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The Honorable Ronald Reagan President of the United States 1600 Pennsylvania Avenue Washington, D.C. 20500

Dear Mr. President:

We welcome you home and congratulate you on your successful trip to Europe. As Americans, we are proud to have witnessed the respect and esteem in which you and our nation are held.

We are also proud of the stand you and your Administration took during the Lebanon crisis. It was clear that your Administration, unbending to foreign pressure and true to your commitment to combat terrorism, permitted Israel to effectively carry out its operations. As a result, a major source of international terrorism has been dealt a severe blow, and American interests have been enhanced.

All American friends of Israel express deep appreciation for your support of our ally, Israel.

With the radical forces of Syria and the PLO in retreat, with the Soviet Union dealt a double blow, the United States can capitalize on the situation to further the cause of peace in the Middle East. Our country can help restore sovereign government to Lebanon, bring about the withdrawal of all foreign troops, and encourage Jordan and Saudi Arabia to join the peace process.

To these ends, we pledge our support.

Sincerely,

Morton Silberman

President

Thomas A. Dine

Executive Director

THE COMMITTEE CONDUCTS PUBLIC ACTION TO MAINTAIN AND STRENGTHEN THE FRIENDSHIP BETWEEN THE UNITED STATES AND ISRAEL.

AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE 444 NORTH CAPITOL STREET, N.W. • SUITE 412 • WASHINGTON, D.C. 20001 • (202) 638-2256

37 -11. Bule Thomas A. Dine Executive Director

August 13, 1982

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The Honorable Ronald Reagan President of the United States 1600 Pennsylvania Avenue, N.W. Washington, D.C. 20500

Dear Mr. President:

I would like to express my admiration and respect for your remarks on the situation in Lebanon at your press conference today. Truly the cause of this tragic war and the legitimate goals of the Israeli operation have been forgotten by many in the flood of attention to the fighting itself. You, on the other hand, have kept clearly in mind the larger strategic and international perspective within which these events must be understood. As an American, and as a citizen concerned with maintaining and strengthening relations between our country and Israel, I applaud your clarity of mind and purpose as we approach a resolution to this crisis.

With warmest regards.

Sincerely,

Thomas A. Dine

TAD: af

Dear Mr. Dine:

Thank you for your letter to President Reagan supporting the President's position concerning the situation in Lebanon. Your advice and support during the past several weeks have been greatly appreciated by the President.

As you know, the Administration is committed to a secure Israel and is working diligently to achieve peace in the Middle East. More-over, the President is convinced peace and reconciliation can also be achieved in Lebanon.

Once again, thank you for taking the time to share your thoughts with the Administration.

Sincerely,

Michael R. Gale Deputy Special Assistant to the President

Mr. Thomas A. Dine
Executive Director
American Israel Public
Affairs Committee
Suite 412
444 North Capitol Street, N.W.
Washington, D.C. 20001

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THE WHITE HOUSE

WASHINGTON March 15, 1984

MEMORANDUM TO FAITH WHITTLESEY

FROM: Marshall Breger Mo

The American Israel Public Affairs Committee has requested that a high Administration official host a cocktail party for their "Capital Club" (read "heavy hitter") members on Sunday, April 8, or Tuesday, April 10 in conjunction with their 25th annual policy conference.

Vice President and Mrs. Bush hosted a buffet dinner and reception at the Vice President's residence for AIPAC last year. The event was attended by approximately seventy-five people and was paid for by AIPAC.

As we discussed, this social event might provide an opportunity for Jim Baker to develop ties with the AIPAC leadership that would be of benefit to this Administration. In my view, the details of any participation could be worked out in a manner amenable to Mr. Baker should he be interested and available. I would be grateful if you could let me know if Mr. Baker were interested in principle.

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THE WHITE HOUSE WASHINGTON

April 6, 1984

I am delighted to extend my very warmest wishes to members and guests of the American-Israel Public Affairs Committee as you meet in your Annual Policy Conference.

As you undertake your deliberations, you should take satisfaction from AIPAC's justly earned reputation as a staunch advocate of strong American-Israeli relations. Your efforts to enhance those ties are an outstanding example of the freedom our society offers to all citizens to participate in the foreign policy process, and they are welcomed by those who count ourselves as friends of Israel.

All of us can take satisfaction, as well, from the new plateau which the Israeli-American relationship has reached. It is correct to speak of a "plateau", rather than a "summit", because we have attained a new, high level upon which we continue to build, rather than a peak from which we will descend.

The ramifications of this are evident throughout the relationship. Over the past few months, the United States and Israel have established a Joint Political Military Group, which is focusing on the threat posed by increased Soviet involvement in the Middle East and is considering such measures as combined military planning, joint exercises, and requirements for the prepositioning of American equipment in Israel. We are also holding talks with the Israelis leading toward the establishment of a Free Trade Area. Moreover, we have changed the composition of our aid to Israel from a combination of grants and concessionary loans to one of grants alone.

The net result of all this is to demonstrate once again — as if there could be any doubt — the importance that the United States and I personally attach to the strongest possible relationship with Israel. This relationship is a cornerstone of our foreign policy and of the structure of a just and lasting peace which one day will be attained between Israel and all her neighbors.

Round Reagun

You have my best wishes. May your Conference be a most successful one.

POATPAC

"Hope and Foreboding: The Future of the U.S.-Israel Relationship"

by

Thomas A. Dine
Executive Director
American Israel Public Affairs Committee

to the

AIPAC Policy Conference Washington, D.C.

April 8, 1984

Thank you very much, Bob Asher.

And congratulations to you on your election as President of AIPAC. In your daily display of energy and effectiveness, not just from your base in Chicago but across the country as well, you are the leading exponent of pro-Israel political action. I know that AIPAC will continue to grow in quantity and quality during your presidency.

To you, to our newly elected Officers, Executive Committee and National Council members, I pledge "better-than-ever efforts" on behalf of our common cause -- enhancing and expanding the breadth and depth of the United States-Israel relationship.

Two recent deaths have touched all of us.

Yesterday's passing of Senator Frank Church is a great loss. I worked five years as his legislative assistant for foreign affairs. A conservative at heart, Frank behaved like a liberal. A Senator from an insular state, he performed as a national legislator on war-peace issues, on ecology, on civil liberties. The contradictions in his political career embodied the consensus for Israel that exists today in this country. Almost all dimensions and elements of our citizenry support Israel's security and well-being.

Frank's love was foreign policy. He was not, however, a member of the elitist foreign policy establishment. Indeed, because of his egalitarian nature, because he combined the conservative-liberal philosophies, because he was an avid advocate of peace, he has been the only person since 1948 to

gorvo as Chairman of the Senate Fereign Relations Committee to champion close U.S.-Israel relations.

We still mourn the death of our former President, my personal friend and political confidente, Mort Silberman. No words can do justice to the meaning of his life. It is in the memory of his ideas and our future acts that we can do him justice. To his memory, I dedicate this speech.

We meet at a significant moment. It is spring in this beautiful city; it is springtime in the U.S.-Israel relationship. The atmosphere is upbeat. We have just experienced a year remarkably free from the kind of acrimony and recriminations which permeated the relationship up through May of 1983. We are achieving an extraordinary number of our legislative objectives, thanks to the 98th Congress -- the most pro-Israel legislature in memory. We are making breakthroughs in fundamental areas, like strategic cooperation and a free trade area, which will strengthen America's positive effects on Israel's security and economy for decades to come. Truly, these are hopeful days.

And yet, there is still in our community a pervasive sense of foreboding. I felt it as I took my morning run along the Potomac River and the tidal basin, surrounded by the bright color of the exquisite cherry blossoms. I felt elated. But I found myself looking toward a dark cloud gathering on the horizon shead of me. In spite of all we are accomplishing, we all sense that trouble lies shead, and we may very well be right.

