

Originally Processed With FOIA(s):
2005-0954-MR; 2003-0261-F; 2005-1003-F; 2009-0857-F;

FOIA Number:
S

FOIA MARKER

**This is not a textual record. This is used as an
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Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: National Security Council
Series: H-Files
Subseries: NSC Meetings Files

OA/ID Number: 90002
Folder ID Number: 90002-025

Folder Title:
NSC0056 - October 09, 1990 - Nuclear Matters, Middle East and Gulf, Proliferation [1]

Stack:	Row:	Section:	Shelf:	Position:
V	0	0	0	0

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
01a. Minutes	Meeting of the NSC re Persian Gulf (5 pp.)	10/9/90	(b)(1)	TS
01b. Profile Sheets	To POTUS from Scowcroft re DC Meeting (2 pp.)	10/8/90	(b)(1)	TS
01c. Memo	To POTUS from Scowcroft re NSC Meeting [FOIA exemptions redacted] (5 pp.)	10/8/90	(b)(1)	TS
01d. Talking Points	To be Made for NSC Meeting (1 pp.)	n.d.	(b)(1)	S
01e. Minutes	Meeting of the NSC (9 pp.)	7/16/90	(b)(1)	TS
01f. Cable	From Secretary of State re Presidential Letter (4 pp.)	9/19/90	(b)(1)	S
01g. Memo	To Scowcroft from Charles & Haass re Background Material for NSC Meeting (2 pp.)	10/8/90	(b)(1)	TS
01h. Talking Points	To be Made for NSC Meeting (2 pp.)	n.d.	(b)(1)	S
01i. Memo	For Brent Scowcroft from Sandra Charles re NSC Meeting [FOIA exemptions redacted] (4 pp.)	10/8/90	(b)(1)	TS
01j. Cable	From Secretary of State re Presidential Letter (4 pp.)	9/19/90	(b)(1)	S

Page 1 of 1

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC Meetings Files

WHORM Cat.:

File Location: NSC0056 - October 09, 1990 - Nuclear Matters, Middle East and Gulf, Proliferation [1]

Pinksheet Number: bc161

OA/ID Number: 90002-025

Date Closed: 3/24/2008

FOIA/Sys Case #: 2005-0954-MR

Re-review Case #:

P-2/P-5 Review Case #:

~~TOP SECRET~~
NSC/S PROFILE

RECORD ID: 9021151
RECEIVED: 12 OCT 90 17

TO: SITTMANN

FROM: HAASS

DOC DATE: 12 OCT 90
SOURCE REF:

KEYWORDS: PAKISTAN
PERSIAN GULF
MINUTES

MIDDLE EAST
NSC
KUWAIT

PERSONS:

SUBJECT: MINUTES OF NSC MTG ON 9 OCT RE PAKISTAN / MIDDLE EAST & GULF

ACTION: SITTMANN APPROVED RECOM

DUE DATE: 16 OCT 90

STATUS: C

STAFF OFFICER: HAASS

LOGREF: 9021123 9021126

FILES: IFM O

NSCP: NS0056

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

HAASS

NSC CHRON

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSAMM

CLOSED BY: NSDAI

DOC 1 OF 1

~~TOP SECRET~~

UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS

b/c 3113108

~~TOP SECRET~~

RECORD ID: 9021151

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 SITTMANN
001

Z 90101220 FOR DECISION
X 90101311 SITTMANN APPROVED RECOM

~~TOP SECRET~~

**National Security Council
The White House**

PROOFED BY: [Signature]

LOG # 21151

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

DOCLOG [Signature] A/O _____

not

SEQUENCE TO	HAS SEEN	DISPOSITION
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Ken Hill	_____	_____
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Bill Sittmann	1 _____	✓ _____
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Bob Gates	_____	_____
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Brent Scowcroft	_____	_____
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Bill Sittmann	_____	_____
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Situation Room	_____	_____
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West Wing Desk	2 _____	10/13 <u>R</u>
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NSC Secretariat	3 _____	10/13 <u>R</u>
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RECEIVED
OCT 12 P 8: 14

A = Action	I = Information	D = Dispatch	R = Retain	N = No further Action
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cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

DISPATCH INSTRUCTIONS:

OCT 15 6: 20

RECEIVED
NSC SECRETARIAT

90 OCT 12 P7:59

PI. 89-51

10/12/90
10/12/90

14

10/12/90

10/12/90

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NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

~~TOP SECRET~~

21151

October 11, 1990

ACTION

NOTED

MEMORANDUM FOR WILLIAM F. SITTMANN

FROM:

RICHARD N. HAASS *RP*

SUBJECT:

Minutes of NSC Meeting on Pakistan, October 9,
1990, 3:15 -3:50
Cabinet Room

Attached at Tab I are the minutes of the National Security Council Meeting on October 9, 1990, regarding Pakistan, the Middle East and the Gulf.

RECOMMENDATION

That the minutes at Tab I be filed for the record.

Approve _____ *✓*

Disapprove _____

Attachment

Tab I Minutes

DECLASSIFIED

White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By b1c NARA, Date 3/13/08

~~TOP SECRET~~

Declassify on: OADR

~~TOP SECRET~~

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01a. Minutes	Meeting of the NSC re Persian Gulf (5 pp.)	10/9/90	(b)(1)	TS

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC Meetings Files

WHORM Cat.:

File Location: NSC0056 - October 09, 1990 - Nuclear Matters, Middle East and Gulf, Proliferation [1]

Date Closed: 3/24/2008	OA/ID Number: 90002-025
FOIA/SYS Case #: 2005-0954-MR	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

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 the 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.

PRM. Removed as a personal record misfile.

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

- (b)(1) National security classified information [(b)(1) of the FOIA]
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- (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- (b)(9) Release would disclose geological or geophysical information

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NSC/S PROFILE

RECORD ID: 9021125
RECEIVED: 08 OCT 90 09

TO: PRESIDENT

FROM: SCOWCROFT

DOC DATE: 08 OCT 90
SOURCE REF:

KEYWORDS: PAKISTAN
NSC

NUCLEAR MATTERS

PERSONS:

SUBJECT: PRES TALKERS FOR DC MTG ON 9 OCT RE PAKISTAN NUCLEAR PROGRAM

ACTION: NOTED BY PRES

DUE DATE: 11 OCT 90

STATUS: C

STAFF OFFICER: CHARLES

LOGREF: 9021123 9021126

FILES: IFM O

NSCP: NS0056 NS0057

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO
CHARLES
NSC CHRON

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PER E.O. 13526

2005-0954-MR
MM 6/12/2015

COMMENTS: _____

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OPENED BY: NSAMM

CLOSED BY: NSAMM

DOC 2 OF 2

~~TOP SECRET/CODEWORD~~

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 SCOWCROFT
002 PRESIDENT
002

Z 90100812 FOR SIGNATURE
Z 90100813 FOR INFORMATION
X 90100916 NOTED BY PRES

National Security Council The White House

PROOFED BY: _____

LOG # 21125

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

DOCLOG _____ A/O _____

SEQUENCE TO

HAS SEEN

DISPOSITION

Ken Hill

Bill Sittmann

Bob Gates

Brent Scowcroft

1

✓

Bill Sittmann

Situation Room

West Wing Desk

2

[Signature]

D

NSC Secretariat

3

[Signature]

RR

[Signature]

A = Action

I = Information

D = Dispatch

R = Retain

N = No further Action

cc: VP

Sununu

Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

DISPATCH INSTRUCTIONS:

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01c. Memo	To POTUS from Scowcroft re NSC Meeting [FOIA exemptions redacted] (5 pp.)	10/8/90	(b)(1)	TS

Collection:

Record Group: Bush Presidential Records
Office: National Security Council
Series: H-Files
Subseries: NSC Meetings Files

Document Partially Declassified
(Copy of Document Follows)
 By SS on 11/17/22

WHORM Cat.:

File Location: NSC0056 - October 09, 1990 - Nuclear Matters, Middle East and Gulf, Proliferation [1]

Date Closed: 3/24/2008	OA/ID Number: 90002-025
FOIA/SYS Case #: 2005-0954-MR	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #: 2005-0954-MR(202)
AR Disposition:	MR Disposition: Released in Part
AR Disposition Date:	MR Disposition Date: 8/4/2016

RESTRICTION CODES

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

(b)(1) National security classified information
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 (b)(7) Release would disclose information compiled for law enforcement purposes
 (b)(8) Release would disclose information concerning the regulation of financial institutions
 (b)(9) Release would disclose geological or geophysical information concerning wells

Deed of Gift Restrictions

C(1) Closed by Executive Order 13526, governing access to national security information
 C(2) Closed by statute or by the agency which originated the information
 C(3) Closed in accordance with restrictions contained in donor's deed of gift [formerly listed as only C]
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Presidential Records Act - [44 U.S.C. 2204(a)]

P-2 Relating to the appointment to Federal office [(a)(2) 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]

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with ~~TOP SECRET/CODEWORD~~
attachment

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21125

THE WHITE HOUSE

WASHINGTON

THE PRESIDENT HAS SEEN

October 8, 1990
NATIONAL SECURITY COUNCIL MEETING

DATE: October 9, 1990

LOCATION: The Cabinet Room

TIME: 3:00 - 3:45 p.m.

