DEFEATING AL–QAEDA'S AIR FORCE: PAKISTAN'S F–16 PROGRAM IN THE FIGHT AGAINST TERRORISM

HEARING

BEFORE THE

SUBCOMMITTEE ON
THE MIDDLE EAST AND SOUTH ASIA

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

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DEFEATING AL–QAEDA'S AIR FORCE: PAKISTAN'S F–16 PROGRAM IN THE FIGHT AGAINST TERRORISM

TUESDAY, SEPTEMBER 16, 2008

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST
AND SOUTH ASIA,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:08 a.m. in room 2172, Rayburn House Office Building, Hon. Gary L. Ackerman (chairman of the subcommittee) presiding.

Mr. ACKERMAN. The subcommittee will come to order.

On July 16 of this year, the State Department notified the full committee that it intended to reprogram $226 million in Foreign Military Financing that had been provided to Pakistan in order to support a portion of the cost of the Mid-Life Update of Pakistan's F–16 fleet. The total cost of the MLU portion of the F–16 program is $890 million. As I understand it, the administration is also seeking to use $110 million in Fiscal Year 2009 funding for this purpose as well. This despite earlier assurances that with the exception of the $109 million, the rest of the cost of the F–16 program would be borne by the Government of Pakistan, not the taxpayers of the United States.

It now turns out that the taxpayers are on the hook for $445 million, or half the cost of the MLU program. It also turns out that the Government of Pakistan had been operating on the presumption, or maybe even with the assurance, all along that the United States would foot half the bill, yet the administration disclosed this fact only in the course of notifying Congress about the reprogramming. It makes one wonder what other assumptions the Government of Pakistan have made or assurances they have received about who is paying for their F–16s that the administration either does not know or has not disclosed.

The problems with this process are manifold. This notification and the cavalier disregard for the concerns about the appropriate uses of FMF raised by members of this committee, Chairman Berman particularly, is further evidence of the contempt with this administration treats the Congress and the American people generally and continues a practice that begun with the initial notification of the sale of F–16s to Pakistan back in June 2006.

At that time the administration chose to ignore 30 years of precedent and preempt ongoing consultations between the committee

and the administration by sending forward the formal notifications before those consultations were concluded. If the administration is going to rewrite the rules regarding arms sales, and ignore the concerns of this committee regarding the use of military assistance, then I think it is incumbent on the committee to review the ways these sales are approved and the way funding is reprogrammed.

Instead of the current process which has Congress as a passive actor in these decisions, I propose that we take a more active role. I believe that Congress should vote affirmatively to approve arms sales to particular countries if these proposed sales are above a certain dollar value. We could establish an expedited process to ensure that once a sale is notified, Congress would act one way or the other, but as it stands now, most members who do not sit on this committee have no idea what we sell and to whom. Just as often such questions go wholly unexamined.

And even if members did object, the current process leaves them with virtually no opportunity to effect the sale one way another. The fact that Congress has not seriously challenged an arms sale since 1987 is not evidence that the process works, but evidence that the Congress has ceded too much authority to the Executive Branch. Congress has been historically accommodating because the Executive Branch had almost always acted in good faith. This administration is no longer entitled to that presumption.

For anyone who has been paying attention, it should be no secret that I have opposed this particular arms sale from the outset. I so far remain unconvinced, despite the administration's nifty justification for how the reprogramming actually complies with section 699F of last year's foreign operations bill, that Pakistan needs F–16s to assist in the fight against terror. The question is not whether F–16s could be used against al-Qaeda, they obviously can be, but there are problems with this justification.

First, while F–16s can be used in close air support of counterterror operations, and we, in fact, use them that way ourselves, the F–16s that Pakistan currently flies are not configured to carry precious guided munitions so it would be a few years before the planes could be used effectively in this manner. And while Pakistan may be using its current F–16s to bomb al-Qaeda targets, it is not doing anything like close to air support.

It is also my understanding that only recently has the Pakistani Air Force agreed to receive training in such tactics. So the question is not whether the planes can be used this way, the question is are they the best weapon to use or are there others that would serve our interests better and could be deployed sooner? This question is especially relevant when we are now talking about our own money.

Since the Bush administration previously intended to use the $226 million to upgrade surveillance planes and Cobra helicopters, presumably these things were considered a higher priority than the F–16 upgrades. Yet now these steps will be delayed.

The discussion of the right kinds of training and equipment for Pakistan comes amid new reports questioning whether the Pakistan military and intelligence services are actually on our side in this fight. Questions about Pakistan's capacity and their will to fight the terrorists in their midst have been raised consistently since 2001. Capacity to fight can be addressed with our assistance,

but their will to fight cannot. Too many Pakistanis see this first as an "American war." To be prosecuted successfully, it must be viewed by Pakistanis as a war for Pakistan's survival; it has to be perceived by them as their fight.

I am willing to give the new civilian Government of Pakistan the benefit of the doubt regarding their commitment to defeating extremist. Clearly, President Zardari and his family have suffered the tragic loss of a wife and mother at the hands of extremists. But he has an enormous task ahead of him. Not only does he have to convince his own public that the fight is worth waging but he has to coerce the military and intelligence agencies to abandon policies that support militants, polices these agencies have been pursuing for decades.

Press reports over the weekend highlight the depth of the problem. On the one hand, there were reports of continued aggressive pursuit of militants in Bajaur agency by Pakistan's military. On the other hand, there were reports of Pakistani troops firing on American troops who were on the Afghan side of the border across from South Waziristan.

This is a perilous time for Pakistan and a crucial one for American policy there. It is imperative that we get it right. We should start by ensuring that we are providing Pakistan with the equipment and training needed to effectively fight terror rather than spending our money and theirs on weapon systems simply to make Pakistani generals feel good about themselves.

We will now turn to our very distinguished panel. My understanding is that there are two formal presentations to be made by Secretary Camp and Admiral Wieringa, and that others at the witness table will be available to answer questions.

Principal Deputy Assistant Secretary Donald Camp is a career Foreign Service Officer who has focused on both East and South Asia. He has served as the foreign policy advisor to the Chief of Naval Operations as Deputy Assistant Secretary for South Asia, and on the National Security Council as director of South Asian Affairs. I am pleased to see that before joining the Foreign Service, Secretary Camp handled foreign affairs for our former Senate colleague, Paul Simon.

Following Secretary Camp is Vice Admiral Jeffrey Wieringa. Admiral Wieringa began his naval service in 1973, through the Aviation Reserve Officer Program. A graduate of Kansas State College, Admiral Wieringa has flown 51 different types of aircraft with over 4,000 flight hours and 534 carrier landings, and it seems pretty clear that he knows his way around an airplane.

Mr. Frank Ruggiero is Deputy Assistant Secretary of State for defense, trade and regional security, and has held that position since October 2007. Mr. Ruggiero is responsible for world defense exports from the United States, including direct commercial sales and foreign military sales. Mr. Ruggiero is a career civil servant who has held various positions in the Departments of State and Commerce, and holds an M.A. in Middle Eastern Affairs from American University.

Mr. Mitchell Shivers is Principal Deputy Assistant Secretary of Defense for Asian and Pacific Security Affairs. He has held this position since March of this year. He is responsible for Department

of Defense policy matters in the Asian and Pacific region, stretching from Afghanistan in the West to the Pacific Islands in the East. Prior to his current position, Mr. Shivers served as Deputy Assistant Secretary of Defense for Central Asia. He also served in Afghanistan for a year as senior advisor and the economic section chief of the Afghan Reconstruction Group at the United States Embassy in Kabul. Before joining the government, he spent 30 years working in financial services, chiefly for Merrill Lynch.

Major General Burton M. Field is Vice Director for Strategic Plans and Policy for the Joint Staff at the Pentagon. In that position, he provides strategic direction, policy guidance, and planning focus to develop and execute national military strategy. General Field was commissioned in 1979, after graduating from the Air Force Academy, and has flown over 3,400 flying hours in the F–16 and F–21A. General Field apparently knows his way around an airplane as well.

Gentlemen, your full statements will be entered into the record, and Secretary Camp, we shall begin with you.

[The prepared statement of Mr. Ackerman follows:]

PREPARED STATEMENT OF THE HONORABLE GARY L. ACKERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA

The subcommittee will come to order. On July 16 of this year, the State Department notified the full committee that it intended to reprogram $226 million in Foreign Military Financing that had been provided to Pakistan in order to support a portion of the cost of the Mid-Life Update of Pakistan's F–16 fleet. The total cost of the MLU portion of the F–16 program is $890 million. As I understand it, the Administration is also seeking to use $110 million in Fiscal Year 2009 funding for this purpose as well. This despite earlier assurances that with the exception of $109 million, the rest of the cost of the F–16 program would be borne by the Government of Pakistan, not the taxpayers of the United States. It now turns out that the taxpayers are on the hook for $445 million, or half the cost of the MLU program. It also turns out that the Government of Pakistan had been operating under the presumption, or maybe even with the assurance, all along that the United States would foot half the bill, yet the Administration disclosed this fact only in the course of notifying Congress about the re-programming. It makes one wonder what other assumptions the Government of Pakistan has made or assurances they received about who's paying for their F–16s that the Administration either doesn't know or hasn't disclosed.

The problems with this process are manifold. This notification and the cavalier disregard for the concerns about the appropriate uses for FMF raised by members of this committee, Chairman Berman particularly, is further evidence of the contempt with which this Administration treats the Congress and the American people generally and continues a practice that began with the initial notification of the sale of F–16s to Pakistan back in June of 2006. At that time the Administration chose to ignore 30 years of precedent and preempt ongoing consultations between the Committee and the Administration by sending forward the formal notifications before those consultations were concluded. If the Administration is going to re-write the rules regarding arms sales, and ignore the concerns of this committee regarding the use of military assistance, then I think it is incumbent on the Committee to review the way these sales are approved and the way funding is reprogrammed.

Instead of the current process which has Congress as a passive actor in these decisions, I propose that we take a more active role. I believe that the Congress should vote affirmatively to approve arms sales to particular countries if these proposed sales are above a certain dollar value. We could establish an expedited process to ensure that once a sale is notified, Congress would act one way or another, but as it stands now, most members who do not sit on this committee have no idea what we sell to whom. Just as often such questions go wholly unexamined. And even if members did object, the current process leaves them with virtually no opportunity to affect the sale one way or another. The fact that Congress has not seriously challenged an arms sale since 1987 isn't evidence that the process works, but evidence

that the Congress has ceded too much authority to the executive. Congress has been historically accommodating because the executive branch had almost always acted in good faith. This Administration is no longer entitled to that presumption.