Some of this foreboding is not so much about the situation in Washington, but the one in the Middle East. After 36 years, and five terrible wars, Israel still is not safe.

Just seven days ago, terrorists unleashed bullets and hand grenades into Jerusalem's central business district. From Arab capitals, including Cairo, came praise for this latest dastardly deed. Arafat praised it the loudest.

As we meet, Syria is amassing the largest and most advanced arsenal ever assembled by an Arab confrontation state. Thousands of Soviet advisers are methodically preparing Syrian soldiers for war, teaching them how to use the most sophisticated arms and how to mount and exploit an effective surprise attack.

And beyond Syria, the other Arab states are bringing in a bewildering array of advanced weapons from the most modern production lines in the world. Not only the Soviet Union, but France, the United Kingdom, Germany, and yea, even the United States, are sending to Arab governments at an ever-accelerating rate the finest instruments of death that the human mind can devise for use against Israel and very possibly use against the United States. All this effort and expense, and all these products of human invention, are going into finding ways to spill the blood of Jewish youth, to satisfy the anger and hatred of the Araba in their relentless war against Israel. It is a very

sobering thought that another war could lie just ahead. This time, as the Iraqis are showing in the Gulf war, mustard gas and nerve gas could be used!

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This accelerating arms race in which the Arabs are engaged, creates at the same time a second problem. The Saudis and other financiers can pay for the arms race merely by pumping a few more barrels from a well, enjoying all the while gains in their standard of living that they could not have imagined short years ago. We and other international consumers pay an invisible tax for these arms every time we go to a gasoline station to "fill it up!"

But Israel must pay from the sweat of its brow, running ever faster on the arms race treadmill just to stand still. and I hardly need to remind you all that this is exacting a terrible price, imposing staggering burdens on the economy of the Jewish state. While Japan spends 1% of its GNP on defense, and our own country spends 7%, Israel must devote over 35% of its total production to pay the expense of meeting the Arab threat. Israel, with barely four million citizens, faces a combined Arab army with more tanks and aircraft as all the nations of NATO have on the vast central front in Europe.

Another consequence of the arms race for Israel is runaway inflation. Of course we should not be aurprised by this, because inflation is often the handmaiden of wars, as a nation feeds its people and pays for its arms at the same time. Israel, we must remember, has been subjected to an economic war for almost four decades, and the inflation we see is not merely a recent acceleration -- it is the accumulated result. Europe after the First World War and America after the Vietnam War experienced the spiral of inflation. Only in the last three years has America's inflation at last been brought under control. Israel still awaits a post-war era.

Nor is the arms race the only weapon in the Arab war against the Israeli economy. Another weapon is the boycott, denying to Israel many markets in countries that would otherwise be its natural trading partners.

It is important to consider that, for Israel, imports and exports are not just another economic activity, but the very lifeline of its economic existence. Israel is a nation almost barren of natural resources, dependent upon trade to survive. Like Japan, Israel's real product is the hard work and entrepreneurship of its people, who process imported raw materials and export the finished goods. The fact that half the world refuses to buy from Israel has real effects, and it plays no small role in Israel's trade deficit in which Israel is unable to export as much as it must import. The people of Israel are productive. Did you know, for example, that Israelis export more per capita than the Japanese? But the triple whammy -- the arms race, the inflation, and the boycott -- creates a situation in which the support they receive from Disapora communities and from

the United States Government is essential to enable them to belance the books at all.

And on top of all this, Israel has to cope with the reversal in the peace process that has occurred over the last year. Eleven months ago, Lebanon signed the May 17 agreement with Israel and became the second Arab country to end its conflict with the Jewish state. That non-belligerency accord has now been destroyed by the terrorism and thuggery of the Arab rejectionists. Syria called the Israel-Lebanon agreement "Camp David II." Now it is taking aim at Camp David I.

Far from resisting this assault on peace by the Arab rejectionists, Egypt is bending under the pressure. President Mubarak has plunged the treaty with Israel into a deep freeze. Normalization between Egypt and Israel has been robbed of all meaning. And to add insult to injury, Yasir Arafat is welcomed in Cairo.

Everywhere we look in Israel's neighborhood, the Arab radicals and Islamic fundamentalists are on the march. The so-called Arab "moderates" are quaking in their boots. The extremists are full of passionate conviction. And those Arabs who might otherwise contemplate peace are lacking all resolve.

And even more disturbing for Israel, in this stormy environment, is the specter of isolationism that appears to be growing in this country. Our failure to stand up to terrorist attacks on the Marines, our failure to support a pro-Western government in Beirut, our failure to resist Soviet-backed aggression in Lebanon — all this is a triumph for the isolationists. And in an election year, neither the incumbent, nor his Democratic rivals are prepared to challenge the dovecoat instincts of Cap Weinberger and the Pentagon.

We Jews know only too well the price of isolationism, because it has been extracted in the blood of our people. But now Israel must face up to the consequences of a neo-isolationism that has already extracted its price in terms of the undermining of American credibility and resolve in the Middle East. This perception of American weakness is bad for the U.S., and bad for Israel.

So, to return to my opening point, perhaps our sense of foreboding has as much to do with the climate in Washington as with the problems facing Israel in the Middle East, which are vivid and very real.

Yet, as Americans, there is a limit to our direct impact on the Middle East. On the other hand, there is a good deal that we can do about the aituation here in Washington. In this election year, in particular, we can effect the direction of U.S.-Israel relations. And the strength of that relationship can do much to help Israel forge through the stormy sees shead.

As we citizens take stock of U.S. policy, there is, as I said at the start, much in which we can find hope and satisfaction.

Let me begin with the economy. While the United States cannot solve all of Israel's economic problems, tangible actions are being taken which will have positive results.

First, the United States Congress is extending to Israel, thanks in no small part to your efforts, one of the most impressive packages of economic aid and security assistance ever achieved.

Doug Bloomfield, AIPAC's legislative director, will review this in some detail on Tuesday morning. But I would like to call to your attention one development of particular significance. In Fiscal Year 1985, for the first time ever, all aid will be provided to Israel on a grant basis, under which no portion will have to be repaid to the United States in the future. This follows a recommendation of the Carlucci Commission on Foreign Economic and Security Assistance, on which I was privileged to serve this past year. And it results from the far-sighted decision of President Reagan to try to help Israel and other aid recipients suffering under the burden of staggering debt, to regain some control over their futures. This bold move does not wipe out Israel's past debt, on which it will pay the U.S. over a billion dollars in debt service this year alone. But at least this move puts a cap on the future growth of that debt. And it gives some hope of getting the balance of payments under control in the future. It is a very fundamental development: it will have helpful effects for many years to come.

A second notable economic policy change, which has still not been achieved, but on which we are making progress, is the establishment of a U.S.-Israel Free Trade Area. This, too, is supported by President Reagan. It will be an arrangement under which almost all Israeli goods could be exported to the United States without being subject to tariffs, and almost all American goods would go to Israel on the same besis. It will be a truly mutual arrangement -- for the benefit of both nations.

Peggy Blair, our new trade specialist, and Ester Kurz, our deputy legislative director, will tell you more about the Free Trade Area tomorrow. But let me point out here this is an economic measure of Olympian proportions. This arrangement will have a tremendous effect in compensating for the fact that Israel is boycotted from many of the world's markets. It will mean that Israel, which already enjoys associate membership in the European Common Market, will have a special economic alliance with the two largest free markets in the world — that of Western Europe and that of the United States. It is a major legislative issue, and we need your help to get it on track.