FROM: BRENT SCOWCROFT



I. PURPOSE

To review the status of our efforts to obtain congressional support for legislative relief that would allow us to continue Pakistan's aid program temporarily; and to discuss a new strategy toward Pakistan's nuclear program given our inability to make a decision on certification this year because of ^{3.3(b)(1)} political uncertainty in Pakistan.

II. BACKGROUND

On September 20 you met with the congressional leadership to discuss the problems of certifying Pakistan's nuclear program by October 1 as required by the Pressler Amendment given ^{3.3(b)(1)} and the absence of an authoritative government in Islamabad, and to seek their advice on how to avoid an aid cutoff on October 1. An interagency team then briefed the leadership in more detail on the dilemma we faced.

The results of these consultations with key Congressmen and Senators failed to enlist any support, except from Senators Kasten and Dole, for a legislative suspension of the Pressler Amendment. (As you know, the Pressler Amendment requires an aid cutoff to Pakistan unless you certify by October 1 that Pakistan "does not possess a nuclear explosive device" and U.S. aid will serve our nonproliferation objectives.) While there was sympathy for the dilemma, there was little enthusiasm for the remedy we sought because of congressional concerns about Pakistan's duplicity in pursuing a nuclear program and its ouster of the democratically elected government of Prime Minister Bhutto. Last week the Senate Democratic leadership formally opposed a Pressler suspension, leading us to conclude there is no prospect for a legislative option.

DECLASSIFIED IN PART

PER E.O. 13526

2005-0954-MR

SS 8/4/16

cc: Vice President
Chief of Staff

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with ~~TOP SECRET/CODEWORD~~ attachment
Declassify on: OAR

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TOP SECRET TO SECRET**

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attachment

3.3(5)(1)

On October 1, U.S. aid to Pakistan, both military and economic, ceased in accordance with the Pressler Amendment. Prospects for certification would probably be bleak even after a new Pakistani government took office. Asking a new government to roll back various aspects of its program by giving us access to its HEU stockpile or allowing inspection of facilities most likely would be unrealistic in the present climate between India and Pakistan. It would be hard for them to make the choice between U.S. aid versus a nuclear program, particularly when the Pakistani military believes the latter is clearly a matter of national security.

The issue is to decide whether it is now time, based on the evidence inhibiting certification this year and with no prospect of success for a legislative option, to shift our fundamental strategy for dealing with the problem from one of preventing to one of managing the reality of a Pakistani nuclear weapons program. Whatever strategy we undertake, our aid program should continue to be suspended as incentive for Pakistan's scheduled October 24 elections.

The NSC/DC concluded that, unless we handle this issue carefully, there could be serious risks stemming from withholding certification and cutting off U.S. aid to Pakistan: specifically, the risk of a nuclear war between India and Pakistan, and serious implications for our global nonproliferation objectives. We also would need to avoid jeopardizing prospects for democratic elections in Pakistan on October 24. Without U.S. aid, Pakistan also may decide to move closer to China and Iran, which could result in greater nuclear cooperation among the three. The Muslim nations would view our singling out Pakistan's nuclear program and the aid cutoff as an affront because Israel's and India's nuclear programs are not similarly constrained by U.S. law. This could affect Arab support for our Gulf policy, result in increased threats against U.S. facilities in Islamabad and elsewhere, and promote greater military cooperation among Pakistan, Iran, China and Saudi Arabia. In short, the potential risks would be considerable unless we remain engaged.

Our policy toward Pakistan's nuclear program, governed to a certain extent by the Pressler certification requirement, has been one of prevention. The policy succeeded for about 5 years by inhibiting Pakistan's progress in acquiring a nuclear explosive device. With the evidence of the past

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attachment

year, it is clear that our prevention policy has run its course, and we now need a new strategy to manage the reality of Pakistan's nuclear program. In order for this policy to be acceptable to Congress, there would have to be a transition period where U.S. aid would be suspended.

The components of a "management" policy would include:

1) Approaching the GOP: The message, which should be delivered immediately, would be that we have done our best, that Congress is not willing to consider legislative relief because of its concerns about Pakistan's nuclear program and the future of democracy, and therefore, as matters now stand, there would be no possibility for resuming U.S. aid at this time; however, we are prepared to work with the GOP and the Hill on a new basis for extending U.S. aid, with the understanding that something more would be required from the GOP to convince Congress of its good intentions. First, it would be important for Pakistan to hold free and fair elections on October 24. Then, the new government would need to clearly state and demonstrate its intentions to stop its nuclear program along the lines outlined in your letter last month to President Ghulam Ishaq Khan (Tab E). We would also tell the GOP we intend to pursue a regional nonproliferation initiative and expect their support.

2) Pursuing a Regional Nonproliferation Regime: We would continue our regional diplomatic initiative involving the Pakistanis, the Soviets, the Chinese, and the Indians. The next step would be a message advising them of the state of play on the certification issue, and warning them that Indian action at this time on its nuclear program may jeopardize U.S. cooperation, such as technology transfers, military assistance, and could hurt Indian and regional security. The message would ask the GOI to accept measures with Pakistan to deescalate risks of a nuclear war (IAEA safeguards, a test ban treaty, no first use, etc.).

3) Informing other regional states: Because of the risks involved, it would be prudent to inform Pakistan's friends in the area of the status of our aid program and the nuclear certification issue. This would include China, Saudi Arabia and the United Arab Emirates.

4) Keeping a Low Public Posture: Because of the serious consequences of a leak, we should pursue this strategy as quietly as possible, continuing to state publicly that Pressler certification is "under review".

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attachment

5) Issuing a 614 waiver: After elections, if the new government agreed to halt Pakistan's program, we could consider using a Section 614 waiver to provide a limited amount of aid to Pakistan, to resume some economic programs and to allow the delivery of military items already paid for in the pipeline. This would give us some leverage with Pakistan until either we were in a position to certify based on Pakistan's actions (impossible absent a highly unlikely rollback of their program) or until new legislation was introduced. We also would have to determine if Congress would support such a step. Section 614 of the Foreign Assistance Act permits up to \$500 million in assistance and sales if the President determines waiver to be vital to U.S. national security interests. Not more than \$50 million of the \$500 million may be in foreign assistance (economic support) or FMF funds. Thus, if the country elects to take \$50 million in economic and military financing, the remaining \$450 million in sales would have to be cash purchases.

6) Developing New Legislation: When Congress reconvenes next year, we would engage it in a discussion of the need to develop new nonproliferation legislation in consonance with realistic nonproliferation goals that would revise Pressler and use another legal standard, e.g., no weaponization, test ban, to curb the nuclear arms race in the subcontinent and elsewhere.

At today's meeting we would like you to hear the principals' views on this "management" strategy for Pakistan's nuclear program, and if there is agreement, to approve our proceeding with a plan for implementing the components of the strategy as outlined above.

III. PARTICIPANTS

See Tab C.

IV. PRESS PLAN

White House Photographer Only

V. SEQUENCE

Following your opening remarks (Tab B), I will lead the discussion that will include:

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with ~~TOP SECRET/CODEWORD~~ attachment

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attachment

- Judge Webster's assessment of ^{s.3(b)(1)} [redacted] ^{s.3(b)(1)} Pakistan's nuclear program, the implications of a continued aid cutoff of Pakistan, and the risks of noncertification;
- Secretary Baker's review of the results of our congressional consultations to obtain a suspension of the Pressler Amendment, and presentation of the elements of a new strategy for dealing with the reality of Pakistan's nuclear program; and,
- a general discussion, followed by my summing up decisions and next steps.

Attachments

Tab A NSC Agenda
Tab B Points to be Made
Tab C List of Participants
Tab D June 16 NSC Minutes
Tab E Letter to President of Pakistan

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NATIONAL SECURITY COUNCIL MEETING

DATE: October 9, 1990
LOCATION: White House Cabinet Room
TIME: 3:00 - 3:45 p.m.

