections 669 or 670 of the Foreign Assistance Act is in effect. The only country for which a waiver of sections 669 or 670 of the Foreign Assistance Act is in effect is Pakistan.

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CLASSIFIED IN PART
F96 12811 #221
dlb DATA Date 6/15/00

~~REDACTED~~~~REDACTED~~~~ICTED~~~~REDACTED~~~~REDACTED~~~~REDACTED~~~~ACTED~~~~REDACTED~~Effectiveness of IAEA Safeguards in Pakistan

Previous reports submitted to Congress pursuant to section 735 of the International Security and Development Cooperation Act of 1981 have discussed in detail the efforts of the International Atomic Energy Agency to improve the effectiveness of the safeguards containment and surveillance system at the Karachi Nuclear Power Plant. As noted in the second report in this series, Pakistan and the IAEA agreed to and implemented measures designed to improve the effectiveness of safeguards at KANUPP. [REDACTED]

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- 3 -

The United States continues to urge Pakistan to accept IAEA-- safeguards on all its nuclear activities. In accordance with U.S. law, we will not permit the export of U.S.-origin nuclear material, equipment or technology to Pakistan until it accepts such comprehensive safeguards. We have also urged other nuclear suppliers not to provide Pakistan with significant nuclear equipment, material or technology until it agrees to place all its nuclear facilities under IAEA safeguards. In particular, we have sought to persuade other nuclear suppliers not to assist Pakistan in constructing its planned power reactor at Chasma in the absence of comprehensive safeguards. Thus far, no nuclear supplier has submitted a bid to Pakistan for the Chasma reactor, although the Government of France during 1987 reiterated its position that it would not regard the absence of full-scope safeguards in Pakistan as in itself necessarily precluding a possible reactor sale to Pakistan if other conditions were met.

Pakistan's Nuclear Program: Capabilities and Actions

The President certified in December 1987 that Pakistan does not possess a nuclear explosive device. The Government of Pakistan has stated that it will not acquire such a device. However, Pakistan continues to engage in activities directly related to the development of nuclear explosives.

REDACTED

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Pakistan has carried out extensive world-wide procurement activities in support of all aspects of its unsafeguarded nuclear program. These activities have been designed to circumvent Western export controls. In July, 1987 Arshad Pervez, a Pakistani national, was arrested in connection with efforts to export commodities from the U.S. for Pakistan's nuclear program in violation of U.S. export laws. Pervez was convicted in December 1987, following which the President determined that Pakistani procurement activities had triggered section 670 (a) (1) of the Foreign Assistance Act, which prohibits most assistance to countries which attempt to export illegally from the U.S. material which was to be used in the manufacture of a nuclear explosive device. (The President used his authority under section 670 (a) (2) to waive the prohibition on assistance, finding that a termination of assistance would be seriously prejudicial to the achievement of U.S. non-proliferation objectives or otherwise jeopardize the common defense and security.) Following Pervez' arrest, the Pakistan government took administrative steps to prevent the illegal procurement of U.S.-origin goods for its nuclear program. We

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~~ACTED~~~~REDACTED~~Pakistan's Intentions

The Executive Branch has made it clear to the highest levels of the Government of Pakistan that continuance of U.S. security and economic assistance to Pakistan presumes Pakistan's restraint in its nuclear program. President Zia and other senior Pakistani officials have assured the United States and stated publicly that Pakistan's nuclear program is entirely peaceful in intent and that it has no intention of acquiring nuclear explosives. [REDACTED]

~~REDACTED~~

In an address before the 40th U.N. General Assembly in October 1985, President Zia made the following proposals:

- simultaneous accession to the NPT by India and Pakistan;
- simultaneous acceptance by both countries of full-scope safeguards;
- mutual inspection of each other's nuclear facilities;
- a joint declaration renouncing the acquisition or development of nuclear weapons;
- establishment of a South Asia nuclear weapons-free zone.