For anyone who has been paying attention, it should be no secret that I have opposed this particular arms sale from the outset. I, so far, remain unconvinced, despite the Administration's nifty justification for how the reprogramming actually complies with section 699F of last years Foreign Operations bill, that Pakistan needs F–16s to assist us in the fight against terror. The question isn't whether F–16s could be used against al Qaeda, they obviously can be. But there are problems with this justification. First, while F–16s can be used in close air support of counter-terror operations, and we, in fact, use them that way ourselves, the F–16s that Pakistan currently flies are not configured to carry precision guided munitions so it would be a few years before the planes could be used effectively in this manner. And while Pakistan may be using its current F–16s to bomb al Qaeda targets it is not doing anything like close air support. It is also my understanding that only recently has the Pakistani Air Force agreed to receive training in such tactics. So, the question isn't whether the planes can be used this way, the question is: are they the best weapon to use or are there others that would serve our interests better and could be deployed sooner? This question is especially relevant when we are now talking about our own money. Since the Bush Administration had previously intended to use the $226 million to upgrade surveillance planes and Cobra helicopters, presumably these things were considered a higher priority than the F–16 upgrades. Yet now these steps will be delayed.

This discussion of the right kinds of training and equipment for Pakistan comes amid new reports questioning whether the Pakistani military and intelligence services are actually on our side in this fight. Questions about Pakistan's capacity and their will to fight the terrorists in their midst have been raised consistently since 2001. Capacity to fight can be addressed with our assistance, but their will to fight cannot. Too many Pakistanis see this fight as an "American war." To be prosecuted successfully, it must be viewed by Pakistanis as a war for Pakistan's survival; it has to be perceived by *them* as *their* fight. I'm willing to give the new civilian government in Pakistan the benefit of the doubt regarding their commitment to defeating extremism. Clearly, President Zardari and his family have suffered the tragic loss of a wife and mother at the hands of extremists. But he has an enormous task ahead of him. Not only does he have to convince his own public that the fight is worth waging but he has to coerce the military and intelligence agencies to abandon policies that support militants, policies those agencies have been pursuing for decades. Press reports over the weekend highlight the depth of the problem. On the one hand there were reports of continued aggressive pursuit of militants in Bajur agency by Pakistan's military. On the other hand, there were reports of Pakistani troops firing on American troops who were on the Afghan side of the border across from South Waziristan.

This is a perilous time for Pakistan and crucial one for American policy there. It's imperative that we get it right. We could start by ensuring that we are providing Pakistan with the equipment and training needed to effectively fight terror rather than spending our money and theirs on weapons systems simply to make Pakistani generals feel good about themselves.

STATEMENT OF MR. DONALD CAMP, DEPUTY ASSISTANT SECRETARY, BUREAU OF SOUTH AND CENTRAL ASIAN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. CAMP. Chairman Ackerman, members of the subcommittee, thank you for inviting us to address you today on Pakistan's F–16 program.

On February 18, the Pakistani people went to the polls and elected moderate leaders who are setting a democratic path for Pakistan. We want to see this new government succeed because it represents the desires of the Pakistani people and because we believe that a moderate government with a democratic mandate is the most effective partner in the fight against terrorism.

The United States and Pakistan are committed to strengthening our partnership and the United States has committed to help Pakistan deal with economic problems and increase its effectiveness in

encountering extremism. Our request to redirect FMF this year and next to support F–16 Mid-Life Updates addresses these two commitments.

Updates to Pakistan's F–16s will make these aircraft far more effective against terrorist targets while helping with the payments will provide the newly-elected Pakistani Government valuable flexibility as it deals with rising food and fuel prices.

Mr. Chairman, we ask for your support to redirect $110 million in 2008 FMF for the Mid-Life Update, and $142 million in the future. The new Government of Pakistan has committed to make subsequent payments with national funds beginning with the December 2009 payment.

The sale of F–16s to Pakistan became a transformative element of our relationship over 20 years ago. Not only a component of Pakistan's national defense, the F–16 has become an iconic symbol of our commitment to Pakistan. In the early 1980s, the United States agreed to sell Pakistan 110 F–16s. By 1990, however, Pressler sanctions were imposed when then President Bush was unable to certify that Pakistan was not developing a nuclear weapon.

The Pressler sanctions led to a decade-long suspension of security assistance to Pakistan, and a deficit of trust between our two countries they are still trying to overcome.

The 9/11 terrorist attacks on the United States led to a strategic choice by the Government of Pakistan to support United States efforts to remove the Taliban regime from power in Afghanistan. Pakistan's decision gave us the support of a critical neighbor, helped us to undertake Operation Enduring Freedom, and has helped to sustain coalition operations over the last 7 years.

As we re-established our military ties, we sought to overturn decades of bitterness by agreeing to sell Pakistan a new generation of F–16s and providing it with the ability to upgrade its existing fleet. At the same time we notified Congress that the sale would serve to stabilize the conventional military balance in South Asia, provide Pakistan the ability to conduct close air support in the war on terror, and restore Pakistan's confidence in the enduring nature of our relationship.

Pakistan had originally planned to purchase valued at $5.1 billion, almost all of it in national funds. Financial constraints caused Pakistan to reduce the number of new planes from 36 to 18, lowering the value of the deal to $3.5 billion, including the planes, the munitions, and 46 Mid-Life Update kits.

Pakistan has requested that the administration allow it to use a portion of its FMF, totaling $368 million, for the Mid-Life Update Program. Even with this Pakistani request, over 83 percent of the total F–16 program will have been funded through Pakistan national funds.

F–16s provide a critical counterterrorism capability to Pakistan. The Pakistan Air Force has made extensive use of its existing F–16 fleet to support Pakistan Army operations in the Swat Valley and in the Bajaur Agency of the FATA. However, their current model F–16 can be used for close air support missions only in daylight and good visibility. They cannot be employed at night. The enhanced F–16s with Mid-Life Updates will provide Pakistan the ability to attack fleeing targets with precision during all weather

conditions and at night, as we do in Iraq. The Mid-Life Update will enable the Pakistan Air Force to use an advanced targeting pod and an advanced communication system that enables real-time communications, a critical capability for close air support missions. These systems provide Pakistan's Air Force with the capability to conduct precision air strikes against al-Qaeda, Taliban and other terrorist targets in the FATA.

In conclusion, Mr. Chairman, I would like to emphasize the strategic importance of Pakistan to United States interests, not just regionally but globally. While the F–16 plays an important role in Pakistan's effort to defeat extremism, it also achieved strategic importance as a barometer of the overall state of our relationship. Given the tangible and symbolic importance of Pakistan's F–16 program, we request congressional support to redirect the remaining $110 million in FMF in Fiscal Year 2008 and up to $142 million in the future.

I thank you for this opportunity to appear before this committee, and I will turn the microphone over to Admiral Wieringa.

[The prepared statement of Mr. Camp follows:]

PREPARED STATEMENT OF MR. DONALD CAMP, DEPUTY ASSISTANT SECRETARY, BUREAU OF SOUTH AND CENTRAL ASIAN AFFAIRS, U.S. DEPARTMENT OF STATE

"PAKISTAN'S F–16 PROGRAM"

Chairman Ackerman, Members of the Subcommittee, thank you for inviting me to address you today on Pakistan's F–16 program.

On February 18 of this year, the Pakistani people went to the polls and elected moderate leaders who are working to set a stable, prosperous, democratic path for Pakistan into the future. The journey along this path is going to be a difficult one as Pakistan faces increasing economic challenges and the serious threat of growing instability in the border regions. The United States wants to see this new government succeed, not only because it represents the desires of the Pakistani people but because we believe that a moderate government with a democratic mandate is the most effective partner in the fight against terrorists and violent extremism.

During Prime Minister Gillani's visit to Washington in late July, you saw the United States and Pakistan committed to maintaining and strengthening our broad-based partnership, and the United States committed to steps that can help Pakistan deal with economic problems and increase its effectiveness in countering the extremist threat. The Administration's request to re-direct Foreign Military Financing in 2008 and beyond to support F–16 Mid-Life Updates speaks directly to these two commitments. Updates to Pakistan's F–16s will make these aircraft far more effective against terrorist targets, while helping with these payments will provide the newly-elected Pakistani government valuable fiscal flexibility as they deal with rising food and fuel prices.

Mr. Chairman, my colleagues and I represent the Administration's commitment to the F–16 program and we ask for your support to approve the Administration's request to re-direct the remaining $110 million in 2008 Foreign Military Financing for the Mid-Life Update and an additional $142 million in the future. The new Government of Pakistan stands behind these requests and has committed to assume subsequent payments with national funds beginning in December 2009.

F–16S DEFINED U.S.-PAKISTAN ENGAGEMENT

The sale of F–16s to Pakistan became a transformative element of the U.S.-Pakistan bilateral relationship over 20 years ago, and this historical context is important to understand and remember as we determine how to handle the questions of F–16 financing today. Not only a component of Pakistan's national defense, the F–16 has become an iconic symbol of our bilateral relationship and our commitment to each other.

In the early 1980s, the U.S. government initially agreed to sell Pakistan 111 F–16 aircraft. This decision was influenced by our close partnership with Pakistan during the Soviet invasion of Afghanistan. By October 1990, however, Pressler sanctions were imposed when President (George Herbert Walker) Bush was unable to

certify that Pakistan was not developing a nuclear weapon. The Pressler sanctions led to a decade-long suspension of security assistance to Pakistan and a deficit of trust between our two countries that we are still working to overcome.

The suspension of our security assistance programs required under Pressler meant the suspension and eventual cancellation of an additional sale of F–16 aircraft that would have augmented the 40 F–16s Pakistan purchased in 1982. That cancellation has been viewed as a symbol of the collapse of our relationship during the 1990s, a period which remains highly emotional for many Pakistanis. The suspension of our security assistance also precluded Pakistani military officers from attending U.S. military schools, which has produced nearly a generation of Pakistani military officers who have not traveled to the United States to learn side-by-side with American officers.