Before I leave the good news on the economic policy front, let me mention two more areas of achievement. We are working on

further aid for the Lavi aircraft program, as we did last year, and with your help. I think we can succeed. The Lavi is not just another jet aircraft. It is the backbone of Israel's defense and industrial future, and will be a critical stimulus to Israel's future high technology position. The Lavi is important, and Congress has fully endorsed it.

Equally, we are encouraged by progress in opening up the rules to allow Israeli firms to compete for U.S. government procurement contracts. Here, we ask nothing more than a chance for Israel to compete as America's other allies do, to help complement our defense strength and reduce U.S. defense costs. It would increase the value of Israel's exports and help support its defense industries. It is a sensible idea, and would serve the American national interest.

Turning from economic issues to questions of defense, the most important thing to report is that we are finally making real progress in building a relationship of strategic cooperation between the United States and Israel. When we began to advance this issue two years ago, through our monographs and in many less ways, such as lobbying key officials of this Administration, people told us we were whistling in the cemetery, that it would never happen, that opposition was just too strong. Well, as Steve Rosen and Martin Indyk, AIPAC's director and deputy director of Research and Information, will tell you tomorrow morning, the President has embraced the idea, and it is, in fact, moving along pretty well. The opposition is alive and kicking and the battle is not over, but there is already something of a breakthrough in the first step towards building a true military alliance between the United States and its most reliable and effective ally in the Middle East. This, too, is an historic development for which President Reagan deserves credit. It will have positive effects that will be evident for many years to come.

Also in the defense sphere, Congress has succeeded in convincing the President to withdraw his proposal to sell advanced Stinger missiles to Jordan and Saudi Arabia. This does not rule out the possibility that the issue will come up again next year, nor does it go nearly as far as we would like in slowing the flow of Western arms to the Arabs still at war with Israel. But it upholds the principle and postpones the day when Arab states which refuse to make peace with Israel can routinely expect to receive qualitatively superior weapons.

I could go on with these positive developments, but I think the point is clear. It is springtime in the bilateral relationship, and many of the gains that are being made are on issues with long-term policy consequences which could fundamentally transform the U.S.-Israel relationship. With your continued involvement -- and believe me, it is the real reason we are as strong as we are -- I am confident we will continue to make progress on the issues I have identified and others too numerous to mention tonight.

Why, then, as I stated at the outset, do so many of us have a sense of foreboding not only about the situation in the Middle East, but also about the situation in Washington?

We have an intuition that stormy troubles lie just ahead, perhaps as soon as the election is over, no matter who is the winner.

I do not think our unease directly relates to the issues I just discussed, most of which appear to be on course unless swamped by something larger.

Rather, it has to do with the expectation, reported widely in the media, that what is called the "peace process" will resume after the election. This process is expected to focus on King Hussein and resurrect the now dormant package of issues witnessed last year. Whether the next President is Reagan, Mondale or Hart, people have this image of the "peace process" and they expect it to begin again sometime after November 1984. Now this is a peculiar situation. How is it that the pro-Israel coalition, especially the Jewish community, feels such a sense of anxiety at the very mention of resuming this "peace process?"

American Jews are second to nobody -- I mean nobody -- in their desire for peace. Over time we have been the dreamers, the cosmopolitans, the true internationalists. The prophetic words of Micah's fig trees and Isaiah's swords into plowshares concerning peace are our contemporary standard. To all Jews, to achieve real peace in the Middle East would mean that at last Israel would be safe, that the arms race could end, and that the Jewish state could live normally among the nations. Peace is all that Israel asks. And peace, more than anything, is the dream of the pro-Israel community in America.

Yet we have been subjected to so much recent abuse in the name of something purporting to be the "peace process." We thus immediately feel a sense of foreboding when told that this process will begin again in a few months.

How, then, has the noble idea of peace been so corrupted by mistaken practice to produce such a negative reaction in us?

The answer, I submit, is that in the past few years, the real and noble process of making peace that began at Camp David has been put aside, and the term "peace process" has been expropriated as a code word for a different policy that actually consists of tilting toward the Arabs and deliberately provoking tensions with Israel.

In reality this is a conflict process.

I know that I am making a very serious accusation, and to substantiate it, I would like to draw some contrasts between what actually happened at Camp David, and what many of the foreign

policy establishment of officials, experts, and columnists expect the so-called peace process to look like next year.

The Camp David process began when Anwar Sadat announced, at his own initiative, a willingness to sit down with Israel and negotiate problems and differences peaceably. But if we have a so-called peace process next year, it is not expected to begin with King Hussein agreeing to anything. Rather, it would begin with another round of wishful thinking about Hussein by advisers and experts who predictably will assert that if only the United States offers him enough promises and weapons and pledges of pressure against Israel then maybe he will consent to consider a negotiation. This, only after his preconditions are met. So, what is now called the peace process will not begin with the two sides actually sitting down at all. Instead, we will know the process is underway when more arms are proposed for Jordan, or the Administration starts squeezing Israel on settlements, or the United States begins promising the Araba that they will get their demands in negotiations that have not even begun.

The second stage of next year's so-called peace process will, in this model, occur when the Arabists in Washington look beyond Hussein to the PLO, which they believe has a veto over what Hussein does or does not do and whose permission is therefore required. This step had no counterpart at Camp David, for the simple reason that Sadat knew he could make peace with Israel only by acting on his own -- that a veto given to the radicals would otherwise prevent him from acting.

But in our hypothetical scenario, Arafat would be considered the key, so step two of the "peace process" would be to have more secret U.S. negotiations with the PLO, in violation of our Sinai II commitments to Israel. The purpose would be to hint to Arafat that, if he plays along, he would get some kind of entity in the West Bank. And, since he says he would not even consider it without Jerusalem, we would likely see a promise to him that the Holy City will be negotiable.

Beyond promises to Arafat and Hussein, next year's peace process might very possibly also include some gestures toward Syria and Moscow to gain their permission to let Arafat allow Hussein to negotiate. And when all this is in place the Saudis might then give their permission. This would be innocuously labeled the "comprehensive approach!"

Overall then, before this thing called a peace process ever got off the ground, we would have an entire list of U.S. actions profoundly hostile to Israel and to U.S.-Israel relations. Here is the foreboding acenario:

- -- One, the U.S. would again "distance" itself from Israel to prove to the Araba it could be "evenhanded."
- -- Two, the U.S. would tell the world it is ready to

pressure Israel, implying a threat to the lifeline linking Israel to its one real supporter in the world.

- -- Three, the U.S. could take some steps to cozy up with the PLO -- a point most advocates of this so-called "peace process" consider particularly essential.
- -- Four, before the negotiations even began, the U.S. could promise the Arabs an outcome close to their terms and not Israel's.
- -- Five, the U.S. could give some more arms to the Arabs to sweeten them up for the peace process shead and prove to them that the President can ignore the pro-Israel feelings of Congress and the American people.
- -- And six, in all likelihood, even the Syrians and the Soviets might be offered a piece of the action, as the Carter Administration did, to get them to allow the game to be played. Look for headlines that say: "U.S. to play Syrian card!"

When you lay it all out explicitly this way, in a list, the contrast with a true peace process like the one we saw at Camp David is quite clear. And it is equally clear why the very idea of resuming this corrupted version of the peace process is repugnant to people in our coalition, to those who care about the words of Micah and Isaiah, about real peace, and about a healthy relationship between our country and the one democracy in the Middle East.

One foreboding, then, is the product not only of Israel's worsening circumstances, but also of the gathering dark clouds of both isolationism and Arabism in Washington. In the intimacy of our hearts, we fear that the fertility of all our works, exemplified by the flowering cherry blossoms of the burgeoning U.S.-Israel relationship we see before us, will give way once again to destructive tensions and mutual recriminations. It would not be the first time the cherry blossoms have blackened and fallen overnight in a late frost.