Zia invited the Government of India to respond with proposals of its own if it found Pakistan's unacceptable, and stated that Pakistan was prepared to enter into any agreement or arrangement with India on the basis of sovereignty and reciprocity to keep the Subcontinent free of nuclear weapons. Pakistani officials have subsequently reiterated these proposals on various occasions and introduced a number of variations on the same theme. At the U.N. General Assembly in the fall of 1987, for example, Prime Minister Junejo proposed a regional nuclear test ban regime. India has regarded all these proposals as essentially insincere and as being advanced by Pakistan only in the expectation that India can be relied on to reject them.

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- 6 -

We welcomed the stated intention of both countries, announced on the occasion of President Zia's meeting with Prime Minister Gandhi in New Delhi in December 1985, to enter into an agreement not to attack each other's nuclear facilities. Unfortunately, this agreement remains unformalized. We are encouraging both countries to move ahead with significant steps toward a resolution of the nuclear issue on a regional basis, and in particular we have urged India to respond positively to Zia's proposals or to advance proposals of its own. During his October 1987 visit to the U.S. Gandhi suggested a "three-tiered" approach to nuclear arms control, in which actions by the U.S. and USSR, the other nuclear weapon states, and the "near-nuclear" states (including India and Pakistan) might be linked in some undefined way. We have encouraged Gandhi to provide further elaboration.

The United States security relationship with Pakistan and assistance program for it are critically important means of dissuading Pakistan from building and testing a nuclear device. The program is designed to help Pakistan address its legitimate security needs, thereby reducing Pakistan's incentives to acquire nuclear explosives. We believe that Pakistan will be restrained from possessing a nuclear explosive device as long as it believes that such possession would result in termination of U.S. security assistance. A further restraining factor is Pakistan's awareness that possession or testing of a nuclear explosive device would almost certainly provoke an Indian response in kind. We expect, therefore, that Pakistan will continue to opt for ambiguity in its nuclear capabilities as best calculated to deal with U.S. and Indian concerns.

We are continuing to monitor Pakistan's nuclear program very closely. The Executive Branch will continue to bring any development of significance in this area to the attention of the leadership of relevant Congressional Committees, as required by section 602 (c) of the Nuclear Non-Proliferation Act of 1978.

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UNCLASSIFIED
WITH ~~SECRET~~ ATTACHMENT

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SYSTEM II
90207

THE WHITE HOUSE
WASHINGTON

March 10, 1988

Dear Mr. Chairman:

I hereby submit the classified report on Pakistan's nuclear program as required by Section 735 of the International Security and Development Cooperation Act of 1981. Due to the very sensitive nature of its contents, we are providing the report only to the House and Senate Intelligence Committees.

Sincerely,

Ronald Reagan

Attachment:

Report on Pakistan's Nuclear Program

The Honorable Louis Stokes
Chairman
House Permanent Select Committee
on Intelligence
House of Representatives
Washington, D.C. 20515

UNCLASSIFIED
WITH ~~SECRET~~ ATTACHMENT

UNCLASSIFIED UPON REMOVAL OF
CLASSIFIED ENCLOSURE(S)

MSH 6/15/98

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REPORT TO CONGRESS PURSUANT TO SECTION 735 OF THE INTERNATIONAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1981: PAKISTAN'S NUCLEAR PROGRAM.

Section 735 of the International Security and Development Cooperation Act of 1981 requires the President to submit annually a classified report to Congress describing the nuclear programs and related activities of any country for which a waiver of sections 669 or 670 of the Foreign Assistance Act is in effect. The only country for which a waiver of sections 669 or 670 of the Foreign Assistance Act is in effect is Pakistan.

As required by the Act and complementary to information provided or made available in accordance with section 602 (c) of the Nuclear Non-Proliferation Act of 1978, this report describes Pakistan's nuclear program and related activities and includes assessments of (1) the extent and effectiveness of International Atomic Energy Agency (IAEA) safeguards in Pakistan and (2) the capability, actions, and intentions of the Government of Pakistan with respect to the manufacture or acquisition of a nuclear explosive device.