SEPTEMBER 11 RE-DEFINED OUR RELATIONSHIP

As you know, Mr. Chairman, the September 11, 2001 attacks resulted in a profound shift in U.S. policy towards South and Central Asia. The terrorist attacks on our homeland led to a strategic choice by the Government of Pakistan to support U.S. efforts to remove the Taliban regime from power in Afghanistan. Pakistan's decision gave us the support of a critical neighbor, enabled us to undertake Operation Enduring Freedom and has helped to sustain coalition operations over the last seven years, with Pakistan's road networks and port facilities serving as the critical supply line for our military forces in Afghanistan.

In return, after September 11th, the Administration committed to reinvigorating the security relationship between our two countries. This led to Pakistan's designation as a Major Non-NATO Ally in 2004 and the President's commitment to provide Pakistan a $3 billion assistance package over five years, evenly divided between security and development. Soon after, the Administration sought to overturn decades of bitterness by agreeing to sell Pakistan a new generation of F–16s and providing it with the ability to upgrade its existing fleet.

This agreement was formally codified in September 2006 when Pakistan signed three separate Letters of Offer and Acceptance (LOA) that constitute the core of Pakistan's F–16 program. Prior to signing the Letters of Offer and Acceptance, the Administration notified Congress that the sale would serve to stabilize the conventional military balance in South Asia, provide Pakistan the ability to conduct Close Air Support in ongoing operations in the Global War on Terror and restore Pakistan's confidence in the enduring nature of our relationship with them.

THE PURCHASE

Pakistan had originally planned a total purchase valued at $5.1 billion, almost all of it in national funds. The 2005 Kashmir earthquake and subsequent financial constraints caused Pakistan to reduce the number of new planes it wanted to purchase from 36 to 18, which lowered the overall value of the deal to approximately $3.1 billion. The 18 new planes are valued at $1.4 billion, with the remainder of the $3.1 billion dedicated to associated munitions (valued at approximately $641 million) and 46 Mid-Life Update (MLU) kits for Pakistan's existing F–16 fleet (estimated to cost $891 million). Additionally, the United States has provided Pakistan with 14 F–16s designated as Excess Defense Articles (EDA).

Pakistan will use REPROGRAMMED FUNDS TO PURCHASE the Mid-Life Update kits to upgrade the Excess Defense Article F–16s delivered over the last two and a half years. The Mid-Life Update case was written and agreed upon by the U.S. and Pakistan as a "mixed funding" case, allowing Pakistan to use $108.395 million in FY 2006 FMF credits on the overall $891 million case. Pakistan's subsequent request to use additional Foreign Military Financing has led us to the current request to re-direct funds in FY 2008 and beyond.

The Pakistanis have requested that the Administration allow it to use a portion of its FY 2008 and FY 2009 Foreign Military Financing Presidential commitment, totaling $368M, for the Mid-Life Update program. They have also committed to making all additional payments beyond this request with national funds. Even with this Pakistani request, over 83% of the F–16 program will have been funded through Pakistani national funds. It is important to note that Pakistan has a consistent payment record on the three other Foreign Military Sales cases associated with this sale and historically on all other Foreign Military Sales cases.

F–16S AND THE WAR ON TERROR

F–16s provide a critical counterterrorism capability to Pakistan and the Pakistan Air Force (PAF) has recently made extensive use of its aging F–16 fleet to support Pakistan Army operations in the Swat Valley and in the Bajaur Agency of the Fed-

erally Administered Tribal Areas (FATA). According to information furnished to us by the Pakistan Embassy in Washington, the PAF flew 93 sorties in August 2008 in operations against the Taliban. However, their current model F–16 can be used for close air support missions only in daylight and good visibility. They cannot be employed at night, a fact not lost on the Taliban and other extremist groups being targeted.

U.S. F–16s use day-night, all weather, air-dropped precision-guided munitions to great effect in Iraq; and we believe Pakistan should be able to use this capability to achieve our shared goals in countering militants along its western border. The new and enhanced F–16s will provide Pakistan the ability to attack fleeing targets with precision during all weather conditions. The Mid-Life Update will enable the Pakistan Air Force to use an advanced targeting pod that provides the ability to generate ground position data that can then be used to direct guided munitions to a target. In addition, the Mid-Life Update comes with an advanced communications system that enables real time communication with ground forces—a critical capability for Close Air Support missions. Combined, these systems provide Pakistan's Air Force with the technological capability to conduct precision close air strikes against Al Qaeda, Taliban, and associated terrorist targets in the FATA, as well as provide non-traditional Intelligence Surveillance and Reconnaissance (NTISR), a critical enabler in a counterinsurgency campaign.

The Pakistan Air Force will receive considerable training associated with the F–16 cases including specific F–16 pilot and maintenance training for their F–16 technicians. We are currently finalizing a comprehensive training plan with us that will include Close Air Support, Combat Search and Rescue, aerial refueling, and night flying operations. This will also mean an improved ability to limit civilian casualties, which will in turn lead to greater willingness on the part of the Pakistani military to employ the F–16s in a counter-terrorism role.

It is also important to note that Pakistan's request to use Foreign Military Financing for the Mid-Life Update program will not detract from investments in other equipment that is being employed in direct support of ongoing military operations in the Tribal Areas. Our original congressional notification for the use of $247 million of Pakistan's Foreign Military Financing allocation stated that Pakistan would use this assistance to finance the refurbishment of Pakistan Navy P–3C aircraft, to purchase Pakistan Air Force Command and Control articles and services, tactical radios for Pakistan's Army, TOW missiles and to modernize and maintain Pakistan's Cobra helicopters. Twenty million dollars of the $247 million will still be used to purchase TOW missiles and tactical radios. In addition, the Cobra helicopters, for which there are signed Letters of Offer and Acceptance, will be financed through Pakistan's remaining FY 2008 Foreign Military Financing allocation of $50.57 million, which will be released pending expiration of the congressional notification period.

CONCLUSION

Mr. Chairman, I would like to emphasize the strategic importance of Pakistan to U.S. interests, not just regionally, but globally. While the F–16 plays an important role in Pakistan's efforts to defeat extremism, it also has achieved strategic importance as a symbolic barometer of the overall state of our relationship and trust between our militaries. Given the tangible and symbolic importance of Pakistan's F–16 program we request Congressional support to re-direct the remaining $110 million in Foreign Military Financing in Fiscal Year 2008 and up to $142 million in the future. I thank you for this opportunity to appear before this Committee.

My colleagues and I are happy to respond to your questions at this point. Thank you.

STATEMENT OF VICE ADMIRAL JEFFREY A. WIERINGA, DIRECTOR, DEFENSE SECURITY COOPERATION AGENCY

Mr. WIERINGA. Chairman Ackerman, members of the committee, thank you for the opportunity to appear before you today to discuss the Pakistan F–16 program. I will summarize my formal written statement and appreciate that you will include my full testimony in the record.

The Defense Security Cooperation Agency is the Department of Defense agency responsible for U.S. foreign Military Sales programs. Pakistan is one of the many countries that the United

States supports, and the largest foreign military sales program that Pakistan has with the United States is the F–16 program. The F–16 serves as an air superiority fighter with air-to-air and air-to-ground and close air support missions.

Pakistan presently operates 46 F–16A and B aircraft. The current Pakistan F–16 program provides for the production of 18 F–16C/D block 52 aircraft, associated munitions package, and the Mid-Life Update of their current fleet of 46 aircraft. Overall the Mid-Life Update Program will extend the service life of Pakistan's original F–16 aircraft and significantly increase the capability of the Pakistan Air Force to conduct close air support and night precision attack missions.

I would like to highlight that in parallel with the significant improvement in weapon accuracy gained by the precision guided munitions, like joint direct attack munitions, there is the potential to dramatically reduce collateral damage and civilian casualties.

Regarding the program status, the first four Mid-Life Update aircraft are undergoing work in Forth Worth, Texas, now. The U.S. Air Force schedule for delivery of these aircraft is December 2011. The delivery dates for the remaining aircraft are being refined due to the recent stop work.

I thank you for the opportunity to discuss this important program and I look forward to answering any questions you may have.

[The prepared statement of Mr. Wieringa follows:]

PREPARED STATEMENT OF VICE ADMIRAL JEFFREY A. WIERINGA, DIRECTOR, DEFENSE SECURITY COOPERATION AGENCY

INTRODUCTION

Mr. Chairman, ranking member, and members of the committee, thank you for the opportunity to appear before you today to discuss the Pakistan F–16 program. The Defense Security Cooperation Agency is the Department of Defense Agency responsible for U.S. Foreign Military Sales (FMS) programs. Pakistan is one of the many countries that the U.S. supports, and the largest FMS program that Pakistan has with the U.S. is the F–16 program. The Lockheed Martin Corporation produced F–16 Fighting Falcon is a multi-role jet fighter aircraft originally developed for the United States Air Force. Designed as a lightweight fighter, it has evolved into a successful multirole aircraft. This aircraft serves as an air superiority fighter with air-to-air, air-to-ground, and close air support missions. The F–16's versatility has proven a success on the export market, having been selected to serve in the air forces of more than 25 nations.

PROGRAM SPECIFICS

Pakistan presently operates forty-six F–16A/B aircraft. Thirty-two of these aircraft remain from the original forty aircraft that Pakistan bought in the 1980s. Since 2005, the USAF has transferred fourteen Excess Defense Article (EDA) F–16A/B aircraft to Pakistan. The current Pakistan F–16 program is composed of three Letters of Offer and Acceptance (LOAs). The first LOA providing for the production of eighteen F–16C/D Block 52 aircraft is underway: four aircraft will be ready in June 2010; four aircraft in August 2010; five aircraft in October 2010; four aircraft in Dec 2010; and, one aircraft in December 2011. It is important to note that none of the aircraft will be delivered to Pakistan until the Administration ensures that Pakistan is in compliance with the LOA security notes, and the Administration has so advised Congress.

The second LOA provides for munitions and includes: five hundred AIM–120C–5 Advanced Medium Range Air-to-Air Missiles (AMRAAM); seven hundred and fifty Mark-84 2000 lb General Purpose bombs; seven hundred BLU–109 2000 lb Penetrator bombs; five hundred Joint Direct Attack Munitions (JDAM) tail kits; sixteen hundred Enhanced Guided Bomb Unit (EGBU) kits; and assorted bomb fuzes and support equipment. These weapons will be available for delivery to Pakistan beginning in June 2010. However, I would like to emphasize that none of these weapons

will be delivered until Pakistan complies with the LOA security notes and the Administration reports compliance to Congress.