PAKISTANAgenda

- I. Opening Statement..... The President
- II. Introduction..... Brent Scowcroft
- III. Intelligence Assessment..... DCI Webster
- IV. Presentation of Proposed
Strategy..... Secretary Baker
- V. Summary..... Brent Scowcroft

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White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By bic NARA, Date 3/13/08

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POINTS TO BE MADE FOR NSC MEETING ON
PAKISTAN'S NUCLEAR PROGRAM

- Since our June meeting, some work has been done with the Pakistanis and the Congress on our inability to certify Pakistan's nuclear program this year.
- And I know Jim Baker has engaged his counterparts from India, Pakistan and the Soviet Union in a discussion on a regional nonproliferation initiative.
- Unfortunately, there have been some unexpected developments that affected our earlier gameplan: Prime Minister Bhutto's removal from office and the Iraqi invasion of Kuwait.
- I met with the congressional leadership last month to outline the dilemma we faced in certifying and to ask for their advice on how to avoid the consequences.
- I understand that we've run into considerable congressional resistance to our proposed suspension of the Pressler sanction on aid.
- There are serious political and security consequences of noncertification that you are all familiar with: the possibility of tensions between India and Pakistan over Kashmir leading to a war, including a nuclear war; and implications for our global nonproliferation efforts.
- I am sure you realize the gravity of the situation we face, so I ask that these proceedings remain closehold.
- Now, let me turn the discussion over to you, Brent.

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Declassify on: OADR

~~SECRET~~

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PER E.O. 13526

2005-0954-MR
SCS 2/28/13

PARTICIPANTS

The President

The Vice President

James A. Baker, Secretary of State

Nicholas F. Brady, Secretary of the Treasury

Dick Cheney, Secretary of Defense

James D. Watkins, Secretary of Energy

Richard G. Darman, Director of the Office of Management and Budget

John H. Sununu, Chief of Staff

Brent Scowcroft, Assistant to the President for National Security Affairs

Robert M. Gates, Assistant to the President and Deputy for National Security Affairs

William H. Webster, Director of Central Intelligence

Colin L. Powell, Chairman of the Joint Chiefs of Staff

Ronald F. Lehman, II, Director of the Arms Control and Disarmament Agency

Withdrawal/Redaction Sheet

(George Bush Library)

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

PRM. Removed as a personal record misfile.

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<PREC> IMMEDIATE<CLAS> ~~SECRET~~<OSRI> RUEHC<DTG> 190425Z SEP 90
<ORIG>FM SECSTATE WASHDC
<TO>TO RUEHIL/AMEMBASSY ISLAMABAD NIACT IMMEDIATE 0000
RUFHMB/USMISSION USVIENNA IMMEDIATE 0000
INFO RUEHNE/AMEMBASSY NEW DELHI IMMEDIATE 0000

<SUBJ>SUBJECT: PRESIDENTIAL LETTER ON NUCLEAR CERTIFICATION

<TEXT>

~~SECRET~~ STATE 317456

NODIS

USVIENNA FOR UNVIE - AMB. KENNEDY

E.O. 12356: DECL:OADR

TAGS: PK, IN, PNUC, PREL

SUBJECT: PRESIDENTIAL LETTER ON NUCLEAR CERTIFICATION

1. ~~SECRET~~ - ENTIRE TEXT.

2. ACTION ISLAMABAD: AMBASSADOR OAKLEY IS REQUESTED TO DELIVER THE FOLLOWING LETTER FROM PRESIDENT BUSH TO PRESIDENT GHULAM ISHAQ KHAN (PARA 3), ALONG WITH TALKING POINTS. (PARA 4).

3. **BEGIN PRESIDENTIAL LETTER TO PRESIDENT GHULAM ISHAQ KHAN.**

DEAR MR. PRESIDENT:

IN THE TIME WE HAVE BOTH BEEN IN OFFICE, THE UNITED STATES AND PAKISTAN HAVE WORKED HARD TO STRENGTHEN THE LONGSTANDING PARTNERSHIP BETWEEN OUR TWO COUNTRIES. ONE OF THE HALLMARKS OF OUR RELATIONS HAS BEEN THE SPIRIT OF FRANKNESS THAT HAS CHARACTERIZED OUR EXCHANGES ON MANY DELICATE ISSUES. IT IS IN THAT SPIRIT OF FRIENDSHIP AND CANDOR THAT I MUST NOW WRITE YOU ON A MATTER THAT THREATENS TO UNDO MUCH OF WHAT WE HAVE ACCOMPLISHED. I HAVE RAISED PAKISTAN'S NUCLEAR PROGRAM A NUMBER OF TIMES, DURING YOUR PRIME MINISTER'S VISIT LAST YEAR AND IN CORRESPONDENCE TO YOU BOTH. ON EACH OCCASION I WAS PLEASED TO RECEIVE YOUR ASSURANCE THAT PAKISTAN WOULD NOT DEVELOP A NUCLEAR EXPLOSIVE DEVICE.

IN RECENT MONTHS, WE HAVE OBTAINED INFORMATION GIVING US REASON TO BELIEVE THAT THE STATUS OF YOUR NUCLEAR PROGRAM HAS CHANGED. THIS IS DEEPLY DISTURBING TO ME, PARTICULARLY BECAUSE OF MY RESPONSIBILITIES UNDER THE PRESSLER AMENDMENT. I MUST IN ALL HONESTY ADVISE YOU THAT UNDER PRESENT CIRCUMSTANCES, IT IS NOT POSSIBLE FOR ME TO CERTIFY PAKISTAN'S COMPLIANCE WITH THIS LAW. MUCH IS AT STAKE FOR OUR BILATERAL RELATIONSHIP, FOR DEMOCRACY IN PAKISTAN AND FOR PEACE AND STABILITY IN THE SUBCONTINENT.

THE SITUATION IS SERIOUS. IN THE NEXT FEW DAYS, I WILL BE CONSULTING WITH THE LEADERS OF OUR CONGRESS ON POSSIBLE APPROACHES TO DEAL WITH THIS PROBLEM IN WAYS THAT PROMOTE -- NOT THWART -- OUR GOALS OF NONPROLIFERATION, DEMOCRACY, AND PEACE IN THE SUBCONTINENT.

MR. PRESIDENT, WE ARE APPROACHING A CRISIS IN OUR RELATIONSHIP. IN MY CONSULTATIONS WITH CONGRESSIONAL LEADERS, I AM WILLING TO CONSIDER ASKING FOR AUTHORITY TO DELAY CUTTING OFF U.S. ASSISTANCE FOR A PERIOD OF TIME, BUT ONLY IF I CAN OFFER THEM SOME REALISTIC PROSPECT THAT PAKISTAN WILL DO ITS PART TO WARRANT SUCH AMERICAN FLEXIBILITY. SPECIFICALLY, AND SPEAKING WITH A CANDOR POSSIBLE ONLY BETWEEN CLOSE FRIENDS, I BELIEVE PAKISTAN WOULD NEED TO HAVE A GENUINELY FREE AND FAIR ELECTION ON OCTOBER 24 IN WHICH ALL QUALIFIED CANDIDATES ARE PERMITTED TO RUN, AND SUBSEQUENTLY, SOME INDICATION THAT THIS NEW GOVERNMENT WOULD STOP YOUR NUCLEAR WEAPONS

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PROGRAM AND CARRY OUT THE THREE STEPS I HAVE PREVIOUSLY DESCRIBED TO YOU AND FORMER PRIME MINISTER BHUTTO.* FINALLY, PAKISTAN SHOULD BE WILLING TO WORK VIGOROUSLY AND COOPERATIVELY WITH US TOWARD A NEGOTIATED, REGIONAL NONPROLIFERATION SOLUTION.

I MUST CAUTION THAT THE CONGRESSIONAL LEADERSHIP MAY NOT ACCEPT EVEN THESE ARRANGEMENTS. EVEN SO, I AM WILLING TO TRY IF, IN TURN, YOU ARE ABLE TO INDICATE TO ME THAT THE GOVERNMENT OF PAKISTAN IS FAVORABLY DISPOSED TOWARD SUCH ARRANGEMENTS.

I CANNOT OVEREMPHASIZE THE SERIOUSNESS OF THIS SITUATION OR THE URGENCY OF EFFORTS NEEDED TO ADDRESS THIS PROBLEM BETWEEN US. I INTEND TO SHARE THE EXISTENCE OF THIS LETTER AND THE INFORMAL SUGGESTIONS IT MAKES WITH OUR CONGRESSIONAL LEADERSHIP. A POSITIVE SIGNAL FROM YOU IN EACH AREA I HAVE ADDRESSED WOULD BE MOST HELPFUL IN SEEKING MORE TIME FROM CONGRESS FOR A REGIONAL SOLUTION TO THE NUCLEAR PROBLEM AND FOR PRESERVING PEACE.