Extent of IAEA Safeguards in Pakistan

Pakistan has not accepted IAEA safeguards on all its nuclear activities ("full-scope safeguards"). The only nuclear reactors in Pakistan -- the 137 MW (e) Karachi Nuclear Power Plant (KANUPP) and a U.S.-supplied, 5MW (th) research reactor (PARR) at the Pakistan Institute of Nuclear Science and Technology (PINSTECH) -- are both safeguarded. The PARR reactor is fueled by 93 percent enriched uranium supplied by the United States. The fuel is nearly exhausted, and Pakistan is seeking IAEA assistance to refuel the reactor with 20 percent enriched fuel. Pakistan operates an unsafeguarded gas centrifuge uranium enrichment plant at Kahuta. Other unsafeguarded facilities are a pilot-scale reprocessing plant at PINSTECH (New Labs) which has not operated; a nuclear feed material complex at Dera Ghazi Khan, which produces uranium hexafluoride for the Kahuta enrichment plant, and a fuel fabrication facility (KNC-1) at Chasma. Although the latter facility is not subject to IAEA safeguards, its sole purpose at present is to produce natural uranium fuel for KANUPP, and any fuel introduced into that reactor is thereafter subject to safeguards.

ALL INFORMATION CONTAINED
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Effectiveness of IAEA Safeguards in Pakistan

Previous reports submitted to Congress pursuant to section 735 of the International Security and Development Cooperation Act of 1981 have discussed in detail the efforts of the International Atomic Energy Agency to improve the effectiveness of the safeguards containment and surveillance system at the Karachi Nuclear Power Plant. As noted in the second report in this series, Pakistan and the IAEA agreed to and implemented measures designed to improve the effectiveness of safeguards at KANUPP. [REDACTED]

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- 3 -

The United States continues to urge Pakistan to accept IAEA-- safeguards on all its nuclear activities. In accordance with U.S. law, we will not permit the export of U.S.-origin nuclear material, equipment or technology to Pakistan until it accepts such comprehensive safeguards. We have also urged other nuclear suppliers not to provide Pakistan with significant nuclear equipment, material or technology until it agrees to place all its nuclear facilities under IAEA safeguards. In particular, we have sought to persuade other nuclear suppliers not to assist Pakistan in constructing its planned power reactor at Chasma in the absence of comprehensive safeguards. Thus far, no nuclear supplier has submitted a bid to Pakistan for the Chasma reactor, although the Government of France during 1987 reiterated its position that it would not regard the absence of full-scope safeguards in Pakistan as in itself necessarily precluding a possible reactor sale to Pakistan if other conditions were met.

Pakistan's Nuclear Program: Capabilities and Actions

The President certified in December 1987 that Pakistan does not possess a nuclear explosive device. The Government of Pakistan has stated that it will not acquire such a device. However, Pakistan continues to engage in activities directly related to the development of nuclear explosives.

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Pakistan has carried out extensive world-wide procurement activities in support of all aspects of its unsafeguarded nuclear program. These activities have been designed to circumvent Western export controls. In July, 1987 Arshad Pervez, a Pakistani national, was arrested in connection with efforts to export commodities from the U.S. for Pakistan's nuclear program in violation of U.S. export laws. Pervez was convicted in December 1987, following which the President determined that Pakistani procurement activities had triggered section 670 (a)(1) of the Foreign Assistance Act, which prohibits most assistance to countries which attempt to export illegally from the U.S. material which was to be used in the manufacture of a nuclear explosive device. (The President used his authority under section 670 (a)(2) to waive the prohibition on assistance, finding that a termination of assistance would be seriously prejudicial to the achievement of U.S. non-proliferation objectives or otherwise jeopardize the common defense and security.) Following Pervez' arrest, the Pakistan government took administrative steps to prevent the illegal procurement of U.S.-origin goods for its nuclear program. We

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~~SECRET~~~~ACTED~~~~REDACTED~~Pakistan's Intentions