Now, perhaps Ronald Reagan, who I firmly believe is a true friend of Iarael, has finally seen through this destructive formula that Caspar Weinberger and the Arabists in the bureaucracy repeatedly urge upon him in the name of peace. Maybe Walter Mondale or Gary Hart, should either make it to the Oval Office, will appoint a different set of advisers to nip the whole thing in the bud before it grows into a giant weed again. Very possible our fears are exaggerated, considering the authentic pro-Iarael beliefs of all three candidates, and our current Secretary of State.

But what is so troubling is that the seeds of this perverted notion of a peace process can be found throughout the Washington establishment -- among liberals as well as conservatives,

Republicans as well as Democrats. It is written about at the think tanks, broadcast by the press. The approach this represents will be urged upon the next President by many visiting Europeans and Africans, and certainly by the 21 Arab embassies and their State Department desks, as well as by some academics and church leaders. It is the view of the elite and, as it is the most frequently cited view, a busy President could mistake it as a consensus. Some of these advisers who were so involved in last year's episode apparently cannot wait to resume U.S.-Israel tensions behind this facade of a peace process.

Yet, I admit, now that I have brought out into the open what I think are the underlying reasons for our apprehension, a strategy is obvious. It is to look to ourselves, and to use the current period of spring and sunshine to prepare for the possibility of turbulent days to come. We have real strengths, and need not let the storm wash over us without resistance. We have three candidates who rank among the staunchest friends of Israel ever to run for the office of President. At the same time, we have Senatorial and House candidates seeking election and reelection who rank the highest levels of friendship -- and two of them are here with us tonight. We have the support of the majority of the American people. As a result, we have the most pro-Israel Congress on record, and all signs point to further strengthening in November. And, lest we forget, we have an AIPAC which has grown fivefold in membership and morefold in effectiveness in the past few years.

Above all, we have a mobilized pro-Israel community involved in 435 Congressional Districts, more astute and more active than at any time in its history. This, as Arthur Chotin, AIPAC's deputy executive director, emphasized this afternoon and Jackie Abelman, our director of Community Issues, will say more about tomorrow, is the basic means through which the broad support for Israel throughout the United States gets translated into effective political action and policy. So the real solution to our forebodings is not to sit back and wonder what hand fate will deal us, but to intervene and act now; to set the course in history that we want to see. This, above all, is the difference between we who fill this room and others who only watch and wait.

What is to be done?

In essence, we have to use the resources at our command to transform the relationship between the United States and Israel, to make structural changes, to sink down roots that will ensure that the tree of U.S.-Israel relations can withstand any storm generated either in Washington or in the Middle East. We have to work now to ensure that we never again face the crisis that beset U.S.-Israel relations in the cold period of 1982-83.

First, we have to finish building the military and economic alliance between the United States and Israel. As I have already pointed out, this process is under way. Strategic cooperation, all grant aid, and the Free Trade Area -- when they are finally

nailed down -- will indeed transform the relationship. Israel will then come to be seen, not as a supplicant for American handouts, but as a full-fledged alliance partner, helping to promote and defend American interests in this vital but volatile region.

Second, we have to ensure that whoever is in office in January 1985 will return to the real peace process -- the Camp David process -- and will not instead pursue a process predicated on pressuring Israel. This means, above all, persuading policymakers in Weahington that a strong and secure relationship with Israel is the very foundation for any progress in solving the Arab-Israeli conflict. Why? Because it robs the Araba of a viable war option and provides an embattled Israel with the assurances it needs.

Pursuing the Camp David process means insisting that U.S. policy not be based on wishful thinking about Arab intentions, but rather on a clear understanding that it is the Arabs who must first show a willingness to make peace before the United States and Israel can be expected to respond. It means jettisoning once and for all the idea that the PLO could ever be a suitable partner for peace negotiations because its fundamental and unalterable objective is to destroy Israel. In this regard, the 1973 U.S. commitment not to recognize or negotiate with the PLO must be reaffirmed not because we are against talking, but rather because talking with the PLO has manifestly failed to change its attitude toward Israel. It has instead helped legitimize the PLO, eroded Iarael's faith in America's commitments, undermined King Hussein's ability to replace the PLO as a apokesman for the Palestinians who comprise 60% of the King's subjects.

Pursuing a real peace process also means reasserting the principle that Arab states still in a state of confrontation with Israel should not be the recipients of American arms until and unless they agree to make peace with Israel. Arms must come to be viewed by the Arabs as a reward, not an inducement.

And it also means recognizing that some things are not negotiable. Israel's existence is certainly not negotiable, but we must also bring the world to understand that Jerusalem -- as the capital of Israel -- is also not negotiable, let alone handed over to Yasir Arafat to be his capital. That is why this organization and other American Jewish organizations are working diligently to push for legislation that clearly states to all that at least our first branch of government recognizes Jerusalem as Israel's capital and believes that the U.S. Embassy should be relocated there. As of tonight 221 U.S. Representatives and 40 U.S. Senators publicly agree with us.

Third, we have to defeat the campaign to discredit Israel on the campuses, in the press, and in the elite think tanks and foreign policy houses. We are already fighting back on the campuses as you have heard from Jonathan Kessler this afternoon,

and as you can see in our new monograph, The AIPAC College Guide. This is Mort Silberman's legacy; this is my pledge to his memory and to you that we will successfully educate and train our successors.

And finally, we have to broaden the base of the politically active pro-Israel community. There are a lot of people out there — a majority of Americans, Protestants and Catholics of all stripes and hues — who sympathize with Israel, who recognize, as Frank Church did, that Israel embodies the very values that Americans hold so dear. We have to go back to our communities, become more involved, and mobilize if we are to complete the tasks we have undertaken.

We have come a long way. The state of AIPAC is very good. But we still have a long way to go before we relax. The history of our people has taught us that we can never afford to be complacent, that the good times must only serve as a preparatory period for the bad times to come. If we act now, we may yet succeed in avoiding those bad times. But if they come, with your help we will be ready.

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June 8, 1984

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Mr. Marshall Breger Special Assistant to the President Office of Public Liason Room 197 White House Washington, D.C. 20500

Dear Mr. Breger:

Thank you for accepting AIPAC's invitation to speak on Wednesday, July 18 at 5:30 p.m. in the Cannon House Office Building, Room 345. The Summer Seminar Series participants look forward to hearing your perspective on, "Pro-Arab Pressures on a Pro-Israel Administration".

Please send me a copy of your biography and any information that might be helpful in introducing you.

I look forward to seeing you on the 18th.

Sincerely,

Jonathan Kessler

Leadership Development Coordinator

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THE WHITE HOUSE

WASHINGTON

Dear Charlie:

All thanks to you for your help in increasing to VOA Soviet Jewish programming from 15 to 30 minutes a week. This is very important to the Jewish community. I hope that you get the credit you deserve on this one.

Let's talk soon.

Sincerely,

Marshall Breger Special Assistant to the President for Public Liaison

The Honorable Charles Z. Wick Director U.S. Information Agency 301 Fourth Street, S.W. Washington, D.C. 20547 Mel

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BIOGRAPHICAL SUMMARY FOR MARSHALL JORDAN BREGER

Marshall Jordan Breger, Special Assistant to the President for Public Liaison, serves as the liaison with the American-Jewish community and the academic community.

Prior to his appointment, Mr. Breger was associated with the New York Law School as an Associate Professor of Law, from which institution he is presently on leave. He was also a Visiting Fellow in Legal Policy at the Heritage Foundation.