SINCERELY YOURS,
GEORGE BUSH

END PRESIDENTIAL LETTER TO PRESIDENT GHULAM ISHAQ KHAN.

4. BEGIN TALKING POINTS.

-- THE PRESIDENT HAS ASKED ME TO DELIVER A LETTER TO YOU ON NUCLEAR CERTIFICATION.

-- AS YOU KNOW, BY LAW, THE PRESIDENT MUST CERTIFY EVERY FISCAL YEAR THAT PAKISTAN DOES NOT POSSESS A NUCLEAR EXPLOSIVE DEVICE AND THAT U.S. ASSISTANCE WILL SIGNIFICANTLY REDUCE THE RISK THAT PAKISTAN WILL POSSESS SUCH A DEVICE.

-- WITHOUT CERTIFICATION, ALL U.S. MILITARY AND ECONOMIC ASSISTANCE TO PAKISTAN, AS WELL AS TRANSFERS AND SALES OF MILITARY EQUIPMENT, INCLUDING SPARE PARTS AND MILITARY TECHNOLOGY UNDER THE FMS PROGRAM WILL END AS OF OCTOBER 1, 1990.

-- WE HAVE PREVIOUSLY TOLD YOU THAT THREE STEPS ARE ESSENTIAL FOR CERTIFICATION.

* O CEASE PRODUCTION OF HIGHLY ENRICHED URANIUM

O REFRAIN FROM PRODUCTION OF HIGHLY ENRICHED URANIUM METAL

O ENSURE THAT PAKISTAN DOES NOT POSSESS ANY HIGHLY ENRICHED URANIUM METAL IN THE FORM OF NUCLEAR DEVICE COMPONENTS

-- EACH OF THESE STEPS IS CRITICAL TO THE PRESIDENT'S ABILITY TO CERTIFY.

-- FIRST, PAKISTAN'S DECISION LAST YEAR TO CEASE FURTHER PRODUCTION OF HIGHLY ENRICHED URANIUM WAS A STRONG DEMONSTRATION OF THE NEW GOVERNMENT'S COMMITMENT TO IMPOSE POLITICAL RESTRAINTS ON PAKISTAN'S NUCLEAR PROGRAM BECAUSE IT HALTED THE FURTHER ACCUMULATION OF MATERIAL WHICH COULD BE USED TO FABRICATE NUCLEAR WEAPONS.

-- AS WE TOLD YOU LAST YEAR, IF PAKISTAN WERE TO RESUME PRODUCTION OF HIGHLY ENRICHED URANIUM, IT WOULD SERIOUSLY UNDERMINE THE CREDIBILITY OF THE NEW GOVERNMENT'S ASSURANCES THAT IT HAS NO INTENTION OF ACQUIRING NUCLEAR WEAPONS AND WOULD THEREFORE UNDERMINE THE PRESIDENT'S ABILITY TO CERTIFY.

-- SECOND, WE HAVE EXPLAINED THAT REFRAINING FROM THE PRODUCTION OF HIGHLY ENRICHED URANIUM METAL IS ESSENTIAL BECAUSE PRODUCTION OF METAL CLEARLY SUGGESTS AN INTENTION TO FABRICATE NUCLEAR WEAPONS COMPONENTS.

-- MAINTAINING HIGHLY ENRICHED URANIUM IN THE UF6 FORM, RATHER THAN CONVERTING TO METAL, INDICATES THAT POLITICAL AND TECHNICAL BARRIERS HAVE BEEN INSERTED IN THE PROCESS OF WEAPONS FABRICATION.

-- THIRD, WE HAVE EMPHASIZED ON MANY OCCASIONS THAT

PAKISTAN MUST ENSURE THAT IT DOES NOT POSSESS ANY HIGHLY ENRICHED URANIUM METAL IN THE FORM OF NUCLEAR DEVICE COMPONENTS, OR NUCLEAR CORES.

-- ONCE SUCH CORE COMPONENTS HAVE BEEN FABRICATED' PAKISTAN WOULD BE ABLE TO ASSEMBLE A NUCLEAR DEVICE ON VERY SHORT NOTICE.

-- IN THIS SITUATION, THE PRESIDENT WOULD NOT BE ABLE TO CERTIFY BECAUSE FINAL ASSEMBLY OF A NUCLEAR EXPLOSIVE DEVICE IS NOT REQUIRED TO MEET THE DEFINITION OF POSSESSION OF A NUCLEAR DEVICE UNDER U.S. LAW.

-- THUS, PAKISTAN MUST NOT POSSESS EVEN ONE HIGHLY ENRICHED URANIUM CORE.

-- RECENT DEVELOPMENTS HAVE GIVEN US REASON TO BELIEVE THAT THE STATUS OF YOUR PROGRAM HAS CHANGED.

-- THEREFORE, IN ORDER FOR THE PRESIDENT TO CERTIFY THIS YEAR' PAKISTAN MUST ACT NOW TO ENSURE THAT ITS NUCLEAR PROGRAM IS CONSISTENT WITH OUR PREVIOUS UNDERSTANDINGS AND TANGIBLY DEMONSTRATE TO THE UNITED STATES THAT ITS ACTIONS ARE IN ACCORD WITH THESE THREE STEPS.

-- I CANNOT OVEREMPHASIZE THE IMPORTANCE OF THE NEED FOR PAKISTAN TO DEMONSTRATE CLEARLY, THROUGH CONCRETE ACTIONS, THAT IT DOES NOT POSSESS A NUCLEAR EXPLOSIVE DEVICE.

-- PAKISTAN NEEDS TO TAKE THE STEPS OUTLINED IN THE PRESIDENT'S LETTER TO GIVE US CONFIDENCE THAT IT IS ADDRESSING THE ISSUES OF DEMOCRATIC ELECTIONS, NUCLEAR PROLIFERATION, AND PEACE AND STABILITY IN SOUTH ASIA.

-- WE ARE WILLING TO UNDERTAKE A MAJOR DIPLOMATIC INITIATIVE TO ADDRESS THE NUCLEAR PROBLEM ON A REGIONAL BASIS. BUT THAT WILL DEPEND UPON RECEIVING YOUR RENEWED ASSURANCES THAT PAKISTAN WILL BRING ITS NUCLEAR PROGRAM INTO CONFORMITY WITH THE THREE STEPS WE HAVE OUTLINED TO YOU.

-- CONGRESSIONAL SUPPORT FOR SUCH AN EFFORT WILL ONLY COME ABOUT THROUGH SUCH A COMMITMENT AND A RENEWAL OF PAKISTAN'S PREVIOUS STATEMENTS IN SUPPORT OF CONFIDENCE BUILDING MEASURES TO CURB PROLIFERATION IN THE SOUTH ASIA REGION.

-- TIME IS SHORT. WE URGE YOU TO TAKE ACTIONS IMMEDIATELY TO REMOVE THIS THREAT TO OUR CLOSE RELATIONSHIP.

-- WE ARE PREPARED TO DISCUSS THIS FURTHER AT THE END OF THE MONTH OR EARLY NEXT MONTH IN WASHINGTON. WE WOULD BE PLEASED TO RECEIVE FOREIGN MINISTER YAQUB KHAN AND IJLAL ZAIDI.

-- WE ALSO WISH TO DISCUSS IDEAS FOR A REGIONAL INITIATIVE THAT COULD LEAD TO A DIALOGUE BETWEEN INDIA AND PAKISTAN AND EVENTUAL AGREEMENT ON RECIPROCAL MEASURES TO REMOVE THE THREAT OF NUCLEAR WAR IN THE REGION.

-- PRESIDENT BUSH IS WRITING TO PRIME MINISTER SINGH TO URGE THAT INDIA CONSIDER MUTUAL STEPS BEYOND THE PLEDGE NOT TO ATTACK NUCLEAR FACILITIES.

-- AS YOU KNOW, IT HAS BEEN DIFFICULT TO MAKE PROGRESS IN THIS AREA.

-- PAKISTAN HAS SAID IN THE PAST THAT IT WOULD AGREE TO RESTRAINTS ON ITS NUCLEAR PROGRAM IF INDIA DOES. WE HOPE THAT NEW PAKISTANI GOVERNMENT WILL TAKE A SIMILAR POSITION.

-- INDIA, HOWEVER, HAS REFUSED TO ACCEPT A REGIONAL OR BILATERAL INDO-PAK SOLUTION, CITING ITS STRATEGIC CONCERNS WITH CHINA AND ITS PHILOSOPHICAL POSITION THAT RESOLUTION OF THE SOUTH ASIA NUCLEAR ISSUE SHOULD BE LINKED TO GLOBAL DISARMAMENT.