The Executive Branch has made it clear to the highest levels of the Government of Pakistan that continuance of U.S. security and economic assistance to Pakistan presumes Pakistan's restraint in its nuclear program. President Zia and other senior Pakistani officials have assured the United States and stated publicly that Pakistan's nuclear program is entirely peaceful in intent and that it has no intention of acquiring nuclear explosives. [REDACTED]

~~REDACTED~~

In an address before the 40th U.N. General Assembly in October 1985, President Zia made the following proposals:

- simultaneous accession to the NPT by India and Pakistan;
- simultaneous acceptance by both countries of full-scope safeguards;
- mutual inspection of each other's nuclear facilities;
- a joint declaration renouncing the acquisition or development of nuclear weapons;
- establishment of a South Asia nuclear weapons-free zone.

Zia invited the Government of India to respond with proposals of its own if it found Pakistan's unacceptable, and stated that Pakistan was prepared to enter into any agreement or arrangement with India on the basis of sovereignty and reciprocity to keep the Subcontinent free of nuclear weapons. Pakistani officials have subsequently reiterated these proposals on various occasions and introduced a number of variations on the same theme. At the U.N. General Assembly in the fall of 1987, for example, Prime Minister Junejo proposed a regional nuclear test ban regime. India has regarded all these proposals as essentially insincere and as being advanced by Pakistan only in the expectation that India can be relied on to reject them.

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We welcomed the stated intention of both countries, announced on the occasion of President Zia's meeting with Prime Minister Gandhi in New Delhi in December 1985, to enter into an agreement not to attack each other's nuclear facilities. Unfortunately, this agreement remains unformalized. We are encouraging both countries to move ahead with significant steps toward a resolution of the nuclear issue on a regional basis, and in particular we have urged India to respond positively to Zia's proposals or to advance proposals of its own. During his October 1987 visit to the U.S. Gandhi suggested a "three-tiered" approach to nuclear arms control, in which actions by the U.S. and USSR, the other nuclear weapon states, and the "near-nuclear" states (including India and Pakistan) might be linked in some undefined way. We have encouraged Gandhi to provide further elaboration.

The United States security relationship with Pakistan and assistance program for it are critically important means of dissuading Pakistan from building and testing a nuclear device. - The program is designed to help Pakistan address its legitimate security needs, thereby reducing Pakistan's incentives to acquire nuclear explosives. We believe that Pakistan will be restrained from possessing a nuclear explosive device as long as it believes that such possession would result in termination of U.S. security assistance. A further restraining factor is Pakistan's awareness that possession or testing of a nuclear explosive device would almost certainly provoke an Indian response in kind. We expect, therefore, that Pakistan will continue to opt for ambiguity in its nuclear capabilities as best calculated to deal with U.S. and Indian concerns.

We are continuing to monitor Pakistan's nuclear program very closely. The Executive Branch will continue to bring any development of significance in this area to the attention of the leadership of relevant Congressional Committees, as required by section 602 (c) of the Nuclear Non-Proliferation Act of 1978.

NATIONAL SECURITY COUNCIL

EXECUTIVE SECRET STAFFING DOCUMENT

TIME STAMP

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RECEIVED

SYSTEM LOG NUMBER:

90207

ACTION OFFICER:

88 MAR 3 22 48
TAHIR-KHELI

DUE:

9:00 AM 7 MAR

☐ Prepare Memo For President☐ Prepare Memo Stevens to Peterson / Murr☒ Prepare Memo For Powell/Negroponte☐ 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
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☐ ☐ Grimes
☐ ☐ Heiser

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☐ ☐ Henhoeffer
☐ ☐ 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
☐ ☐ Tahir-Kheli
☐ ☐ Tarbell
☐ ☐ Tice
☐ ☐ Tillman
☐ ☐ Tobey
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INFORMATION

☒ Stevens
☐ Powell (advance)

☒ ~~PERLIP~~
☐ Negroponte (advance)

☒ Secretariat
☐ _____

COMMENTS

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CLASSIFIED ENCLOSURE(S)

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CDM

Return to Secretariat

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

SYSTEM II
90743

October 28, 1986

~~SECRET~~

ACTION

MEMORANDUM FOR JOHN M. POINDEXTER

FROM: WILLIAM J. BURNS ^{WB}

SUBJECT: Annual Report to Congress on Pakistani
Nuclear Program

Section 735 of the International Security and Development Cooperation Act of 1981 requires the President to submit annually a classified report to Congress describing the Pakistani nuclear program. Attached at Tab B is the fully-cleared report prepared by the Department of State.