Additionally, he was an Associate Professor of Law at the State University of New York at Buffalo Law School and the University of Texas Law School. From 1975 through 1978 he served as a member of the Board of Directors of the Legal Services Corporation on appointment of President Gerald Ford. In 1981 he served as Visiting Professor of Law at the Bar-Ilan University, Ramat-Gan, Israel.

Mr. Breger graduated from the University of Pennsylvania (B.A., M.A., 1967; J.D., 1973) and received a B. Phil, (Oxon.) degree in 1970 from Oriel College, Oxford University.

Mr. Breger is married and resides in Washington, D. C. He was born August 14, 1946.

MARSHALL JORDAN BREGER

Curriculum Vitae

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PRESENT EMPLOYMENT

- Visiting Fellow in Legal Policy, The Heritage Foundation, Washington, D.C., 1982-date.
- Associate Professor of Law, New York Law School, 1983-date.

PROFESSIONAL ACTIVITIES

- Member-Board of Directors, Legal Services Corporation, Washington, D.C., 1975-1978; Vice Chairman, Board Committee on the Delivery of Legal Services.
- Member-Office of the Transition of President Ronald Reagan, Transition Team on Legal Services, November 1980-January 1981.
- Chairman-Board of Directors, Legal Services for the Elderly, Buffalo, New York, 1978-1982.
- Chairman-Foreign Affairs Committee, American Bar Association, Administrative Law Section, 1979-1981.
- Chairman-Committee on Legal Problems Inherent in Human Experimentation, American Bar Association, Secton on Science and Technology, 1977-1980.
- Member-American Bar Association, Special Committee on Public Interest Practice, 1976-1981.
- Member-New York State Bar Association, Committee on Professional Ethics, 1979-1981.
- Member-State Bar of Texas, Committee on Delivery of Legal Services to the Elderly, 1976.
- Mellon Fellow-Aspen Institute for Humanistic Studies, Aspen, Colorado, 1976-1977.
- Member-Research Group on "Death and Dying"; Institute on Ethics, Society and The Life Science; Hastings-on-Hudson, New York, 1974-1977.

COMMUNITY ACTIVITIES

- Vice-President, Western New York Friends of Chabad-Lubavitch, 1980-1983.
- Member-Board of Governors, Jewish Federation of Buffalo, 1980-1982.

EDUCATION

UNIVERSITY OF PENNSYLVANIA LAW SCHOOL

Degree: J.D., May 1973.

Honors: Magna Cum Laude

Order of the Coif Editor, Law Review

John H. Maurer Criminal Law Prize

American Jurisprudence Book Prize in Criminal Law

ORIEL COLLEGE, OXFORD UNIVERSITY

Degree: B. Phil (Oxon.) in Politics, July 1970.

(Oxford grants this as its terminal graduate teaching degree)
Thesis: The Political Theory of Technological Society, June 1970.

UNIVERSITY OF PENNSYLVANIA

Degrees: B.A. with honors in Philosophy, May 1967.

M.A. in American History, May 1967.

OTHER EMPLOYMENT EXPERIENCE

Associate Professor of Law, State University of New York at Buffalo Law School, Buffalo, New York; teaching interests: legal profession, law and medicine, administrative law, civil procedure, criminal law, international law. (1977-1982)

Visiting Associate Professor of Law, Bar-Ilan University, Ramat-Gan, Israel, January-June 1981.

Assistant Professor of Law, University of Texas Law School, 1974-1977.

- Law Clerk (1973-1974)-Honorable Marvin Frankel; United States District Judge for the Southern District of New York; United States Courthouse, Foley Square, New York.
- Summer Associate (May-July 1972)-Paul Weiss Rifkind Wharton & Garrison, 345 Park Avenue, New York, New York 10022.
- Instructor-College of Thematic Studies; University of Pennsylvania (Spring 1972). (Taught undergraduate course in Law and Medicine.)
- Lecturer in Politics (Summer 1972)-Drexel University, Philadelphia, Pennsylvania. (Taught undergraduate course in "American Government.")
- Tutor (part time) in politics (Fall-Winter 1969)-St. Hilda's College, Oxford University. (Tutored undergraduate students for the final P.P.E.--Politics, Philosophy, and Economics--examinations in the following subjects: Political Theory Since Hobbes, Concepts in Political Philosophy.)

- Lecturer (Fall-Winter 1968)-"The Negro in America." An adult education course, Workers Educational Association (WEA), Oxford, Great Britain.
- Intern (May-August 1964) Republican Senatorial Campaign Committee, Washington, D.C.; Clifton White Esq., Director.

PUBLICATIONS

Law Review Articles

- A Theoretical Approach to Court-Awarded Attorneys' Fees Law and Contemporary Problems (December 1983) (in press).
- The Justice Conundrum: A Review Essay, 28 Villanova Law Review 900 (1983).
- Disqualification for Conflicts of Interest and the Legal Aid Attorney, 62 Boston University Law Review 1115 (1982).
- Legal Aid for the Poor: A Conceptual Analysis, 60 North Carolina Law Review 281 (1982).
- Pursuing Justice: Some Tensions in the Quest, Review-Essay of Marvin Frankel, Partisan Justice, 34 Stanford Law Review 501 (1982).
- Legal Ethics in the Second Circuit, Second Circuit Symposium, 47 Brooklyn Law Review 961 (1981).
- Joseph Laufer: An Appreciation, 28 Buffalo Law Review 453 (1979).
- Note, Intervention by Public Interest Groups in Federal Trade Comission Proceedings, 120 University of Pennsylvania Law Review 702, 788 (1972).

Books and Book Chapters

- Halting Government Subsidy of Partisan Advocacy, Heritage Lecture No. 26 (1983).
- Randomized Social Experiments and the Law, in R. F. Boruch, J. S. Cecil & Jr. Ross, eds., Solutions to Ethical and Legal Problems in Social Research, 97-144 (Academic Press 1983).
- Notes for a Public Policy on Suicide and Euthanasia in the Context of Life-Extension Technology, in Robert Veatch ed., <u>Life-Span</u>: <u>Values</u> and Life-Extending Technologies, 348-273 (Harper & Row, 1979).
- Government Regulation of Scientific Research: An Introduction to an ABA Symposium, Jurimetrics (Fall 1979 special issue).
- Marshall Breger & Robert Barnhart, Interview with I. B. Singer, Irving Malin, ed., Critical Views of Isaac Bashevis Singer 27-44 (New York University Press, 1969).
- The Political Theory of Technological Society: A Conceptual Analysis (B. Phil. thesis on file, Bodlean Library Oxford, June 1970).

Miscellaneous Publications

- Response to Rabbi Seymour N. Siegel, Who Speaks for American Judaism? Completing Approaches to Social Issues (Ethics and Public Policy Center, 1983), pp. 18-22.
- Book Review of Burton Pines, <u>Back to Basics: The Traditional Movement That</u> Is Sweeping Grass-Roots America, Judaism, pp. 370-372 (Summer 1983).
- Who Ran the Show: Editors or Reporters? Congress Monthly, pp. 8-10 (Feb./ March 1983).
- Legal Services in the United States, <u>Legal Action Group Bulletin 82</u> (London, April 1978); reprinted at 124 <u>Cong. Rec.</u> 29549-51 (September 14, 1978).
- Experimenting with Human Beings, 4 <u>Civil Liberties Review</u> 90 (No. 4, November/December 1977).
- Book Review of Richard Arens, <u>Insanity Defense</u> 22 <u>Crime and Deliquency</u> 381 (1976).
- Legal Services Corporation: A Report to the Bar, 39 Texas Bar Journal 423 (1976); reprinted at 122 Cong. Rec. 13741-43 (May 12, 1976).
- Book Review of Kathryn Griffith, <u>Judge Learned Hand and the Role of the</u> Federal Judiciary, New York Law Journal, February 15, 1974 at 4.
- Plugging the Dike (An Analysis of the Hart Committee Report on Relations with Junior Members, Oxford University). Oxford Magazine, June 1969.
- Legal Aid in Texas, Texas Observer, December 16, 1978.
- Law in the Public Interest, Texas Observer, February 25, 1977.