The third LOA provides for the Mid-Life Update (MLU) of their current fleet of forty-six aircraft: four of these aircraft are in Fort Worth undergoing Trial Verification Installation, which is part of the MLU program. Under the MLU LOA, Pakistan is procuring Falcon STAR structural upgrade kits for the thirty-two original F–16A/B aircraft and thirty-five MLU avionics upgrade kits for the current fleet (including three of the recently transferred EDA aircraft). There is an option on the contract to procure eleven additional MLU avionics upgrade kits for the remaining eleven aircraft. Pakistan has not yet exercised this option, but plans to do so at a future date.

The Falcon STAR structural upgrade is very similar to that provided to other F–16A/B customers. Falcon STAR replaces critical structural components in the F–16 required to return the A/B airframe to a structural life of 8,000 spectrum hours. Falcon STAR is required to keep the original thirty-two PAF F–16A/Bs air worthy.

The Pakistan MLU avionics upgrade kits are being designed to provide the Pakistan Block 15A/B aircraft with many of the same capabilities as the new Block 52 F–16s that the PAF is procuring. The MLU kit replaces most of the 1980s avionics in the Block 15s with newer, advanced avionics systems from the Block 52 F–16s. The MLU upgrade kits will include: APG–68(V)9 radar; Embedded GPS/INS (EGI); Link-16 data link; APX–113 Advanced Identify Friend or Foe (AIFF); Color Cockpit with Color Moving Map; ALQ–211(V)9 Advanced Integrated Defensive Electronic Warfare Suite (AIDEWS) Pod; Night Vision Imaging System (NVIS) Cockpit and External Lighting; Sniper Advanced Targeting Pod; Joint Helmet Mounted Cueing System (JHMCS); Reconnaissance Pod capability; improved avionics systems; JDAM capability; EGBU capability; AIM–120 AMRAAM capability; and AGM–84 Harpoon capability. While many of the avionics systems and capabilities are common with the new Block 52s and the MLU, some significant differences remain between the MLU F–16 Block 15s and the new PAF Block 52s: there are no improvements to the Block 15s mission range and loiter time; there are no engine improvements; and, there are no improvements to payload capacity. Overall, the MLU program will extend the service life of Pakistan's original F–16 aircraft and very significantly increase the capability of the Pakistan Air Force to conduct Close Air Support and night precision attack missions. I would like to highlight that in parallel with the significant improvement in weapon accuracy gained by precision guided munitions like JDAM, there is the potential to dramatically reduce collateral damage and civilian casualties.

Regarding program status, the first four MLU aircraft are undergoing work in Fort Worth, Texas now. The USAF schedule for delivery of these aircraft is December 2011. The delivery dates for the remaining aircraft are being refined due to the recent stop work.

CONCLUSION

Thank you for the opportunity to discuss this important program with you. I look forward to answering any questions that you may have.

Mr. ACKERMAN. Thank you. I would like to note, Admiral, this is your first appearance before this committee. I do not know if you have appeared before other committees, but welcome to this part of the business.

Mr. WIERINGA. Thank you, Chairman.

Mr. ACKERMAN. Let me first ask somebody to address the loss of confidence in the process here. When were the Pakistanis given to believe that we would pick up half the tab and why were we led to believe that was not going to be the case?

Mr. CAMP. Let me attempt to tackle that first, Mr. Chairman, and then my colleagues may want to jump in.

First of all, I would like to say as clearly as I possibly can Pakistanis have never been given any assurance that we would permit the use of FMF.

Mr. ACKERMAN. You used the word "assurance." Were they given a hint? Did we allow them to assume it? Did we assume they were assuming it?

Mr. CAMP. No. We have reviewed the correspondence and we have seen requests from the Pakistanis. There is nothing that suggests, that has ever suggested that we would allow this. I am not trying to mince words. They have been telling us this, and we have not in any sense given a commitment or a——

Mr. ACKERMAN. They have been telling you it, but you did nothing to dissuade them or disparage for proceeding along that belief?

Mr. CAMP. We were approached at senior levels in December 2007, to allow us—to ask us to go forward and make this change. We have been deliberating it. Over the spring we came and talked to staff on the Hill as we were deliberating, before we made a decision. We said we want to get your advice, guidance and so forth. That was in May. We subsequently decided we would go forward with this request to Congress and we did so, and provided the CN.

Mr. ACKERMAN. It seems to me that the Pakistanis had either divined that this was going to happen or were allowed to believe from close to the beginning that we were going to partner up with our taxpayers and pay half the tab for this, and that basically nothing was done to dissuade them of that notion, and then they made a formal request in December 2007.

Mr. CAMP. That hope might have been there but they saw the congressional notifications. They knew exactly what we were proposing to Congress.

Mr. ACKERMAN. They knew what you were proposing to Congress when you proposed it to Congress, right?

Mr. CAMP. Yes.

Mr. ACKERMAN. But prior to that they seemed to divine that they were going to get this kind of a deal, at least this kind of a deal.

Mr. CAMP. I do not see how they could have gotten that impression, sir. I honestly do not.

Mr. ACKERMAN. They just came up with it out of thin air and you came up with it quite independently, and then decided to propose it to Congress?

Mr. CAMP. No. We considered it after—when they raised it with us in December, we actually went through a deliberative process to decide whether we should proceed and come to Congress and request the ability to reprogram.

Mr. SHIVERS. Mr. Chairman.

Mr. ACKERMAN. Mr. Shivers.

Mr. SHIVERS. Mr. Chairman, Air Chief Marshal Tanvir, head of the Pakistan Air Force, corresponded with Deputy Secretary England at the Department of Defense in February, and again in March, asking about the possibility of using FMF for the Mid-Life Updates.

In March 2008, Deputy Secretary England replied to Air Chief Marshal Tanvir that it was his expectation that Pakistan would use national funds for the MLUs.

So as a matter of record, sir, at least through March 2008, we were still encouraging Pakistan to use national funds as expected.

Mr. ACKERMAN. And we knew nothing about this on the Hill until July, this summer?

Mr. RUGGIERO. I believe we initially came up to the Hill in May of this year to have consultations with staff to try to get the Congress' input into the process before we made a decision on whether

or not to allow the Pakistanis to use the FMF for the MLU. So in our pre-decision phase, we wanted to get the Hill's intake, and that was Don and I came up in May 2008.

Mr. ACKERMAN. In May. And you proposed at that time, you are saying, that we pick up half the tab?

Mr. RUGGIERO. I believe we came up and asked the committee's thoughts on whether or not the use of FMF for the MLU upgrade, whether they thought that Congress' reaction would be to that.

Mr. ACKERMAN. We are having difficulty figuring out who you spoke to and what you said.

Mr. RUGGIERO. I believe the briefing was in the Capitol, and it was with SFRC and HFAC staff, and our objective for that meeting was to propose that in fact the Pakistanis had approached us about the use of FMF for the MLU upgrade, and to get the reaction of the Congress so that we could take that into account in our decision-making process.

Mr. ACKERMAN. And what were you told the reaction of the Congress was because this committee certainly does not know that notification?

Mr. RUGGIERO. I think the reaction, as I recall, it ranged from some skepticism on the use of FMF for the MLU upgrade to some relative support.

Mr. ACKERMAN. Was this House staff or Senate staff that you met with?

Mr. RUGGIERO. This was both, Mr. Chairman.

Mr. ACKERMAN. Staff from this committee?

Mr. RUGGIERO. I do believe there were staff from the House Foreign Affairs Committee, yes.

Mr. ACKERMAN. We are hard pressed to find anybody certainly on the Democratic side, and right now on the Republican side, members or staff that——

[Pause.]

Mr. ACKERMAN. I am advised by our minority colleagues that you had advised and ran this by the White House initially, and that when it was brought to the attention of the chairman of this committee, great skepticism was expressed, and I believe that was later than May, but we will move forward.

Admiral, you mention the balance of power, that this would help the balance of power in South Asia. Who are we talking about? Which powers are we balancing? Is this the balance of power between Pakistan and al-Qaeda?

Mr. WIERINGA. Chairman, I believe so in this case and in——

Mr. ACKERMAN. Or is this the balance of power between Pakistan and India, or Pakistan and China?

Mr. WIERINGA. I think it is clearly the former, not the latter. Our Joint Staff representative can talk to this probably more eloquently than I, but currently with a limited daytime capability of the current——

Mr. ACKERMAN. You clearly mentioned air-to-air capability of the F–16s. You mentioned three points. One being air to air. I do not know that it helps air to air with an entity such as al-Qaeda unless I am missing something where they are in the air, that we have flying al-Qaedas?

Mr. WIERINGA. No, sir we do not.

Mr. ACKERMAN. So it would have to be the balance of power between Pakistan and some other entity or entities that we are balancing?

Mr. WIERINGA. I think the air to air is an acknowledgement of that capability of the F–16, but the three things were air to air, air to ground, and close air support, and so the balance, if you took a look at the weapons package that is a portion of this, there is more air-to-ground munitions that are part of it than air to air. We have a significant quantity of JDAMs, a significant quantity of enhanced ground bomb units.

Mr. ACKERMAN. Mr. Royce, are you prepared at this time to——

Mr. ROYCE. Thank you, Mr. Chairman.

I think that these major arms sales really deserve close congressional scrutiny, and I think too often in the past we have had the law of unintended consequences come into play, and when it comes to Pakistan, which is a country with an unconscionable proliferation record, I think security should be laser sharp, and scrutiny should be as well. This hearing, I think, is an opportunity to assess Pakistan's need for these F–16 fighter jets.

The notification to Congress reprogramming funds to the F–16 Mid-Life Update noted that the MLU would enable precision close air support for counterinsurgency operations and improve the accuracy of these operations, particularly in the Federal administrative travel areas.

So I would ask how confident are you that these F–16s will really be put into play in the tribal areas?

And I would ask, after all, you know, the Army has negotiated truces with militants in some of these areas in the past. I was in the tribal area myself last year, and from what I understand the current fleet of F–16s has rarely been used for close air support counterterrorism missions. I know that you assert that in August there were some missions flown, but according to the Congressional Research Service the block 52 variant is the most advanced version of the F–16 flown by U.S. military forces. It incorporates advanced weapons and avionics for air-to-air combat and for penetrating integrated air defenses that appear unnecessary for counterinsurgency operations. Now, this is CRS.

Less expensive and less sophisticated aircraft, such as the TAC helicopters, unmanned aerial vehicle, combat search and rescue aircraft, would appear to have greater utility in combating insurgents.