-- IN OUR VIEW, IT MAY BE POSSIBLE TO SATISFY SOME OF

INDIA'S CONCERNS AND OVERCOME ITS OBJECTIONS TO A REGIONAL SOLUTION THROUGH THE ACTIVE PARTICIPATION OF INTERESTED OUTSIDE POWERS, SUCH AS THE U.S., USSR, AND CHINA.

-- FOR EXAMPLE, PERHAPS THE U.S., USSR, AND CHINA COULD JOIN IN INFORMAL DISCUSSIONS WITH INDIA AND PAKISTAN TO CONSIDER CONCRETE STEPS TO PREVENT NUCLEAR PROLIFERATION IN SOUTH ASIA.

-- WE HAVE ALREADY APPROACHED THE SOVIETS AND CHINESE TO ASK IF THEY WOULD BE PREPARED IN PRINCIPLE TO HELP ENCOURAGE A REGIONAL SOLUTION AND TO PARTICIPATE IN DISCUSSIONS ON A REGIONAL SOLUTION.

-- WE HOPE THAT PAKISTAN WILL ENCOURAGE CHINA TO GIVE A POSITIVE RESPONSE.

-- DURING YAQUB'S VISIT, WE WOULD LOOK FORWARD TO EXCHANGING VIEWS ON HOW THE U.S., USSR, AND CHINA COULD HELP TO ENCOURAGE A REGIONAL SOLUTION. WE WOULD ALSO WANT TO DISCUSS INDO-PAKISTANI RELATIONS AND THE GULF CRISIS.

END TALKING POINTS.

5. ACTION USVIENNA: AMB. OAKLEY IS DUE TO MEET WITH PRESIDENT GHULAM ISHAQ KHAN IN THE AFTERNOON OF 9/19 IN ISLAMABAD. OAKLEY SHOULD NOTIFY KENNEDY BY IMMEDIATE CABLE ONCE THE DEMARCHE HAS BEEN MADE. AMB. KENNEDY IS REQUESTED AT THAT POINT TO FOLLOW UP IN A MEETING WITH PAEC CHAIRMAN MUNIR KHAN ON THE MARGINS OF THE IAEA GENERAL CONFERENCE IN VIENNA. AMB. KENNEDY SHOULD DRAW ON THE POINTS IN PARA 4 IN HIS DISCUSSION WITH KHAN.

ADDITIONAL CLEARANCES:

ACDA/NWC:NWULF

NEA:TSCHAFER

INR:RFORT

PM:LVERVILLE

S/S: EMCKUNE

S/S-O: J MANZANARES BAKER

<SECT>SECTION: 01 OF 01<SSN> 7456<STOR> 900919105103 MSG000275050263
<TOR>900919105509

DOOR

NSC Meeting
Tuesday, October 9 3:00pm

DOOR

Marlin Fitzwater

Governor Sununu

Secretary Watkins

Secretary Brady

Robert Gates

Brent Scowcroft

Richard Haass

General Powell

Ronald Lehman

DOOR

The
Cabinet
Room

Richard Darman

Secretary Cheney

The President

Secretary Baker

Director Webster

PARTICIPANTSU.S.

The President

James A. Baker, Secretary of State

John H. Sununu, Chief of Staff

Brent Scowcroft, Assistant to the President for National
Security Affairs

Robert M. Gates, Assistant to the President and Deputy for
National Security Affairs

John H. Kelly, Assistant Secretary of State for Near Eastern and
South Asian Affairs

Richard Haass, Senior Director for Near East and South Asian
Affairs

Sandra Charles, Director for Near East and South Asian
Affairs, NSC (Notetaker)

SAUDI ARABIA

Prince Saud al-Faysal al Saud, Minister of Foreign Affairs

His Royal Highness Prince Bandar bin Sultan, Ambassador to the
United States

Rihab Massoud, First Secretary

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White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By btc NARA, Date 3/13/08

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21125

with ~~TOP SECRET/CODEWORD~~ attachment
NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

October 8, 1990

ACTION

MEMORANDUM FOR BRENT SCOWCROFT

THROUGH: ~~RICHARD N. HAASS~~

FROM: ~~SANDRA CHARLES~~

SUBJECT: NSC Meeting on Pakistan's Nuclear Program

Attached at Tab I is the briefing memorandum to the President for his meeting with the National Security Council on Tuesday, October 9, 1990, at 3:00 p.m. in the Cabinet Room.

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab I	Memo to the President
Tab A	Agenda
Tab B	Opening Statement
Tab C	List of Participants
Tab D	June 16 NSC Minutes
Tab E	President's Letter to President of Pakistan

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White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By b/c NARA, Date 3/13/08

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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01g. Memo	To Scowcroft from Charles & Haass re Background Material for NSC Meeting (2 pp.)	10/8/90	(b)(1)	TS

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC Meetings Files

WHORM Cat.:

File Location: NSC0056 - October 09, 1990 - Nuclear Matters, Middle East and Gulf, Proliferation [1]

Date Closed: 3/24/2008	OA/ID Number: 90002-025
FOIA/SYS Case #: 2005-0954-MR	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

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 the 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.

PRM. Removed as a personal record misfile.

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

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

**National Security Council
The White House**

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	SEQUENCE TO	HAS SEEN	DISPOSITION
Ken Hill	_____	_____	_____
Bill Sittmann	_____	_____	_____
Bob Gates	_____	_____	_____
Brent Scowcroft	_____	_____	_____
Bill Sittmann	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>AM</u>	<u>10/9</u>	<u>N</u>
NSC Secretariat	_____	_____	<u>NFA</u>
_____	_____	_____	_____
_____	_____	_____	_____

A = Action	I = Information	D = Dispatch	R = Retain	N = No further Action
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cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

DISPATCH INSTRUCTIONS:

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CARD 1 OF 3

POINTS TO BE MADE FOR NSC MEETING ON
PAKISTAN'S NUCLEAR PROGRAM

- SINCE OUR JUNE MEETING, SOME WORK HAS BEEN DONE WITH THE PAKISTANIS AND THE CONGRESS ON OUR INABILITY TO CERTIFY PAKISTAN'S NUCLEAR PROGRAM THIS YEAR.
- AND I KNOW JIM BAKER HAS ENGAGED HIS COUNTERPARTS FROM INDIA, PAKISTAN AND THE SOVIET UNION IN A DISCUSSION ON A REGIONAL NONPROLIFERATION INITIATIVE.
- UNFORTUNATELY, THERE HAVE BEEN SOME UNEXPECTED DEVELOPMENTS THAT AFFECTED OUR EARLIER GAMEPLAN: PRIME MINISTER BHUTTO'S REMOVAL FROM OFFICE AND THE IRAQI INVASION OF KUWAIT.

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CARD 2 OF 3

- I MET WITH THE CONGRESSIONAL LEADERSHIP LAST MONTH TO OUTLINE THE DILEMMA WE FACED IN CERTIFYING AND TO ASK FOR THEIR ADVICE ON HOW TO AVOID THE CONSEQUENCES.
- I UNDERSTAND THAT WE'VE RUN INTO CONSIDERABLE CONGRESSIONAL RESISTANCE TO OUR PROPOSED SUSPENSION OF THE PRESSLER SANCTION ON AID.
- THERE ARE SERIOUS POLITICAL AND SECURITY CONSEQUENCES OF NONCERTIFICATION THAT YOU ARE ALL FAMILIAR WITH: THE POSSIBILITY OF TENSIONS BETWEEN INDIA AND PAKISTAN OVER KASHMIR LEADING TO A WAR, INCLUDING A NUCLEAR WAR; AND IMPLICATIONS FOR OUR GLOBAL NONPROLIFERATION EFFORTS.

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CARD 3 OF 3

- I AM SURE YOU REALIZE THE GRAVITY OF THE
SITUATION WE FACE, SO I ASK THAT THESE
PROCEEDINGS REMAIN CLOSEHOLD.
- NOW, LET ME TURN THE DISCUSSION OVER TO YOU,
BRENT.