Newspaper Articles

- Partisan Subsidies: Democracy Undone, Washington Times, December 6, 1983 at p. El.
- Q & A, The Growing Tendency to File Suit is Examined, (Interview) Washington Times, October 4, 1983 at p. 5C.
- The Myth About the Civil Rights Commission, Washington Post, August 7, 1983 at p. Al3.
- Reducing Lawyers' Fees, New York Times (May 27, 1983) at p. A23.
- Special Interests Win One, Washington Times (May 6, 1983) at p. C2.
- Patience, Not Cosmetics, Needed for Mideast Peace, <u>Washington Times</u>, (March 8, 1983) at p. C1.
- The Media and the Mideast, Washington Times (January 13, 1983) at p. C1.

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Human Rights in the Medical Lab, Newsday, January 19, 1978 at p. 39.

Works in Progress

Accountability to Clients and Interest Lawyering: The Interaction of Legal Ethics and Civil Procedure (manuscript).

Rule 68 of the Federal Rules of Civil Procedure: Problems and Prospects (commissioned by the Federal Judicial Center).

A Theory of Disqualification for Conflicts of Interest.

The Legal Tradition of Jewish Defense Agencies (manuscript).

December 1983

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IN THE SENATE OF THE UNITED STATES

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Mr. Biden introduced the following bill; which was read twice and house by referred to the Committee on

A BILL

To require specific congressional authorization for certain sales, exports, leases, and loans of defense articles, and for other purposes.

- 1 Be it enacted by the Senate and House of Representatives
- 2 of the United States of America in Congress assembled. That
- 3 this Act may be cited as the "Arms Export Reform Act of
- 4 1986 ...
- 5 Sec. 2. (a) Notwithstanding any other provision of law,
- 6 in the case of--
- 7 (1) any letter of offer to sell under the Arms Export
- 8 Control Act,
- 9 (2) any application by a person (other than with
- 10 regard to a sale under section 21 or 22 of the Arms
- 11 Export Control Act) for a license for the export of, or

S.L.C. 2

(3) any agreement involving the lease under chapter 6 1 of the Arms Export Control Act, or the loan under chapter 2 2 of part II of the Foreign Assistance Act of 1961, to 3 any foreign country or international organization for a period of one year or longer of, 5 any item described in subsection (d), before such letter of 6 offer or license is issued or before such agreement is 7 entered into or renewed, the President shall submit to the 8 Speaker of the House of Representatives and to the chairman 9 of the Committee on Foreign Relations of the Senate a 10 numbered certification containing--11 (A) in the case of a letter of offer to sell, the 12 information described in section 36(b)(1) of the Arms 13 Export Control Act and section 36(b)(2) of such Act, as 14 15 redesignated by section 3(a)(2) of this Act, (B) in the case of a license for export (other than 16 with regard to a sale under section 21 or 22 cf such 17 Act), the information described in section 36(c) of such 18 Act, as amended by section 3(b)(1).of this Act, and 19 (C) in the case of such an agreement, the information 20 21 described in section 62(a) of such Act unless section

without regard to the dollar amount of such sale, export, 23

62(b) of such Act applies,

24 lease, or loan.

22

(b) Notwithstanding any other provision of law and except 25

- 1 as provided in subsection (e)--
- 2 (1) no letter of ofter may be issued under the Arms
- 3 Export Control Act with respect to a proposed sale,
- 4 (2) no license may be issued under such Act with
- 5 respect to a proposed export, and
- 6 (3) no lease may be made under chapter 6 cf such Act
- 7 and no loan may be made under chapter 2 of part II cf the
- 8 Foreign Assistance Act of 1961,
- 9 of any item described in subsection (d) to a country or
- 10 international organization (other than a country or
- 11 international organization described in subsection (c))
- 12 unless the Congress enacts a joint resolution or other
- 13 provision of law authorizing such sale, export, lease, or
- 14 loan, as the case may be.
- 15 (c) Except as provided in subsection (e), no such letter
- 16 of offer or license may be issued and no such lease or loan
- 17 may be made with respect to a proposed sale, export, lease,
- 18 or loan, as the case may be, of any item described in
- 19 subsection (d) to the North Atlantic Treaty Organization
- 20 (NATO), any member country of such Organization, Japan,
- 21 Australia, New Zealand, or any country which is a party to
- 22 the Camp David Accords or an agreement based on such Accords,
- 23 (if, the Congress within fifteen calendar days after receiving
- 24 the appropriate certification enacts a joint resolution
- 25 prohibiting the proposed sale, export, lease, or loan, as the

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case may be.

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- 2 (d) The items referred to in subsections (b) and (c) are
- 3 those items of types and classes currently used or to be used
- 4 by the Armed Forces of the United States (other than the Army
- 5 National Guard or the Air National Guard or a Reserve
- 6 component of an Armed Force of the United States) or produced
- 7 solely for export, as follows:
- 8 (1) turbine-powered military aircraft; rockets;
- 9 missiles, anti-aircraft artillery and associated control,
- 10 target acquisition and electronic warfare equipment and
- 11 software;
- 12 (2) helicopters designed or equipped for combat
- 13 operations;
- 14 (3) main battle tanks and nuclear-capable artillery;
- 15 and
- 16 (4) submarines, aircraft carriers, battleships,
- 17 cruisers, frigates, destroyers, and auxiliary warships.
- (e) The requirements of subsections (b) and (c) shall not
- 19 apply if the President states in his certification that an
- 20 emergency exists which requires the proposed sale, export,
- 21 lease, or loan, as the case may be, in the vital national
- 22 security interests of the United States. If the President so
- 23 states, he shall set forth in the certification a detailed
- 24 justification for his determination, including a description
- 25 of the emergency circumstances which necessitate the

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immediate issuance of the letter of offer or license for

- 2 export or lease or loan and a discussion of the vital
- national security interests involved. 3
- 4 (f)(1) Except as otherwise provided in this paragraph and
- paragraph (3), any joint resolution under subsection (b) or 5
- (c) shall be considered in the Senate in accordance with the 6
- 7 provisions of section 601(b) of the International Security
- Assistance and Arms Export Control Act of 1976. For purposes 8
- of consideration of a joint resolution under subsection
- (c)(1), the motion to discharge provided for in section
- 11 601(b)(3)(A) of such Act may be made at the end of 5 calendar
- 12 days after the resolution is introduced. If a joint
- resolution under subsection (b) deals with more than one 13
- certification, the references in section 601(b)(3)(A) of such 14
- Act to a resolution with respect to the same certification 15
- 16 shall be deemed to be a reference to a joint resolution which
- relates to all of those certifications. 17
- (2) For the purpose of expediting the consideration and 18
- 19 adoption of joint resolutions under subsections (t) and (c),
- a motion to proceed in the House of Representatives to the 2Ø
- 21 consideration of any such resolution after it has been
- 22 reported by the committee on Foreign Affairs shall be highly
- 23 privileged.
- (3) If the text of a joint resolution under subsection 24
- 25 (b) contains more than one section, amendments which would