You know, I am just thinking about all the stories I read about predator strikes, and I am trying to remember one about Pakistani Air Force playing a leading role in these strikes. So other non-state actors, other than super sonic fighter aircraft, are recommended by CRS.

I just ask, do you agree with that assessment by the Congressional Research Service?

Mr. CAMP. Let me start, Congressman, by saying that August saw a rather aggressive, very aggressive Pakistani military campaign in Bajaur Agency of the FATA, and it used, I would say, all elements of the Pakistani military, and has had some success in disrupting the militant activities there, and F–16s were very much a part of that operation.

I should leave it to my military colleagues the capabilities discussion, but from studying F–16s over the last couple of months I have learned that one thing they can do is fly in the altitudes that often attack helicopters cannot; that they do have capabilities for close air support that helicopters do not always have.

Mr. ROYCE. Was August the first time we really saw a lot of engagement here by these F–16s?

Mr. CAMP. It was not the first time. They have used them in the past, but certainly not has aggressively as they did in August.

Mr. ROYCE. Okay. Well, the F–16 program envisions 500 advanced medium-range air-to-air missiles being transferred to Islamabad. I would just wonder what role they play in counterterrorism missions. You know, our Air Force uses the F–16 variant we have been talking about to penetrate and suppress enemy air defenses. I would ask if there is a need for this capability when grappling with the tribal areas, or in fact isn't India the only regional actor against which this capability would be applicable?

I think the CRS reported in 2006, "Consequently," they say, "Pakistan continues a relationship with China, including testing of China's advanced J–10 fighter and co-development with China of the JF–14 fighter."

So I would ask what is the extent of the Pakistan/China relationship on fighter aircraft today?

And lastly, Mr. Camp, you state that the F–16 has achieved importance as a symbolic barometer of our relationship. I have a problem with that. We allowed our relationship to become over personalized with respect to the Pakistani relationship as we viewed it through President Musharraf. Now, instead of revolving around a person, it is centered around a fighter jet? Is that the thesis here with the symbolic barometer?

You also say that the F–16s have been transformative over the past 20 years. You know, that transformation, I have been going to Pakistan and South Asia for awhile. I feel better if the trajectory was positive over the last two decades, but it has not been, so I would just like your answers to those observations.

Mr. CAMP. Sure. Let me start with the question about the air-to-air missiles. Pakistan's legitimate defense needs are one of the rationales we have always provided for the sale of F–16s. We are not saying that the F–16s have only a counterterrorism use. They are obviously a part of Pakistan's national defense, and they always have been, and what we have said very confidently is that the sale of these F–16s is not going to upset any regional balance. We are quite confident that obviously India is also purchasing high-performance aircraft, and in fact has considerably more than Pakistan has or will in the foreseeable future.

On the F–16s as a symbolic barometer of the relationship, I think those of us who have traveled to Pakistan, as you have, sir, have noticed that this is not just a military issue, this is not certainly a President Musharraf issue. You travel the roads and you see the brightly decorated trucks on the Pakistani roads. They have F–16s emblazoned on the side. That has become a symbol of Pakistan's pride if you will.

Mr. ROYCE. And so has their nuclear arsenal.

Mr. CAMP. And so is their nuclear arsenal, yes, sir.

Nevertheless, as I say, our willingness to provide F–16s has become an important symbol in Pakistan, and it is more than just a personal issue of personal pride with say President Musharraf or the Army. I would add that the request on the Mid-Life Updates has come to us from the most senior members of the Pakistani Government, the newly elected civilian conversation. It is not just a military-to-military request by any means.

Mr. ROYCE. Thank you, Mr. Chairman.

Mr. ACKERMAN. Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman.

My questions, first of all, would be on getting an accurate assessment of the current status of the F–16 sales program now, and I am particularly concerned with whether or not the recent situation regarding Musharraf interferes with that. If you could give me just a brief assessment of where we are with that program now.

Mr. WIERINGA. Congressman, I will take a stab at it first. From where I sit, there is no impact. The significant impact was when we—excuse me—the United States Air Force issued a stop work order to Lockheed Martin on the 8th of August and for 1 week we stopped operations, and then with the identification of resources retracted the stop work order and restarted the program. So that was done independent of changes, because it was a U.S. Government to Lockheed Martin contract action independent of politics.

Mr. SCOTT. And that stop order was in regards to the MLU upgrades?

Mr. WIERINGA. Yes, sir.

Mr. SCOTT. So where are we now in terms of that relationship with Lockheed Martin?

Mr. WIERINGA. The stop work order was retracted by the United States Air Force, and the contract was restarted.

Mr. SCOTT. And so now there are no problems with that vis-à-vis Lockheed Martin? Everything is moving smoothly?

Mr. WIERINGA. Not exactly because we have this current funding issue and the discussions today. We have the risk of future liabilities with the contract. So it is my responsibility to ensure that there is no liability to the U.S. taxpayer, and so we have to carefully manage the program to the funds available.

Mr. SCOTT. Can you talk about that for a moment, the future liabilities and the risk involved here?

Mr. WIERINGA. Sure. What is on the table right now is the requirement by 15 October for an additional $110 million, and then in June 2009, another $142 million. That would cover four payments to the Lockheed Martin Company, at which time after that Pakistan would resume funds for the program.

Mr. ACKERMAN. Mr. Scott, would you tolerate my asking for a clarification of the Admiral's response to you?

Mr. SCOTT. Sure. Please go ahead, Mr. Chairman.

Mr. ACKERMAN. I am confused as to the reference you made about managing the conflict. Does that mean if they somehow—managing the contract. Does that mean that if they default, that this cost reflects entirely back to us?

Mr. WIERINGA. Yes, sir. The first order is the U.S. Government has a contract with Lockheed Martin, and if we do not have Paki-

stani national funds, we would use the Foreign Military Financing to pay the termination liability cost.

Mr. ACKERMAN. So if somehow Pakistan, which is a bastion of economic security in the world, somehow decides it cannot come up with the funds, then the United States taxpayer is going to pay this whole deal to Lockheed?

Mr. WIERINGA. It is a government contract agreement, and that is the same for all foreign military sales programs.

Mr. ACKERMAN. I will just observe wow.

Mr. SCOTT. So let me be clear here. The first problem we have is the problem with the $110 million payment to Lockheed. Could you go over that again?

Mr. WIERINGA. Sure. The original program was $891 million. The assumption with the baseline program was that $108 million was going to be paid by FMF and all the rest was going to be paid by national funds. After we——

Mr. SCOTT. Just for the record, FMF?

Mr. WIERINGA. Foreign Military Financing, the State Department money, Congress' money.

What first occurred was we have an official U.S. Government agreement with Pakistan and we have a United States contract with Lockheed Martin. The country of Pakistan owed a payment on 15 June of $61 million. They did not make that payment, and combined with a $55 million payment in September, and that is what the original $116 million paid, made those two payments.

The next two payments are in December and March of next year, $53 million and $58 million, for a total of $110 million that is needed, and that would take us through next summer, followed by another $142 million for a June 2009 payment and a September 2009 payment.

Mr. SCOTT. And again just for the record the status of those payments are?

Mr. WIERINGA. Right now we have, through the approval of——

Mr. SCOTT. Yes, which approval?

Mr. WIERINGA [continuing]. The State Department, the State Department approved the 116. They have not released, because of the committee's concern, the $110 million.

Mr. SCOTT. Okay. So what position does this place Lockheed Martin in at this time?

Mr. WIERINGA. The Air Force is working with Lockheed Martin to manage the risk of the program, but will need the identification of additional funds by the 15th of October of the $110 million.

Mr. LEWIS. And your prognosis on that? Do you feel optimistic? I mean, is there——

Mr. WIERINGA. It depends on what the committee and the State Department agree.

Mr. SCOTT. But I mean do you sense any problems that that will not happen, that Lockheed might not get? What is your intelligence telling you from your side of the table?

Mr. WIERINGA. Sir, I do not pre-suppose what the committee and the State Department are going to work out.

Mr. SCOTT. You feel very confident that it will be worked out, that Lockheed will get their money?

Mr. WIERINGA. I am hopeful.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. ACKERMAN. I heard someone say hope is not a plan.

Mr. WIERINGA. You are right. Hope is not a good management strategy.

Mr. ACKERMAN. Maybe we can ask Moody's to rate Pakistan.

[Laughter.]

Mr. ACKERMAN. Mr. Fortenberry.

Mr. FORTENBERRY. Thank you, Mr. Chairman.

This hearing is somewhat narrowly defined but it has much bigger implications as you all realize. Mr. Camp, I want to go back to your statement which was touched upon by Mr. Royce:

> "While the F–16 plays an important role in Pakistan's effort to defeat extremism, it has also achieved strategic importance as a symbolic barometer of the overall state of our relationship and trust between our militaries."

That is a very intriguing statement. It is a very dense statement. I think it is an honest statement, and yet it had very significant implications and I think we need to uncover a little bit more of the depth of your intention in making that statement. Let us talk about this issue of trust between our militaries.

We have a government in transition in Pakistan. We have an uncontrolled border region which is clearly a staging area used by militants for attacks into Afghanistan. There are cross-border incursions, let us put it that way, that are complicating things tremendously. We had held a hearing earlier this year on what I think was a very helpful dynamic in terms of that question of trust between our militaries in that we have assisted Pakistan, it is my understanding, in helping to secure their nuclear weapons arsenal with some technologies that would help prevent the unthinkable. That is my understanding.

But I would like all of you or whoever is willing to comment on this issue of trust.

Mr. CAMP. Let me start, sir, by saying that one issue that we confront in Pakistan and have for a number of years is the belief that the Americans are in Pakistan with Pakistan for short-term gains. The point we have tried to make repeatedly, and we believe sincerely, is that this must be a long-term partnership between the Pakistan and Pakistan on which we are embarking.

The fact that we had 10 years of basically no military relationship in the nineties was understandable from the point of view of the fact that we could no longer certify Pakistan as not engaging in nuclear weapons program. The downside is that we had 10 years of drought when Pakistani military did not come to the United States for training. We had no real relationship between the services.

We came back in after 2001; we have reinvigorated the military relationship. I would say we reinvigorated the whole bilateral relationship, but the point we want to make to Pakistan and we want to make it dramatically is we are there for the long term. We are with Pakistan through thick and thin. We want to see a Pakistan developed, prosperous, and in a moderate country that can be an anchor of regional stability.