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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01i: Memo	For Brent Scowcroft from Sandra Charles re NSC Meeting [FOIA exemptions redacted] (4 pp.)	10/8/90	(b)(1)	TS

Collection:

Record Group: Bush Presidential Records
Office: National Security Council
Series: H-Files
Subseries: NSC Meetings Files
WHORM Cat.:
File Location: NSC0056 - October 09, 1990 - Nuclear Matters, Middle East and Gulf, Proliferation [1]

Document Partially Declassified
(Copy of Document Follows)
 By SS on 11/17/22

Date Closed: 3/24/2008	OA/ID Number: 90002-025
FOIA/SYS Case #: 2005-0954-MR	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #: 2005-0954-MR(208)
AR Disposition:	MR Disposition: Released in Part
AR Disposition Date:	MR Disposition Date: 8/4/2016

RESTRICTION CODES

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

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P-2 Relating to the appointment to Federal office [(a)(2) 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]

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

21126



October 8, 1990

APNSA Has Seen

INFORMATION

MEMORANDUM FOR BRENT SCOWCROFT

THROUGH: RICHARD N. ~~HAAS~~

FROM: ~~SANDRA~~ SANDRA CHARLES

SUBJECT: NSC Meeting on Pakistan's Nuclear Program; Tuesday
October 9, 1990; 3:00 - 3:45 p.m., The Cabinet
Room

DECLASSIFIED IN PART

PER E.O. 13526

2005-0954-MR
SS 8/4/16

The purpose of this meeting is twofold: to advise the President on the status of our efforts to obtain congressional support for legislative relief that would allow us to continue Pakistan's aid program temporarily; and to outline a new strategy for dealing with Pakistan's nuclear program given congressional resistance, our inability to certify, and the potential change of government in Pakistan.

After the President's opening remarks, you should begin by asking Judge Webster to provide an intelligence update on developments in Pakistan's nuclear program since the July NSC meeting.

He also should provide an assessment on the implications of an aid cutoff, the domestic political situation leading up to Pakistan's elections, and prospects for both increased hostilities between India and Pakistan over Kashmir and a nuclear arms race in South Asia.

Following the intelligence briefing, you should ask Secretary Baker to review the results of our Hill consultations on suspending the Pressler Amendment, and to discuss what course we should pursue in view of congressional opposition to temporary relief from Pressler. Whatever measures we undertake, there should be a continued suspension of our aid program to maintain pressure until Pakistan fairly elects a new government.

The issue is to decide whether it is now time, based on the evidence inhibiting certification this year and with no prospect

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of success for a legislative option, to shift our fundamental strategy for dealing with Pakistan's nuclear program from one of preventing to one of managing the reality of a nuclear weapons program. You may want to make this point, suggesting too that there is a potential silver lining or opportunity here to bring U.S. nuclear nonproliferation policy in line with a changing world.

Discussion: The NSC/DC reviewed the results of legislative consultations with key Congressmen and Senators to enlist their support for a legislative suspension from the Pressler Amendment. (As you know, the Pressler amendment requires an aid cutoff to Pakistan unless the President certifies by October 1 that Pakistan "does not possess a nuclear explosive device" and U.S. aid will serve our nonproliferation objectives.) While there was sympathy for the dilemma, there was no enthusiasm for the remedy we sought. In fact, last week the Senate Democratic leadership formally decided to oppose a Pressler suspension, leaving the NSC/DC to conclude that there is no prospect for a legislative option. Motivating congressional policy is a sense that successive Pakistani governments have been lying to us for years, and that the credibility of U.S. nonproliferation efforts worldwide would be undermined if we compromised here.

The NSC/DC also believed that the prospects for certification would be bleak even after a new Pakistani government takes office. Asking a new government to roll back various aspects of its program, by giving us access to their HEU stockpile or allowing inspection of facilities, most likely would be unrealistic in the present climate between India and Pakistan. It would be hard for them to make the choice between U.S. aid versus a nuclear program, particularly when the military believe the latter is clearly a matter of national security.

The NSC/DC concluded that, unless we manage this issue carefully, there could be serious risks stemming from noncertification and cutting off U.S. aid to Pakistan: specifically, the risk of a nuclear war, between India and Pakistan, and the serious implications for our global nonproliferation objectives. We also want to avoid jeopardizing prospects for democratic elections in Pakistan on October 24. Pakistan also may decide to move closer to China and Iran, which could result in greater nuclear cooperation among the three. The Muslim nations could view our singling out Pakistan's nuclear program and the aid cutoff as an affront since Israel's and India's nuclear programs are not constrained by U.S. law. This could affect Arab support for our Gulf policy, result in increased threats against U.S. facilities in Islamabad and elsewhere, and promote greater military

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cooperation among Pakistan, Iran, China and Saudi Arabia. In short, the potential risks would be considerable unless we remain engaged.

Our policy on Pakistan's nuclear program, governed to a certain extent by the Pressler certification requirement, has been one of attempted prevention. The policy succeeded for about 5 years in inhibiting Pakistan's progress in acquiring a nuclear explosive device. With the evidence of the past year, the NSC/DC has concluded that our prevention policy has run its course, and we now should shift to a new strategy to manage the reality of Pakistan's nuclear program. In order for this policy to have any chance of being accepted by Congress (and not just appear as a tactical device to enable aid to flow), there would have to be an interim period where U.S. aid would be suspended.

The components of a "management" policy would include:

1) Approaching the GOP: The message, which should be delivered immediately, would be that we have done our best, that Congress is not willing to consider legislative relief because of concerns about Pakistan's program and the future of democracy, and therefore, as matters now stand, there would be no possibility for resuming U.S. aid at this time; however, we are prepared to work with them and the Hill on a new basis for extending aid, with the understanding that something more would be required from the GOP to convince Congress. First, it would be important for Pakistan to hold free and fair elections on October 24. Then, the new government would need to clearly state and demonstrate its intentions to stop the program along the lines outlined in the President's letter to President Ghulam Ishaq Khan (Tab II). We would also tell the GOP we intend to pursue a regional nonproliferation initiative and expect their support.

2) Pursuing a Regional Nonproliferation Regime: We would continue our regional diplomatic initiative involving the Pakistanis, the Soviets, the Chinese, and the Indians in shouldering the burden of avoiding nuclear competition. The next step would be a message advising them of the state of play on the certification issue, and warning them that Indian action at this time on its nuclear program may jeopardize U.S. cooperation, such as technology transfers, military assistance, and could hurt Indian and regional security. The message would ask the GOI to consider measures with Pakistan to deescalate risks of a nuclear war (e.g., IAEA safeguards, a test ban treaty, no first use).

3) Informing other regional states: The NSC/DC agreed it would be prudent to inform Pakistan's friends in the area of the status

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attachment

of our aid program and the nuclear certification issue. This would include China, Saudi Arabia and the United Arab Emirates.

4) Our Public Posture: The NSC/DC agreed to pursue this strategy as quietly as possible, continuing to state publicly that Pressler certification is "under review".

5) Issuing a 614 waiver: After elections, if the new government was cooperative in halting Pakistan's program, we could consider using a Section 614 waiver to provide a limited amount of aid to Pakistan specifically to resume some economic programs and to allow the delivery of military items already paid for in the pipeline. This would give us some leverage with Pakistan until either we were in a position to certify based on Pakistan's actions (impossible absent a most unlikely rollback of their program) or until new legislation was introduced. Such a waiver would not be sought until we had determined that Pakistan was seriously interested in taking the steps necessary to halt its program and that Congress would support such a step. Section 614 of the Foreign Assistance Act that permits per country up to \$500 million in assistance and sales if the President determines waiver to be vital to U.S. national security interests. Not more than \$50 million of the \$500 million may be in foreign assistance (economic support) or FMS funds. Thus, if the country elects to take \$50 million in FMS financing, the remaining \$450 million in sales would have to be cash purchases.

6) Developing New Legislation: When Congress reconvenes we would engage it in a discussion of the need to develop new nonproliferation legislation more consistent with evolving realities and that would revise Pressler and use another legal standard, e.g., no weaponization, test ban, etc., to curb the nuclear arms race in the subcontinent and elsewhere.

In summarizing, you should seek interagency support for adopting a strategy of "managing" Pakistan's nuclear program, and if the President approves, instruct the NSC/Deputies Committee to implement the components of the strategy as outlined above.

Attachments

Tab I NSC Agenda
Tab II President's Letter to President of Pakistan
Tab III June 16 NSC Minutes

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21123

NATIONAL SECURITY COUNCIL MEETING

DATE: October 9, 1990
LOCATION: White House Cabinet Room
TIME: 3:00 - 3:45 p.m.