Because of the sensitivity of its contents, State and CIA strongly recommend that the report be transmitted only to the Intelligence Committees of the House and Senate.

^{OK} Dennis Ross, ^{AP/6} Steve Danzansky, ^{WJ/B} Howard Teicher, ^{WJ/B} Jim Stark, Ron Sable, and ^{S/S} Steve Sestanovich concur.

RECOMMENDATION

That you forward the attached memorandum to the President recommending that he submit this report to the Senate and House Intelligence Committees.

Approve (A) Disapprove _____

Attachments

Tab I Poindexter/President
Tab A Draft Presidential letters for
Transmittal to the Chairmen of
Senate and House Intelligence Committees
Tab B Report to Congress on Pakistan's
Nuclear Program
Tab II Platt/Poindexter, October 25, 1986

~~SECRET~~

Declassify on: OADR

DECLASSIFIED
NLS F96-12811 #223
BY dlb NARA, DATE 6/15/00

THE WHITE HOUSE
WASHINGTON

SYSTEM II
90743

The President has seen 11/6/86

~~SECRET~~

November 6, 1986

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: JOHN M. POINDEXTER *JP*
SUBJECT: Annual Report to Congress on Pakistan's Nuclear Program

Issue

Transmittal of annual report to Congress on Pakistani nuclear program.

Facts

You certified on October 27 that Pakistan does not possess a nuclear explosive device and that our aid program significantly reduces the risk that Pakistan will require such a device. Section 735 of the International Security and Development Cooperation Act of 1981 also requires you to submit annually a classified report to Congress describing the Pakistani nuclear program. Attached at Tab B is the fully-cleared report prepared by the Department of State.

Recommendation

OK

No

RR

That you approve transmittal of report (Tab B) and sign letters to Chairmen of Senate and House Intelligence Committees (Tab A).

Attachments

Tab A Draft Presidential letters of transmittal to the Chairmen of Senate and House Intelligence Committees
Tab B Report to Congress on Pakistan's Nuclear Program

~~SECRET~~

Declassify on: OADR

cc: Vice President

DECLASSIFIED

NLS

F96-12811 #224

BY *clh*

NARA, DATE

6/15/00

Previous reports submitted to Congress pursuant to section 735 of the International Security and Development Cooperation Act of 1981 have discussed in detail the efforts of the International Atomic Energy Agency to improve the effectiveness of the safeguards containment and surveillance system at the Karachi Nuclear Power Plant. FOIA(b) (1)

[illegible]

The President certified in October 1986 that Pakistan does not possess a nuclear explosive device. The Government of Pakistan has stated that it will not acquire such a device. FOIA(b)(1)

[illegible]

The Executive Branch has made it clear to the highest levels of the Government of Pakistan that continuance of U.S. security and economic assistance to Pakistan presumes Pakistan's restraint in its nuclear program. President Zia and other senior Pakistani officials have assured the United States and stated publicly that Pakistan's nuclear program is entirely peaceful in intent. [REDACTED]

FOIA(b) (7)

- simultaneous accession to the NPT by India and Pakistan;
- simultaneous acceptance by both countries of full-scope safeguards;
- mutual inspection of each other's nuclear facilities;
- a joint declaration renouncing the acquisition or development of nuclear weapons;
- establishment of a South Asia nuclear weapons-free zone.

Zia has invited the Government of India to respond with proposals of its own if it finds Pakistan's unacceptable, and has stated that Pakistan is prepared to enter into any agreement or arrangement with India on the basis of sovereignty and reciprocity to keep the subcontinent free of nuclear weapons.