- 1 strike out one of those sections shall be in order, but
- 2 amendments which would add an additional section shall not be
- 3 in order.
- 4. (4)(1) The joint resolution required by subsection (b) is
- 5 a joint resolution the text of which consists only of one cr
- 6 more sections, each of which reads as follows: "The proposed
- 7 to described in the certification
- 8 submitted pursuant to section 2(a) of the Arms Export Reform
- 9 Act of 1986 which was received by the Congress on
- 10 (Transmittal number) is authorized. ", with the
- 11 appropriate activity, whether sale, export, lease, or lcan,
- 12 and the appropriate country or international organization,
- 13 date, and transmittal number inserted.
- 14 (B) The joint resolution required by subsection (c) is a
- 15 joint resolution the text of which consists of only one
- 16 section, which reads as follows: "That the proposed
- 17 to described in the certification submitted
- 18 pursuant to section 2(a) of the Arms Export Reform Act of
- 19 1986 which was received by the Congress on
- 20 (Transmittal number) is not authorized.", with the
- 21 appropriate activity, whether sale, export, lease, or lcan,
- 22 and the appropriate country or international organization,
- 23 date, and transmittal number inserted.
- Sec. 3. (a) Section 36(b) of the Arms Export Control Act
- 25 is amended--

(1) by striking out the last two sentences of 1 paragraphh (1) and by striking cut paragraphs (2) and (3); 2 3 and (2) by redesignating paragraphs (4) and (5) as 4 paragrapms (2) and (3), respectively. 5 (b) Section 36(c) of such act is amended--6 (1) by striking out ``(c)(1)' and inserting in lieu 7 thereof ''(c)''; and 8 (2) by striking out paragraphs (2) and (3). 9 (c)(1) Section 62(a) Of such Act is amended by striking 1Ø out ''Not less than 30 days before' and inserting in lieu 11 thereof .. Before ... 12 (2) Section 63 of such tot is repealed. 13 (3) Section 64 of such Act is redesignated as section 63. 14 Sec. 4. The provisions of this Act shall apply with 15 respect to any letter of ofter or license for expert issued, 16

or any lease or loan made, after the date of enactment of

18 this Act.

17

ARMS EXPORT REFORM ACT OF 1986 Statement by Senator Joseph R. Biden, Jr. July 2_, 1986

Mr. President, only under the rarest circumstances could we expect a decision of the Supreme Court of the United States to have a direct and significant bearing on the conduct of the foreign policy of the United States. But in 1983 precisely that occurred when the Court rendered its famous Chadha decision, which held unconstitutional the legislative veto procedure which had been written into numerous laws of a wide variety.

The Pre-Chadha System

One such statute — a most significant one — was the Arms

Export Control Act. Under the complex provisions of that law, a

procedure had been established enabling Congress to receive

advance notification of significant U.S. arms transfers to foreign

nations and to disapprove such transfers by the mechanism of a

concurrent resolution. The Act stipulated three thresholds beyond

which a sale is subject to Congressional disapproval: \$14 million

for major defense equipment (meaning sophisticated weapons or

hardware); \$50 million for any defense article or service; and

\$200 million for design and construction projects.

Disapproval by concurrent resolution meant that if a majority in both chambers opposed a sale, the sale would not transpire.

Conversely, a President would prevail in executing a proposed arms

sale if he could win a majority in either chamber -- enough, that is, to prevent the passage of a concurrent resolution.

As it happened, no proposed arms transfer was ever blocked by Congress using that mechanism. But the very existence of the procedure did ensure that any Administration would give careful consideration to the support or opposition a contemplated sale might encounter in Congress. On several occasions, the reality of Congressional authority in the arms sales area has caused proposals to be modified or abandoned, the latter having occurred most recently in the case of a contemplated sale to Jordan.

The Current System

This year, pursuant to an initiative by Senator Cranston, Congress took the necessary legislative steps to adapt the Arms Export Control Act to the ruling in Chadha. The Cranston bill revised the Act to provide that Congress could disapprove a sale by means of joint resolution -- a procedure obviously constitutional, even in view of the Chadha decision, because a joint resolution represents the fresh enactment of a full new law. The continued process of Congressional notification, combined with the expedited legislative procedure stipulated by the Arms Export Control Act, meant that Congress would still be certain of the opportunity to review all proposed sales and, in the event of a controversial sale, to express its will promptly.

Unfortunately, events of recent weeks surrounding a major arms sale to Saudi Arabia have shown the weakness of the

post-Chadha system. Originally envisaged as a multi-billion dollar deal, the sale was whittled down, in anticipation of Congressional opposition, to a level of \$354 million, and then reduced again to a level of \$265 million in deference to Congressional concern about the transfer of Stinger missiles. The final outcome was nonetheless most extraordinary and disturbing: a massive, intensely controversial arms sale to Saudi Arabia survived on the basis of support from one-sixth of the House of Representatives and one-third plus one in the Senate.

A Better System

Mr. President, I believe strongly that the major foreign policy business of the United States must be conducted on the basis of far stronger support from the Congress. If a President's tools of leadership and persuasion cannot prevail -- to the extent of winning majority Congressional support on a fundamental issue -- there is sound reason for reconsideration of the policy. This principle applies to aid to the Nicaraguan contras, and it applies to arms sales to Saudi Arabia.

It is to prevent any recurrence of the sharp deviation from that principle, such as we have just experienced in the case of the Saudi sale, that I am today -- with Senators Boschwitz Pell, and _____ -- introducing "The Arms Export Reform Act of 1986." In the House, companion legislation is being simultaneously introduced by Congressman Mel Levine, joined by

House Foreign Affairs Committee Chairman Dante Fascell and other distinguished cosponsors.

This legislation would build on the Arms Export Control Act, amending the Act in two significant ways, both fully harmonious with -- and indeed designed to uphold -- the Act's original spirit and intent.

(1) Sales Subject to Disapproval: A New Criterion. The first change concerns the definition of sales which shall be subject to Congressional consideration. The Arms Export Control Act, in both its original and current form, has defined such sales according to the monetary thresholds I cited earlier: \$14 million for major defense equipment; \$50 million for any defense article or service; and \$200 million for design and construction projects. Any contemplated sale above these levels has required formal notification to Congress, which may then act to disapprove.

Under the revised system embodied in our bill, Congress would continue to receive notification of all sales above these thresholds and would thereby continue to monitor the overall flow of U.S. arms transfers. What would change, however, is the criterion governing which U.S. sales shall be subject to Congressional action. A decade of experience with the Arms Export Control Act has demonstrated that Congressional concern about a proposed arms deal has never been triggered by the dollar amount per se. Rather, when Congress has become involved in challenging a sale, it has always been because of the sensitivity — the

quality and technological sophistication -- of the weapons to be transferred. In short, we have been interested in jets, not hangar and runway construction; in AWACS, not routine radar equipment; in tanks, not trucks and jeeps; in warships, not harbor dredging and port facilities.

Accordingly, the revised law would, for all sales of non-sensitive weapons and equipment, completely eliminate the Congressional review process and all attendant delay, leaving in place only the notification requirement for sales above the three thresholds. But, meanwhile, the new law would require that all sales of sensitive weaponry, in any dollar amount, be subject to Congressional review and action.

Weapons and equipment defined as sensitive would be generically identified in law as "those items of types and classes currently used or to be used by the Armed Forces of the United States (other than the Army National Guard or the Air National Guard or a Reserve component of an Armed Force of the United States), or produced solely for export, as follows:

- -- turbine-powered military aircraft; rockets; missiles; anti-aircraft artillery; and associated control, target acquisition, and electronic warfare equipment and software;
 - -- helicopters designed or equipped for combat operations;

- -- main battle tanks and nuclear-capable artillery; and
- -- submarines, aircraft carriers, battleships, cruisers, destroyers, frigates, and auxiliary warships."