PAKISTAN

Agenda

- I. Opening Statement..... The President
- II. Introduction..... Brent Scowcroft
- III. Intelligence Assessment..... DCI Webster
- IV. Presentation of Proposed
Strategy..... Secretary Baker
- V. Summary..... Brent Scowcroft

DECLASSIFIED

White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By blc NARA, Date 3/13/08

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INFO RUEHNE/AMEMBASSY NEW DELHI IMMEDIATE 0000

<SUBJ>SUBJECT: PRESIDENTIAL LETTER ON NUCLEAR CERTIFICATION

<TEXT>

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USVIENNA FOR UNVIE - AMB. KENNEDY

E.O. 12356: DECL:OADR

TAGS: PK, IN, PNUC, PREL

SUBJECT: PRESIDENTIAL LETTER ON NUCLEAR CERTIFICATION

1. ~~SECRET~~ - ENTIRE TEXT.
2. ACTION ISLAMABAD: AMBASSADOR OAKLEY IS REQUESTED TO DELIVER THE FOLLOWING LETTER FROM PRESIDENT BUSH TO PRESIDENT GHULAM ISHAQ KHAN (PARA 3), ALONG WITH TALKING POINTS. (PARA 4).
3. BEGIN PRESIDENTIAL LETTER TO PRESIDENT GHULAM ISHAQ KHAN.

DEAR MR. PRESIDENT:

IN THE TIME WE HAVE BOTH BEEN IN OFFICE, THE UNITED STATES AND PAKISTAN HAVE WORKED HARD TO STRENGTHEN THE LONGSTANDING PARTNERSHIP BETWEEN OUR TWO COUNTRIES. ONE OF THE HALLMARKS OF OUR RELATIONS HAS BEEN THE SPIRIT OF FRANKNESS THAT HAS CHARACTERIZED OUR EXCHANGES ON MANY DELICATE ISSUES. IT IS IN THAT SPIRIT OF FRIENDSHIP AND CANDOR THAT I MUST NOW WRITE YOU ON A MATTER THAT THREATENS TO UNDO MUCH OF WHAT WE HAVE ACCOMPLISHED. I HAVE RAISED PAKISTAN'S NUCLEAR PROGRAM A NUMBER OF TIMES, DURING YOUR PRIME MINISTER'S VISIT LAST YEAR AND IN CORRESPONDENCE TO YOU BOTH. ON EACH OCCASION I WAS PLEASED TO RECEIVE YOUR ASSURANCE THAT PAKISTAN WOULD NOT DEVELOP A NUCLEAR EXPLOSIVE DEVICE.

IN RECENT MONTHS, WE HAVE OBTAINED INFORMATION GIVING US REASON TO BELIEVE THAT THE STATUS OF YOUR NUCLEAR PROGRAM HAS CHANGED. THIS IS DEEPLY DISTURBING TO ME, PARTICULARLY BECAUSE OF MY RESPONSIBILITIES UNDER THE PRESSLER AMENDMENT. I MUST IN ALL HONESTY ADVISE YOU THAT UNDER PRESENT CIRCUMSTANCES, IT IS NOT POSSIBLE FOR ME TO CERTIFY PAKISTAN'S COMPLIANCE WITH THIS LAW. MUCH IS AT STAKE FOR OUR BILATERAL RELATIONSHIP, FOR DEMOCRACY IN PAKISTAN AND FOR PEACE AND STABILITY IN THE SUBCONTINENT.

THE SITUATION IS SERIOUS. IN THE NEXT FEW DAYS, I WILL BE CONSULTING WITH THE LEADERS OF OUR CONGRESS ON POSSIBLE APPROACHES TO DEAL WITH THIS PROBLEM IN WAYS THAT PROMOTE -- NOT THWART -- OUR GOALS OF NONPROLIFERATION, DEMOCRACY, AND PEACE IN THE SUBCONTINENT.

MR. PRESIDENT, WE ARE APPROACHING A CRISIS IN OUR RELATIONSHIP. IN MY CONSULTATIONS WITH CONGRESSIONAL LEADERS, I AM WILLING TO CONSIDER ASKING FOR AUTHORITY TO DELAY CUTTING OFF U.S. ASSISTANCE FOR A PERIOD OF TIME, BUT ONLY IF I CAN OFFER THEM SOME REALISTIC PROSPECT THAT PAKISTAN WILL DO ITS PART TO WARRANT SUCH AMERICAN FLEXIBILITY. SPECIFICALLY, AND SPEAKING WITH A CANDOR POSSIBLE ONLY BETWEEN CLOSE FRIENDS, I BELIEVE PAKISTAN WOULD NEED TO HAVE A GENUINELY FREE AND FAIR ELECTION ON OCTOBER 24 IN WHICH ALL QUALIFIED CANDIDATES ARE PERMITTED TO RUN, AND SUBSEQUENTLY, SOME INDICATION THAT THIS NEW GOVERNMENT WOULD STOP YOUR NUCLEAR WEAPONS

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PROGRAM AND CARRY OUT THE THREE STEPS I HAVE PREVIOUSLY DESCRIBED TO YOU AND FORMER PRIME MINISTER BHUTTO. * (see below) FINALLY, PAKISTAN SHOULD BE WILLING TO WORK VIGOROUSLY AND COOPERATIVELY WITH US TOWARD A NEGOTIATED, REGIONAL NONPROLIFERATION SOLUTION.

I MUST CAUTION THAT THE CONGRESSIONAL LEADERSHIP MAY NOT ACCEPT EVEN THESE ARRANGEMENTS. EVEN SO, I AM WILLING TO TRY IF, IN TURN, YOU ARE ABLE TO INDICATE TO ME THAT THE GOVERNMENT OF PAKISTAN IS FAVORABLY DISPOSED TOWARD SUCH ARRANGEMENTS.

I CANNOT OVEREMPHASIZE THE SERIOUSNESS OF THIS SITUATION OR THE URGENCY OF EFFORTS NEEDED TO ADDRESS THIS PROBLEM BETWEEN US. I INTEND TO SHARE THE EXISTENCE OF THIS LETTER AND THE INFORMAL SUGGESTIONS IT MAKES WITH OUR CONGRESSIONAL LEADERSHIP. A POSITIVE SIGNAL FROM YOU IN EACH AREA I HAVE ADDRESSED WOULD BE MOST HELPFUL IN SEEKING MORE TIME FROM CONGRESS FOR A REGIONAL SOLUTION TO THE NUCLEAR PROBLEM AND FOR PRESERVING PEACE.

SINCERELY YOURS,
GEORGE BUSH

END PRESIDENTIAL LETTER TO PRESIDENT GHULAM ISHAQ KHAN.

4. BEGIN TALKING POINTS.

-- THE PRESIDENT HAS ASKED ME TO DELIVER A LETTER TO YOU ON NUCLEAR CERTIFICATION.

-- AS YOU KNOW, BY LAW, THE PRESIDENT MUST CERTIFY EVERY FISCAL YEAR THAT PAKISTAN DOES NOT POSSESS A NUCLEAR EXPLOSIVE DEVICE AND THAT U.S. ASSISTANCE WILL SIGNIFICANTLY REDUCE THE RISK THAT PAKISTAN WILL POSSESS SUCH A DEVICE.

-- WITHOUT CERTIFICATION, ALL U.S. MILITARY AND ECONOMIC ASSISTANCE TO PAKISTAN, AS WELL AS TRANSFERS AND SALES OF MILITARY EQUIPMENT, INCLUDING SPARE PARTS AND MILITARY TECHNOLOGY UNDER THE FMS PROGRAM WILL END AS OF OCTOBER 1, 1990.

* -- WE HAVE PREVIOUSLY TOLD YOU THAT THREE STEPS ARE ESSENTIAL FOR CERTIFICATION.

O CEASE PRODUCTION OF HIGHLY ENRICHED URANIUM

O REFRAIN FROM PRODUCTION OF HIGHLY ENRICHED URANIUM METAL

O ENSURE THAT PAKISTAN DOES NOT POSSESS ANY HIGHLY ENRICHED URANIUM METAL IN THE FORM OF NUCLEAR DEVICE COMPONENTS

-- EACH OF THESE STEPS IS CRITICAL TO THE PRESIDENT'S ABILITY TO CERTIFY.

-- FIRST, PAKISTAN'S DECISION LAST YEAR TO CEASE FURTHER PRODUCTION OF HIGHLY ENRICHED URANIUM WAS A STRONG DEMONSTRATION OF THE NEW GOVERNMENT'S COMMITMENT TO IMPOSE POLITICAL RESTRAINTS ON PAKISTAN'S NUCLEAR PROGRAM BECAUSE IT HALTED THE FURTHER ACCUMULATION OF MATERIAL WHICH COULD BE USED TO FABRICATE NUCLEAR WEAPONS.