Mr. FORTENBERRY. Should a weapons sale be that symbolic barometer?

Mr. CAMP. I can only speak to the fact that in the Pakistani domestic context it is, in my view.

Mr. FORTENBERRY. I posed the question generally to see if anyone else would like to comment on this issue of the complexities of the relationship at the moment and how this particular weapon sales intersects with that.

Mr. SHIVERS. I think you are correct, Congressman, in noting the concerns that we all have over the so-called trust deficit that is often expressed between people in America and people in Pakistan. We are doing our level best to try to reduce misunderstandings and misperceptions on both parties. We are very interested in the proposals that would increase selfless acts on the part of the United States Government in Pakistan; things that would be directed toward medical assistance, things that would be directed toward education; improved governance throughout Pakistan; and certainly we have championed democracy in Pakistan. So these are all elements aimed at trying to assure the Pakistani people that the American people have the best interests at heart in their future development.

An important element to the Pakistani people is their self-defense. We should not forget that there has been conflict with their neighbor to the east, and they are very interested in being able to maintain a credible deterrent against all threats, foreign and domestic. So we are encouraging them on the counterinsurgency front, the counterterrorism front, and we are trying to do what we can to reduce this so-called trust deficit.

Mr. FORTENBERRY. Mr. Chairman, just briefly, it is very important comments there because, again, we have defined this hearing somewhat narrowly, but the whole issue of assisting with capacity building to deepen and widen this friendship and the opportunity to decrease the potential for conflicts and its various manifestation is critically important in that regard.

Just on a side note, the University of Nebraska has in their communications department, they invited me to come see this semester-long dialogue they have had with a women's college in Pakistan by regular internet connection, and of course, being a visiting congressman, I was drawn into the government and there were many, many questions there.

And I think the bigger issue here is, again, sometimes templates get set, processes get set, a weapons sales program is set, governments change, it becomes symbolic of bigger things given the geopolitical dynamics of the moment, but long-term strategy and the fullness of the sense I think has to be—I mean, in regards to what some of your comments were in terms of this broadening the capacity for mutual understanding and deepening that sense of trust. So thank you.

Mr. ACKERMAN. Thank you. Mr. Wilson.

Mr. WILSON. Thank you, Mr. Chairman, and thank you all for being here today.

I am particularly interested in the development of a stable democratic, prosperous Pakistan. My interest in this is long term. I was born with it. My dad served with the Flying Tigers during World War II. He arrived by ship in Karachi, and then spent significant

time before going on to China. He spent significant time in India. As I was growing up, he told me of how entrepreneurial the people of India and Pakistan are, and I indeed am just so hopeful for both countries, and I am very grateful to be serving as the co-chair of the India Caucus.

From that, additionally, I have had the opportunity to visit in Islamabad. I have been so impressed by the people that I have met there. I am also very impressed by what I believe is the professional military of Pakistan. I had the opportunity in 2005 to visit Muzaffarabad and I saw firsthand the recovery efforts from the earthquake. And as a former national guard officer myself, I know how difficult it is to organize recovery and relief efforts, and what I saw was first class in really making a difference, helping the people of Pakistan.

Indeed, I am just really hopeful that working together we can achieve the stability which is important for Pakistan, for America, and particularly important for India, stability in Pakistan. As we look at this, does the United States seek to expand joint Air Force training and exercises with Pakistan? If so, does Pakistan's possession of F–16s facilitate this purpose? And so that would be for either Admiral Wieringa or General Field.

MAJ GEN FIELD. Thank you, sir. If I could go back real quick to just talking about the capabilities of the F–16 variant that we are proposing to purchase, the Pakistani Air Force purchase.

Currently, the Lockheed Martin Company is producing only one variant of the F–16. It is the Block 50/52. That is what is coming off the production line right now. In order to make that into what has been referred to as the Suppression of Air Defenses (SEAD) platform, the suppression of enemy defenses platform that was discussed earlier, we need to equip that with HARM targeting system and the HARM missile. The HARM is a high-speed anti-radiation missile, and the system and the missile track down enemy missile systems' radars, target them, and attack them. That is not proposed to be on this sale and not proposed to be sold to Pakistan.

But what the F–16 does have is we are working toward a common configuration to where it can employ a variety of weapon systems in a variety of missions. In this case, we are looking at the precision capability given to it by laser-guided bombs and the joint direct attack munitions, the JDAM and the GPS-guided bomb.

What the F–16 that they have right now, the capability it has is basically a very old model of the F–16 which has some computed weapons delivery capability, much better than just dropping bombs with iron sights, but the accuracy of those systems are normally in the 50 to 100 meter area. The accuracy of the JDAM and the laser-guided munitions reduce that CEP or CEA down to the one to five meter arena which makes an air force able to precisely target the exact location of the enemy that they are attacking which ensures that that enemy will be destroyed and limit the collateral damage provided by the subsequent explosions.

But the capability of the airplane itself is not the only thing when you look at a weapon system. You have to look at the entire weapon system. That includes the pilot, that includes the maintainers, that includes the supply system, that includes the logistics effort, that includes how well it integrates within its armed forces.

These are areas that we are working with the Pakistani Air Force on right now.

To answer your question directly, our officers over there are engaging with them now, and have been over the past year, on moving them more toward a close air support system and the ability to target dynamic targets. We are working with them to incorporate close air system practices in their military with both the Army and the Air Force.

For the next few months, we are looking at the possibility of sending Air Force officers over there to instruct their air forces in the methods that we use for close air support, and look at the possibility of bringing some of their officers and military over to the United States to look at some of our advanced schools on how we train our officers and airmen and soldiers in using close air support to define the fight and to help win a fight on the ground.

That will be in schools at Nellis Air to Ground Operations School. It will be the joint fire power course that the Army has, and move their military farther along that path of integration the air and the ground together which when we do that in Iraq and Afghanistan we found that we have great effect, and that is the element that is missing in the fight now on their western border, is the ability to integrate their air and ground together.

That terrain is very hard to travel in on foot. It is very hard to surprise people. It is very hard to get in and out with large forces. Air power can overcome a lot of that, especially if you are attacking precise targets. It provides range, it provides speed, it can provide surprise, and once we are able to equip them with an ability to fly at night, then they can hold those targets at risk 24/7 and provide persistence over a target in case somebody is not there today, they can go back again tomorrow.

If you send a brigade, a battalion, a company in, they are either going to have to stay there or withdraw, and so when they withdraw, again to get back, takes days and days and weeks to mount operations.

So to effect that training we are proposing, we are working with them on some of their training exercises, and they have been very cooperative with that, and we are looking to bring the Pakistani Air Force over to Red Flag next summer after a series of progressive building block approaches over in their own country, getting them ready for that larger scale program.

Following that, there is another proposal on how to continue that training both in the CAS world and in working 24/7 operations.

Mr. WILSON. Thank you very much, and another question.

Mr. ACKERMAN. You have another brief question?

Mr. WILSON. Brief.

Mr. ACKERMAN. Sure.

Mr. WILSON. In regard to the F–16 transfers, has there been any consultation with regional governments, other regional governments, and what is the current status of Boeing's and Lockheed's bids to provide combat aircraft to India?

Mr. RUGGIERO. If I might. We have not consulted with other regional governments on this sale, and on the India request for proposals for multi-real combat aircraft the Indians are now assessing various bids, one by Boeing and one by Lockheed.

Mr. WILSON. Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you. Secretary Camp, your statement talks about supporting FMF reprogramming in 2008 "and beyond." I do want to get this on the record because you are testifying before Congress. Are we already assuming in hearing the "and beyond" that more of the F–16 program will be paid by United States taxpayers instead of the Government of Pakistan, and if so, how much more?

Mr. CAMP. Okay. I can explain that basically that is a bit of a circumlocution. We cannot assume that we are going to have FMF in 2009 for Pakistan. I certainly assume we will. I certainly hope we will. The request is for, as we stated, a limited amount of 2009 FMF that will end with the December 2009 payment when Pakistan has committed to pick up national funds again and continue to pay with national funds. So we are asking for this year and a limited amount next year, and that is the total.

Mr. ACKERMAN. I am kind of concerned, if not troubled, by the concept of the total size of this deal, and the fact that this is turning into not just a 50 percent U.S. taxpayer give-away, but that we stand behind the entire package and guarantee it should there be a default. All of this with the modifications and the upgrades, et cetera, et cetera, et cetera, seem to me to come to about $3.1 billion.

We are dealing not with an entity that is the epitome of stability financially anywhere in the top 99 percent of the world, you have to put this in the bottom 1 percent. This is a sub-prime borrower, and it seems to me if there are questions about whether or not the U.S. Government is willing to, or the U.S. taxpayers would tolerate the government standing behind and paying for icons of the American financial institutions being bailed out by U.S. taxpayers because of a huge economic blunder in lending money to people that we knew did not have the ability to pay it back in large measure, and these are U.S. citizens, and we are talking about U.S. companies, why would we stand behind one of the world's most sub-prime borrowers in a $3 billion deal——

Mr. CAMP. Sir, when——

Mr. ACKERMAN [continuing]. Especially at a time when they have huge financial and economic problems that in my last visit nobody seemed to be addressing and nobody cared to address it? They are not fixing that problem. How do we do this knowing what the cost is going to be, and then, oh, my god, we are going to be surprised, they did not have the money?

Mr. CAMP. Mr. Chairman, let me just say that we do have a long record of a military or an FMF relationship with Pakistan, and they have been extremely serious about their commitments to us, and they have carried out those commitments. I am quite confident when they say they will pick up national funds in December 2009, that that is in fact what they will do.

Mr. ACKERMAN. How confident are we that they are going to fight terrorists and terrorism? It seems to me that we have raised more serious questions about than anybody else.

Mr. CAMP. Sir, I think that their willingness to fight terrorism is not something—is not in question. They have taken significant casualties. They have 120,000 military up on the border with Af-

ghanistan in an area that they have not basically policed before. They have made significant commitments and I think we have heard from the senior civilian and military leadership of Pakistan their intent to carry on this struggle which they have acknowledged is their struggle.

Mr. ACKERMAN. If there would be no objection, I would like to place in the record an AP story several hours ago, the headline of which is, "Pakistan Orders Troops to Open Fire if U.S. Raids. Islamabad, Pakistan, Associated Press. Pakistan's military has ordered its forces to open fire if U.S. troops launch another air or ground strike across the Afghan border, an Army spokesman said Tuesday," et cetera.