The effect of this change would be to focus the review system where it should be focused, while allowing the executive branch to proceed routinely on matters that experience has shown to be routine.

(2) The Mechanism of Congressional Approval/Disapproval. The second change concerns the mechanism by which Congress may reflect its will on a sale subject to Congressional action. Current law distinguishes two categories of nations. The first consists of NATO member-countries, ANZUS member-countries, and Japan. Because the strong presumption in the case of sales to any of these nations is that Congress will be favorably disposed, the Arms Export Control Act has provided an abbreviated period of Congressional consideration. Sales to all other nations fall into the second category and are subject to regular review and consideration.

The legislation we are introducing today would provide for absolutely no change in the favored standing of sales to nations in the first category. It would, moreover, add to that category any "country which is a party to the Camp David Accords or an agreement based on such Accords," which at this point means Israel

and Egypt. As expanded, this category could be described as consisting of nations with which we are formally allied and those which are the two principal recipients of American military aid. Because a very clear consensus underlies U.S. arms transfers to each and all of these nations, the law would continue to reflect a presumption in favor of such transfers, which would continue to be subject only to a joint resolution of disapproval.

What would change, under this new legislation, is the procedure governing the sale of highly sophisticated weaponry to all other nations. For them, a new procedure would be established, requiring affirmative Congressional action to approve any major sale. This would mean that there would not be -- as there should not be -- a presumption in favor of any such transfer. Instead, the proposed transfer of front-line U.S. arms would have to obtain a majority of support in both houses -- rather than a mere one-third plus one in either house, as in the current system. There would, however, be a stipulation allowing the President to by-pass the need for such Congressional approval if he certified, and detailed the existence of, an emergency requiring a sale in the vital national security interests of the United States.

I can easily anticipate, Mr. President, the objection that such an affirmative-approval mechanism will be laborious to implement and will founder on the complexities and obstacles that characterize the normal workings of Congress. But on examination

this objection proves unpersuasive. First, this legislation completely removes all non-sensitive sales from the system of Congressional control — meaning that the executive branch will be free to act immediately once it makes the decision to proceed with such a sale. Second, in the case of sensitive weaponry, many sales — those to countries in the "consensus" category — will not require affirmative approval. And for sensitive sales where such approval is required, the legislation provides that a joint resolution of approval will enjoy expedited procedure that will ensure prompt and facile Congressional consideration.

Additionally, approval will be possible — where it proves convenient to Congress — by means of ad hoc amendments to regular legislation.

We -- the cosponsors of the Arms Export Reform Act -- are confident that once such a system is established, the executive branch and Congress will quickly devise a means of packaging non-controversial sales for consideration on a periodic basis with swift approval. Highly controversial sales, however, will have to stand alone and be dealt with as they should be -- by full debate followed by a vote demonstrating the presence or absence of the degree of Congressional support that should underlie any major foreign policy decision.

Comparing the Original, Current; and Proposed Systems

In response to any charge that such legislation would bring Congress into the role of "micro-managing" United States arms

sales policy, let me emphasize that in fact the reverse is true.

This legislation would ease present requirements on the legislative and executive branches while focussing energy and attention on those sales that truly should be decided upon jointly—sales involving sensitive, front-line weapons and equipment.

- -- As to <u>Congressional notification</u>, proposed sales above the threshold levels would be subject to the smoothly operating information procedures now in effect, allowing Congress to stay abreast of the flow of U.S. arms transfers.
- -- As to the treatment of non-controversial sales, which Congress has heretofore dealt with through inaction, the proposed system would offer substantial improvement. In the case of non-sensitive items, the new law would free the sale to proceed automatically, with neither Congressional review nor delay, regardless of the dollar amount. Similarly, in the case of sensitive equipment going to allies and key arms aid recipients, no Congressional action would be required, since the current mechanism -- a joint resolution of disapproval -- would remain in effect. Only in the case of sensitive equipment going to other nations would the procedure become somewhat more demanding -- but only slightly so for non-controversial sales, since the executive branch and Congress could easily package such sales for routine Congressional approval, either in separate resolutions enjoying expedited procedure or by means of ad hoc amendments to regular legislation. For such non-controversial sales, the procedure

could operate as easily as current procedures for military promotion lists and the confirmation of uncontested political appointments.

-- Finally, as to the <u>treatment of controversial sales</u>, the proposed system would, as always, provide for a vote, but with an approval standard much closer to the original system -- and to what is reasonable -- than the post-<u>Chadha</u> system under which we are now operating.

Whereas the current system allows the President to implement his proposal with the bare support of merely one-third plus one in either house, the original system required that he obtain a full majority of support in at least one house. The proposed system, in only slight contrast to the original pre-Chadha system, would require that the President gain majority support in both houses. Not only is this reasonable; is it not precisely the way in which Congress and the executive branch should interact in the conduct of American foreign policy?

Mr. President, trusting that many of my colleagues will answer that question in the affirmative, I now -- on behalf of my cosponsors -- introduce "The Arms Export Reform Act of 1986" in anticipation that the Foreign Relations Committee will hold hearings on this legislation in the near future. If enacted, this legislation would repair the damage done to the original Arms Export Control Act by the Chadha decision, and would revive and reflect the intent of that Act, both by focusing the arms transfer

review process where it belongs -- on our most sensitive, sophisticated weaponry -- and by establishing an approval standard which the Constitution implies and which time has shown to be wise: affirmative Congressional concurrence in major foreign policy decisions.

AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE

444 NORTH CAPITOL STREET, N.W. ● SUITE 412 ● WASHINGTON, D.C. 20001 ● (202) 638-2256

Thomas A. Dine Executive Director

November 29, 1984

Mr. Ronald C. Wornick The Wornick Company P.O. Box 1700 Burlingame, CA 94011

Dear Ron:

. 1

I have pondered and repondered several times the Breger-portion of your October 23rd letter to me. I have found Marshall to be a splendid two-fold advocate: on behalf of the President to the American Jewish community and then from the community back into the White House. Indeed, he has performed better than any other individual that has occupied this seemingly impossible mission.

Regarding the Hasidim input, I have not observed it to the extent you describe.

With warmest regards.

Sincerely,

Thomas A. Dine

TAD:gcs

bcc: Marshall Breger



October 23, 1984

Mr. Tom Dine
Executive Director
AIPAC
444 North Capitol Street N.W., Suite 412
Washington, D.C. 20001

Dear Tom:

Receipt of your thank-you note yesterday reminded me that I have meant for several weeks to convey a White House story to you that might be useful. Shortly after visiting with you at the luncheon in San Francisco last month, I was in Washington making the rounds as I often do - you may recall I am a defense contractor - and one of my stops was a lunch with Doug Riggs, Special Assistant to the President.

At lunch with him at the White House, he relayed to me a rather remarkable story. Apparently Marshall Breuger, President Reagan's Special Assistant for the Jewish Community (a man I'm sure you know well) has, according to Doug Riggs, been so occupied and so intellectually captured by a certain zealous group of New York Hasidim that he has had to solicit Doug's help in responding to their "needs".

Listening to Doug describe the Hasidic point of view, I wondered how he became so familiar with the subject and learned that a trip to Israel had been arranged for him with the Hasidim through Marshall's office. One gets the impression listening to Doug Riggs describe his commitment to the Jewish community that he thinks of the Hasidim as representing our point of view. I won't speak to that question in this letter, but it is certainly concerning to me and I might presume to you, if there were any possibility that the Reagan administration might confuse them with the Jewish mainstream point of view. Without question Riggs is getting a disproportionate amount of information from the Hasidim.

Pile Wornick Event

Sincerely

Ronald C. Wornick

RCW: mtw