-- AS WE TOLD YOU LAST YEAR, IF PAKISTAN WERE TO RESUME PRODUCTION OF HIGHLY ENRICHED URANIUM, IT WOULD SERIOUSLY UNDERMINE THE CREDIBILITY OF THE NEW GOVERNMENT'S ASSURANCES THAT IT HAS NO INTENTION OF ACQUIRING NUCLEAR WEAPONS AND WOULD THEREFORE UNDERMINE THE PRESIDENT'S ABILITY TO CERTIFY.

-- SECOND, WE HAVE EXPLAINED THAT REFRAINING FROM THE PRODUCTION OF HIGHLY ENRICHED URANIUM METAL IS ESSENTIAL BECAUSE PRODUCTION OF METAL CLEARLY SUGGESTS AN INTENTION TO FABRICATE NUCLEAR WEAPONS COMPONENTS.

-- MAINTAINING HIGHLY ENRICHED URANIUM IN THE UF6 FORM, RATHER THAN CONVERTING TO METAL, INDICATES THAT POLITICAL AND TECHNICAL BARRIERS HAVE BEEN INSERTED IN THE PROCESS OF WEAPONS FABRICATION.

-- THIRD, WE HAVE EMPHASIZED ON MANY OCCASIONS THAT

PAKISTAN MUST ENSURE THAT IT DOES NOT POSSESS ANY HIGHLY ENRICHED URANIUM METAL IN THE FORM OF NUCLEAR DEVICE COMPONENTS, OR NUCLEAR CORES.

-- ONCE SUCH CORE COMPONENTS HAVE BEEN FABRICATED' PAKISTAN WOULD BE ABLE TO ASSEMBLE A NUCLEAR DEVICE ON VERY SHORT NOTICE.

-- IN THIS SITUATION, THE PRESIDENT WOULD NOT BE ABLE TO CERTIFY BECAUSE FINAL ASSEMBLY OF A NUCLEAR EXPLOSIVE DEVICE IS NOT REQUIRED TO MEET THE DEFINITION OF POSSESSION OF A NUCLEAR DEVICE UNDER U.S. LAW.

-- THUS, PAKISTAN MUST NOT POSSESS EVEN ONE HIGHLY ENRICHED URANIUM CORE.

-- RECENT DEVELOPMENTS HAVE GIVEN US REASON TO BELIEVE THAT THE STATUS OF YOUR PROGRAM HAS CHANGED.

-- THEREFORE, IN ORDER FOR THE PRESIDENT TO CERTIFY THIS YEAR' PAKISTAN MUST ACT NOW TO ENSURE THAT ITS NUCLEAR PROGRAM IS CONSISTENT WITH OUR PREVIOUS UNDERSTANDINGS AND TANGIBLY DEMONSTRATE TO THE UNITED STATES THAT ITS ACTIONS ARE IN ACCORD WITH THESE THREE STEPS.

-- I CANNOT OVEREMPHASIZE THE IMPORTANCE OF THE NEED FOR PAKISTAN TO DEMONSTRATE CLEARLY, THROUGH CONCRETE ACTIONS, THAT IT DOES NOT POSSESS A NUCLEAR EXPLOSIVE DEVICE.

-- PAKISTAN NEEDS TO TAKE THE STEPS OUTLINED IN THE PRESIDENT'S LETTER TO GIVE US CONFIDENCE THAT IT IS ADDRESSING THE ISSUES OF DEMOCRATIC ELECTIONS, NUCLEAR PROLIFERATION, AND PEACE AND STABILITY IN SOUTH ASIA.

-- WE ARE WILLING TO UNDERTAKE A MAJOR DIPLOMATIC INITIATIVE TO ADDRESS THE NUCLEAR PROBLEM ON A REGIONAL BASIS. BUT THAT WILL DEPEND UPON RECEIVING YOUR RENEWED ASSURANCES THAT PAKISTAN WILL BRING ITS NUCLEAR PROGRAM INTO CONFORMITY WITH THE THREE STEPS WE HAVE OUTLINED TO YOU.

-- CONGRESSIONAL SUPPORT FOR SUCH AN EFFORT WILL ONLY COME ABOUT THROUGH SUCH A COMMITMENT AND A RENEWAL OF PAKISTAN'S PREVIOUS STATEMENTS IN SUPPORT OF CONFIDENCE BUILDING MEASURES TO CURB PROLIFERATION IN THE SOUTH ASIA REGION.

-- TIME IS SHORT. WE URGE YOU TO TAKE ACTIONS IMMEDIATELY TO REMOVE THIS THREAT TO OUR CLOSE RELATIONSHIP.

-- WE ARE PREPARED TO DISCUSS THIS FURTHER AT THE END OF THE MONTH OR EARLY NEXT MONTH IN WASHINGTON. WE WOULD BE PLEASED TO RECEIVE FOREIGN MINISTER YAQUB KHAN AND IJLAL ZAIDI.

-- WE ALSO WISH TO DISCUSS IDEAS FOR A REGIONAL INITIATIVE THAT COULD LEAD TO A DIALOGUE BETWEEN INDIA AND PAKISTAN AND EVENTUAL AGREEMENT ON RECIPROCAL MEASURES TO REMOVE THE THREAT OF NUCLEAR WAR IN THE REGION.

-- PRESIDENT BUSH IS WRITING TO PRIME MINISTER SINGH TO URGE THAT INDIA CONSIDER MUTUAL STEPS BEYOND THE PLEDGE NOT TO ATTACK NUCLEAR FACILITIES.

-- AS YOU KNOW, IT HAS BEEN DIFFICULT TO MAKE PROGRESS IN THIS AREA.

-- PAKISTAN HAS SAID IN THE PAST THAT IT WOULD AGREE TO RESTRAINTS ON ITS NUCLEAR PROGRAM IF INDIA DOES. WE HOPE THAT NEW PAKISTANI GOVERNMENT WILL TAKE A SIMILAR POSITION.

-- INDIA, HOWEVER, HAS REFUSED TO ACCEPT A REGIONAL OR BILATERAL INDO-PAK SOLUTION, CITING ITS STRATEGIC CONCERNS WITH CHINA AND ITS PHILOSOPHICAL POSITION THAT RESOLUTION OF THE SOUTH ASIA NUCLEAR ISSUE SHOULD BE LINKED TO GLOBAL DISARMAMENT.

-- IN OUR VIEW, IT MAY BE POSSIBLE TO SATISFY SOME OF

INDIA'S CONCERNS AND OVERCOME ITS OBJECTIONS TO A REGIONAL SOLUTION THROUGH THE ACTIVE PARTICIPATION OF INTERESTED OUTSIDE POWERS, SUCH AS THE U.S., USSR, AND CHINA.

-- FOR EXAMPLE, PERHAPS THE U.S., USSR, AND CHINA COULD JOIN IN INFORMAL DISCUSSIONS WITH INDIA AND PAKISTAN TO CONSIDER CONCRETE STEPS TO PREVENT NUCLEAR PROLIFERATION IN SOUTH ASIA.

-- WE HAVE ALREADY APPROACHED THE SOVIETS AND CHINESE TO ASK IF THEY WOULD BE PREPARED IN PRINCIPLE TO HELP ENCOURAGE A REGIONAL SOLUTION AND TO PARTICIPATE IN DISCUSSIONS ON A REGIONAL SOLUTION.

-- WE HOPE THAT PAKISTAN WILL ENCOURAGE CHINA TO GIVE A POSITIVE RESPONSE.

-- DURING YAQUB'S VISIT, WE WOULD LOOK FORWARD TO EXCHANGING VIEWS ON HOW THE U.S., USSR, AND CHINA COULD HELP TO ENCOURAGE A REGIONAL SOLUTION. WE WOULD ALSO WANT TO DISCUSS INDO-PAKISTANI RELATIONS AND THE GULF CRISIS.

END TALKING POINTS.

5. ACTION USVIENNA: AMB. OAKLEY IS DUE TO MEET WITH PRESIDENT GHULAM ISHAQ KHAN IN THE AFTERNOON OF 9/19 IN ISLAMABAD. OAKLEY SHOULD NOTIFY KENNEDY BY IMMEDIATE CABLE ONCE THE DEMARCHE HAS BEEN MADE. AMB. KENNEDY IS REQUESTED AT THAT POINT TO FOLLOW UP IN A MEETING WITH PAEC CHAIRMAN MUNIR KHAN ON THE MARGINS OF THE IAEA GENERAL CONFERENCE IN VIENNA. AMB. KENNEDY SHOULD DRAW ON THE POINTS IN PARA 4 IN HIS DISCUSSION WITH KHAN.

ADDITIONAL CLEARANCES:

ACDA/NWC:NWULF

NEA:TSCHAFER

INR:RFORT

PM:LVERVILLE

S/S: EMCKUNE

S/S-O: J MANZANARES BAKER

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