Without objection, I will place this in the record.

[The information referred to follows:]

Associated Press

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Pakistan orders troops to open fire if US raids

By STEPHEN GRAHAM – 1 hour ago

ISLAMABAD, Pakistan (AP) — Pakistan's military has ordered its forces to open fire if U.S. troops launch another air or ground raid across the Afghan border, an army spokesman said Tuesday.

The orders, which come in response to a highly unusual Sept. 3 ground attack by U.S. commandos, are certain to heighten tension between Washington and a key ally against terrorism.

Pakistan's civilian leaders have protested the raid but say the dispute should be resolved through diplomatic channels.

However, army spokesman Maj. Gen. Athar Abbas told The Associated Press that after U.S. helicopters ferried troops into a militant stronghold in the South Waziristan tribal region, the military told field commanders to prevent any similar raids.

"The orders are clear," Abbas said in an interview. "In case it happens again in this form, that there is a very significant detection, which is very definite, no ambiguity, across the border, on ground or in the air: open fire."

U.S. military commanders accuse Islamabad of doing too little to prevent the Taliban and other militant groups from recruiting, training and resupplying in Pakistan's wild tribal belt.

Pakistan acknowledges the presence of al-Qaida fugitives and its difficulties in preventing militants from seeping through the mountainous border into Afghanistan.

However, it insists it is doing what it can and paying a heavy price, pointing to its deployment of more then 100,000 troops in its increasingly restive northwest and a wave of suicide bombings across the country.

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Mr. ACKERMAN. It seems to me that we are fighting terrorists and they are shooting us for doing it. Could you express your confidence again?

Mr. CAMP. There was a press story, and I am not sure if this is the same one, that asserted that the Pakistanis had in fact fired on U.S. helicopters. This story, as far as we could determine, is completely untrue. The Pakistani military has denied it and the United States military has denied it.

Mr. ACKERMAN. This is not the story about firing. This is a story that they are ordering firing, and this is from an Army spokesperson in Pakistan. The spokesperson's name is Major General Athar Abbas, and he made this statement after United States helicopters and troops into the militant stronghold in southwest Pakistan.

Mr. CAMP. Sir, all I could say about that is we are partners with Pakistan. We have been close friends for years. I cannot——

Mr. ACKERMAN. I know partners that are in jail for murdering their partners.

Mr. CAMP. I cannot envision a situation where we would find ourselves in a shooting situation with Pakistanis.

Mr. ACKERMAN. You cannot envision it? Would you like to see the clips? Would you like to see the videos? They are fighting, there are shootings going on. It is not something we are imagining or there are reports of. I mean, there are cases.

Well, I just want to express my very serious concerns about the determined or lack thereof, will of the Pakistanis to confront the people that we are confronting and to make this war their war. Much has been said here and acknowledged, not just by members but by yourself and other witnesses, that this is symbolically very important, the F–16s. They are on their yellow buses. I have seen them on all the trucks myself. The F–16 is very important symbolically. That is not necessarily what our motivation should be in making a sale of a very sophisticated product with updates because it is important to somebody symbolically. These are not toys. These are real weapons.

And why is it important symbolically to Pakistan? Do you think the average—I mean, let us be grown up about this. Do you think the average Pakistani thinks the symbolism has something to do with fighting terrorism or confronting India? Why is it symbolic to them all these years?

We know the answer to that. I think we are trying to build the confidence of an ally that is not so allied with us sometimes, and is not committed to realizing that it is in their interests because so many people there believe that this is a U.S. war and where their government is helping us, that they are our toadies or lap dogs or whatever expression you want to use, and they should not be fighting terrorists in their own country; that this is our war and they are complacent in helping us.

I do not see them making that case that this is their war and their survival, and we are helping them. And if we are going to be complicit in helping them gratify their need for self-importance, that there should be a price we put on that and that price is for them to acknowledge that there are terrorists threatening their survival and they have to fight them in every effective way and not beat their chests and threaten to shoot down American military personnel who are over there risking their lives to save their back sides and preserve their country.

I do not see the commitment. The commitment and the guarantees I see are we making to people involved in selling or giving away stuff to them that we are then going to pay for in the end.

Mr. CAMP. Mr. Chairman.

Mr. ACKERMAN. Half in the beginning and the other half maybe down the road.

Mr. CAMP. Mr. Chairman, I think that we need to look at this newly-elected civilian government that has been in power only since February. We have a newly-elected President of Pakistan. They understand the importance of this fight. They understand the importance of the relationship. They are telling the population of

Pakistan how important the struggle is, how important it is to them as a nation, and I think the other thing that needs emphasizing that we perhaps have not talked about here because we have been so focused on F–16s is the United States and Pakistan have a multi-faceted relationship that goes far beyond just fighter jets.

When the President announced his assistance program for Pakistan 4 years ago, it was half security assistance and half development assistance. We have put an enormous amount into making Pakistani lives better, providing social services, job creation, education, the kinds of things that will make Pakistan the kind of society that its leaders want it to be, and that we should want as well.

Mr. ACKERMAN. There seems to be a need here to differentiate between the Pakistani civilian government and the Pakistan military and intelligence services. Indeed, I believe you are absolutely correct, Mr. Secretary. The new President of Pakistan, Mr. Zardari, who many of us know and have met over the years has made such statements, at least to us. How convincing and assertive he is to the Pakistani people remains to be seen.

However, the real question is, what is the commitment of the Pakistani Army, military and intelligence services to fighting the war on terrorism? The head of the military used to be the head of the intelligence services and has some knowledge of that agency. My question is, what level of confidence do you have, and Admiral, do you have that you can share with us that the Pakistani Army will use the F–16s for counterterrorism purposes?

Many are questioning General Kiyani's willingness to train his army in close air support which would be required in order to have the close coordination of both air and ground units. If that is the case, how can we be assured that the F–16s will be used as a counterterrorism tool rather than just the way to boost Pakistan's conventional warfare capabilities vis-à-vis India?

Mr. CAMP. Mr. Chairman, I think that Pakistan's military in the past has not really been focused on trained for or equipped for counterinsurgency as you suggest. It has had other purposes. I think that the Pakistani military realizes that they are confronting a fight that they have never confronted before. They need to use all the weapons in their arsenal on that fight, in that fight, and that has led them to work with us to get the training that will be necessary to utilize the full capabilities of the Mid-Life Update. In other words, we will be training the Pakistanis in the close air function. They will need it in the years ahead and that is why we want to provide that to them.

Mr. ACKERMAN. Before I turn to Mr. Costa, who has been very patient, the issue of trust has been much spoken and I would like to ask you, Mr. Secretary. Your statement notes the damage done by the Pressler Amendment sanctions. I want to take issue with your version of that story for a moment, if I may.

It is not wholly the fault of the U.S. that those sanctions were imposed. Pakistan was pursuing a nuclear weapons program, and they knew at the time that pursuit of that program would result in the very sanctions that were imposed under Pressler. Is that not really the case?

Mr. CAMP. Yes, sir, it absolutely is, and I acknowledged that, and I believe I said that before; that this something that they brought on themselves. That is quite correct.

Mr. ACKERMAN. Thank you. Mr. Costa.

Mr. COSTA. Thank you very much, Mr. Chairman. I think it is timely with this hearing. I, too, took notice this morning of the spokesperson for the Pakistani military that gave the warning as to American forces that are there in the Afghani/Pakistani border as to what might occur in the event that we pursue the Taliban and the other insurgencies across that border. I have been on both sides of that border up in Kunar Province and up on—2 years ago—on the Khyber Pass on the other side, and frankly, if we cannot deal with the insurgent activity there, and with the Taliban that continue to go back and forth, we will not be able to provide the stability in Afghanistan.

I question given not only this morning's statement by the Pakistan military, but with the new leadership in Pakistan as to their sincere desire to truly be a partner in this effort. It seems to me the changes that have occurred bring great question as to their commitment, and with the problems that have taken place with the Pakistani Government and the change in regimes, I want to know what kind of process the State Department has taken to reevaluate the level of support. Clearly the President thought he had a relationship with Musharraf. That is gone. Now we have an individual who notwithstanding is public utterances has had less than a pristine record in the past in terms of his level of the corruption that is abound that government, and the history that surrounds that.

What sort of reevaluation has the State Department taken as the power has shifted in Pakistan? It seems to me you are just doing the same thing that you have done before with new players.

Mr. CAMP. First of all, Congressman, I guess I would start with the sense that Pakistan as a country is still a very important country to our interests. We are fighting for Afghanistan.

Mr. COSTA. No one disputes that.

Mr. CAMP. And we are dealing with—actually we are dealing now with a democratically-elected government, and we are pleased to be dealing with a democratically-elected government in Pakistan. We think that this government is in fact committed to the war on terror, and we will continue to——

Mr. COSTA. Based on?

Mr. CAMP. Based on their words and their actions. Let me just say that the Pakistan Army has carried out significant brigade-level actions in at least four areas of the FATA in recent months, in SWAT and Bajaur, in Waziristan and in Multan, and I think that that is a symbol of what they want to do, what they need to do, and the fact that they are taking serious casualties suggests that their commitment is not shallow.

Mr. COSTA. The gentleman from the Department of Defense, Mr. Shivers, I know you have had folks from the Department of Defense throughout this transition with the Pakistan military, and as was mentioned by the chairman, the current head of the military used to head the intelligence department. What sort of sense do you get by the commitment by the Pakistan military that this is a fight that they are truly engaged in?

When we were there 2 years ago, there were not only concerns about the F–16s, we were trying to get them the helicopters that we thought were more important to deal with the insurgency in the Waziristan area, and they seemed 2 years ago less interested in having the sort of capability to take that on as opposed to the F–16s. Has there been a transition, a change of view on the part of the Pakistan military?

Mr. SHIVERS. As you know, sir, the Pakistan military enjoys a unique position in Pakistan as a generally well——

Mr. COSTA. It has been a consistent stability over 60 years——

Mr. SHIVERS. Absolutely.

Mr. COSTA [continuing]. Amongst political turmoil.

Mr. SHIVERS. And they have been at war with neighbors. The Pakistani people look to their Army for defense, and now they are confronted with a different challenge, quite a significantly different challenge than they have had during most of their 60 years, 61 years.