Against the background of this publicly stated Government of Pakistan position and quiet U.S. encouragement, both Pakistan and India took some initial steps during 1985 toward reducing nuclear tensions on the subcontinent. We welcomed the stated intention of both countries, announced on the occasion of President Zia's meeting with Prime Minister Gandhi in New Delhi in December 1985, to enter into a formal agreement not to attack each other's nuclear facilities. We are encouraging both countries to move ahead with more significant steps toward a resolution of the nuclear issue on a regional basis, [REDACTED]

FOIA(b) (1)

[REDACTED]

We are continuing to monitor Pakistan's nuclear program very closely. The Executive Branch will continue to bring any development of significance in this area to the attention of the leadership of relevant Congressional Committees, as required by section 602 (c) of the Nuclear Non-Proliferation Act of 1978.

FOIA(b) (1)

THE WHITE HOUSE
WASHINGTON

Chen
90743

November 6, 1986

UNCLASSIFIED
WITH ~~SECRET~~ ATTACHMENT

Dear Mr. Chairman:

I hereby submit the classified report on Pakistan's nuclear program as required by Section 735 of the International Security and Development Cooperation Act of 1981. Due to the very sensitive nature of its contents, we are providing the report only to the Intelligence Committees.

Sincerely,

Ronald Reagan

The Honorable Dave Durenberger
Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

UNCLASSIFIED
WITH ~~SECRET~~ ATTACHMENT

MDP 6/15/98

THE WHITE HOUSE

WASHINGTON

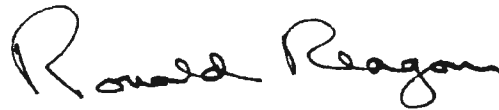
November 6, 1986

UNCLASSIFIED
WITH ~~SECRET~~ ATTACHMENT

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I hereby submit the classified report on Pakistan's nuclear program as required by Section 735 of the International Security and Development Cooperation Act of 1981. Due to the very sensitive nature of its contents, we are providing the report only to the Intelligence Committees.

Sincerely,



The Honorable Lee H. Hamilton
Chairman
Permanent Select Committee on Intelligence
House of Representatives
Washington, D.C. 20515

UNCLASSIFIED
WITH ~~SECRET~~ ATTACHMENT

MJD
6/15/98



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United States Department of State

Washington, D.C. 20520

October 25, 1986

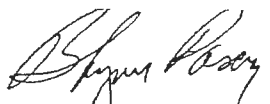
MEMORANDUM FOR VADM JOHN M. POINDEXTER
WHITE HOUSE

SUBJECT: Draft Report by the President to the Congress on
Pakistan's Nuclear Program

Section 735 of the International Security and Development Cooperation Act of 1981 requires the President to submit annually a classified report to Congress describing the nuclear program and related activities of any country for which a waiver of sections 669 or 670 of the Foreign Assistance Act is in effect. The only country for which a waiver of section 669 or 670 of the Foreign Assistance Act is in effect is Pakistan.

The Department has prepared the attached proposed report to fulfill the statutory requirement. It has been fully cleared by all interested agencies. The Department earlier recommended to the President that he certify to the Congress pursuant to section 620 E(e) of the Foreign Assistance Act that Pakistan does not possess a nuclear explosive device and that the proposed U.S. assistance program for Pakistan will reduce significantly the risk that Pakistan will possess a nuclear explosive device. The attached proposed report reflects inter alia the language of the section 620 E(e) certification. If the President decides to make this certification, we recommend that the attached report pursuant to section 735 of the International Security and Development Cooperation Act also be transmitted to the Congress as soon as possible thereafter.

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Nicholas Platt
Executive Secretary

FOIA(b) (1)

Attachment:
As stated.

~~SECRET~~

DECL: OADR

DECLASSIFIED IN PART
NLS E96-128/1 #226
By SN, NARA, Date 3/2/06