So now they are confronted with having to develop COIN capacity and counterterrorism capacity, and they are facing, as quite a large army—the same kind of transformational challenges that any such army would face—and they are having to do it under a very compressed timeframe because there is a growing domestic threat to the Pakistani people. I would suggest if you look back just over the past 24 months and the very different circumstances that exist in Pakistan today vice 24 months ago, Musharraf was in power and office 24 months ago and still enjoyed a high popularity rating with the Pakistani people, and you can see the differences politically, but there are also great differences in terms of security challenge.

Mr. COSTA. Among the military leaders, would you say that they rank India or the threat in their provinces to be their gravest threat to their security?

Mr. SHIVERS. There is no doubt that still within the military, the rank and file of let us say the leadership, they would still turn toward the eastern border as their greatest threat, the threat from India.

We think that is changing and it is changing rapidly. We think there is a greater sensitivity, certainly at the senior most levels as Secretary Gates said in his testimony last week to the House Armed Services Committee. He is quite convinced that they get it. They understand that this is a threat and this is a threat that confronts them as a nation.

I think earlier, not so long ago in this time line that I was speaking of, they would have suggested that much of the activities that they had undertaken in the Federally Administered Tribal Areas (FATA) in the Northwest Frontier province, they had to undertake on our behalf, interdicting any coalition militants that were going across the border into Afghanistan. That has morphed into a domestic challenge for Pakistan.

I think it is as a result of that we would expect, as the chairman would like to see, greater resolve on the part of the Pakistanis and more effort on their part. I think they have been doing needed things in the FATA, but they have not been doing sufficient things, and one of the hopes we have with our military assistance is to give them the skills and the capacity to take on these new chal-

lenges to help them in that transformation, to lead them along the way.

Mr. COSTA. Do you have an agreed upon time line on that transformation as to when you expect them to be proficient and able to perform the tasks?

Mr. SHIVERS. Well, sad to say, sir, it is like most such transformations of large armies, it would be much longer than we would like. I do not have a specific target. I can tell you that when we do discuss this challenge it is, if not a generational challenge, certainly a decade in order to bring these things about.

Mr. COSTA. But is that not an opportunity for a quid pro quo vis-à-vis the F–16s? It seems to me that if we are going to make this transition there ought to be some expectation levels here on the other end.

Mr. SHIVERS. There are, sir, and those are communicated to the Pakistanis at every single meeting we have.

Mr. COSTA. And you think you are getting reassurances that they intend to meet those expectations?

Mr. SHIVERS. We are being reassured by them, but we are also judging them by action.

Mr. COSTA. Well, I think that is the only way you can judge them.

Mr. SHIVERS. Yes, sir.

Mr. COSTA. And so how good is the track record so far based on their actions in the last 6 months?

Mr. SHIVERS. I think we would say that it is uneven at present. If you look to comments from our leaders in Afghanistan, Major General Jeff Schlosser just recently indicated that he thought that the counterinsurgency—counterterrorism efforts in Bajaur agency in the north of northwest frontier—is having beneficial effect in Afghanistan, so they are seeing most recently as this offensive is being taken on by the Pakistani military, they are seeing declining violence in our corresponding provinces on the Afghan side.

Mr. COSTA. And have the relationships, Mr. Camp, been improving any with the new leadership in Pakistan and Afghanistan?

Mr. CAMP. Sir, I think a very telling point was the fact that President Karzai came to Islamabad for the swearing in of President Zardari. I think the relationship between those two is important, and is a good harbinger of future better relationship.

Mr. COSTA. It was not good before.

Mr. CAMP. It has not been good for many years. That is true, sir.

Mr. COSTA. Thank you very much, Mr. Chairman.

Mr. RUGGIERO. Congressman, if I could just make a point on the Cobra helicopters.

Mr. COSTA. Mr. Ruggiero.

Mr. RUGGIERO. Yes. We initiated preconsultations with the Congress to upgrade eight Cobra helicopters last week, and we will use $50 million of Fiscal Year 2008 FMF for that program.

Mr. ACKERMAN. Is that where you took the $226 million from in the first instance?

Mr. RUGGIERO. No, that is not. We did not take it from the Cobra program. We took it from upgrading coastal aircraft.

Mr. ACKERMAN. Okay. Why would an ally of ours if committed to fighting terrorists and the threat of terrorism threaten to shoot

at us when we are in hot pursuit of terrorists that are the threat to them? What is on their mind? What is the symbolism that they are blustering about here?

Mr. CAMP. Mr. Chairman, I cannot understand that statement. I would not hazard an interpretation. I think we have to ask the Pakistanis that question, to be very honest.

Mr. ACKERMAN. Do you think maybe they are playing to their crowd or do you think maybe they think we are the threat and not the terrorists?

Mr. CAMP. I am confidence they know we are not the threat and I am——

Mr. ACKERMAN. Are you confident that they think India is not the threat?

Mr. CAMP. I am relatively hopeful that relationships between Pakistan and India are also improving, and that that will also not result in yet another conflict.

Mr. ACKERMAN. We have a lot of hopes going here.

Mr. CAMP. I think that the evidence on the ground is that both Delhi and Islamabad want a strong——

Mr. ACKERMAN. I would like some guarantees in addition to having hope. I just want to go back. If a majority of people in the military see India as the threat, and if the F–16s are symbolic, and if they are threatening to shoot us for going after terrorists on their territory, why should we be confident that they are going to use F–16s to go after the terrorists?

Is it not clear that the F–16s are symbolic vis-à-vis the power struggle that they believe they are in with India?

Mr. CAMP. You know, Pakistan and India have fought three wars over the 60 years of their independence, and I think that military planners always plan for what could happen.

Mr. ACKERMAN. In each of those cases who invaded who?

Mr. CAMP. Sir, I am just saying that they had fought wars.

Mr. ACKERMAN. Do you know the answer to that question? Pakistan invaded India in each of those instances. I just wanted to say that for the record rather than just wars happened.

Mr. CAMP. Yes. I think you would have differing interpretations depending on which side of the border you were on, but I do think that——

Mr. ACKERMAN. If you are on the side of the border that troops are coming into, you are being invaded.

Mr. CAMP. The policymakers on both sides are trying to avoid any further conflict, and in fact are making progress toward a better relationship, and that is something we are trying to encourage, and I——

Mr. ACKERMAN. I agree with you a zillion percent. We want to encourage better relationships between those two nuclear-armed powers. It is very, very important to encourage that. Some of us share a different view, and that is, when you start supplying things that are symbolic, that are also lethal, that you do not help build confidence in a peaceful resolution of the situation, you are building it up, you are furthering an arms race. You are creating a bigger—unless you think India is a threat that they have to defend against with F–16s, and you are not telling me something, I do not think the sale of the F–16s, unless you have a firm commitment

which nobody has said here at the witness table, that they have the will, the national will both the civilian government and the military, to use them against the bad guys rather than shooting us for trying to save them from the same bad guys. They are looking east and we are looking kind of north.

Mr. WIERINGA. Mr. Chairman, one significant point that has changed in the last month. Admiral LeFever sent me an e-mail regarding a meeting he had had with the Pakistanis.

Mr. ACKERMAN. I am sorry.

Mr. WIERINGA. That he had recently had a meeting and they immediately agreed to participate in close air support training, and that is significant. Tentatively the Air Force has the Pakistanis attending Falcon Talon in February 2009.

Mr. ACKERMAN. Did you get that assurance from the Army as well?

Mr. WIERINGA. That was from the Army to Admiral LeFever.

Mr. ACKERMAN. And the Air Force?

Mr. WIERINGA. Yes, sir.

Mr. ACKERMAN. The Army and the Air Force that——

Mr. WIERINGA. They were both going to participate in training.

Mr. ACKERMAN. You got an e-mail from each of them or two e-mails?

Mr. WIERINGA. One e-mail from Admiral LeFever to me.

Mr. ACKERMAN. Saying that the Army and the Air Force are committed?

Mr. WIERINGA. Sir, I believe they are going to participate in joint tactical air training and close air support training as well.

Mr. ACKERMAN. Well, that seems to be good news.

Mr. WIERINGA. Just one other point that I was going to make for you earlier for your info. The context of your question was since the Pakistanis have not paid their one bill, what gives us assurance they are going to pay the others. Of the new production of the 18 aircraft, that is a $1.43 billion program, and they have made all their quarterly payments on time. Of the munitions payment for $667 million program, they have also made those payments on time.

Mr. ACKERMAN. So far so good. That is what the window washer who fell off the Empire State Building said when he passed the 34th floor.

MAJ GEN FIELD. Mr. Chairman.

Mr. ACKERMAN. Yes.

MAJ GEN FIELD. Sir, if I can just address. You know, when we were talking about upgrading the F–16s with these capabilities and the sale of 18 more, that puts their F–16 fleet up to roughly about 64–65 airplanes. India's third and fourth generation fleets are about 652. When you look at the way the Indian Air Force employs their SU–30s and their MIG–29s, quite frankly, the Pakistani Air Force does not really measure up, and it is encouraging to us that they are moving their operations more to the west and to the north, and this gives them a capability to get some success in those areas and focus on those kind of capabilities in the future, and we think that that is going to benefit us because it has the—it creates a second front war for those guys that are right now having a safe haven up in the FATA and the Bajaur districts.

Mr. ACKERMAN. Many of us are just concerned that they use what we are giving them to fight the terrorists, and that they have the will to do that, and I am not convinced. I am not sure that you are convinced that they have the will. When you train them, I guess they will have the ability but whether or not they have the will is a completely different question because, as we all know, they want this because of the symbolism, and that symbolism has nothing to do with the terrorists.

Mr. SHIVERS. Sir, I respectfully would disagree with it. I do think there is sincere interest on their part in taking on this counterinsurgency, and counterterrorist operations in the west, in the northwest border. They have been doing it. Indeed, air sorties dating back into 2007 indicate that they have taken on this challenge. This is not without some political cost to the leadership in Pakistan when they do so. These are air operations against the territory of Pakistan itself, so they are quite controversial with the Pakistan people, but absolutely essential to us. They are essential to our servicemen and women on the ground in Pakistan. This is an essential activity to interdict these anti-coalition militants that are going across the border from Pakistan into Afghanistan.

So our servicemen and women support this proposal. If you look at our leadership in Afghanistan, they support this. If you look at our leadership within the Pentagon, it is all supportive of using FMF for Mid-Life Updates for the F–16s. We believe the Pakistanis will utilize them in the way that is prescribed here, and that they are seeking to get this equipment to be more effective.

It is not without notice by the militants in the FATA that the Pakistani Air Force lacks capability at night currently, and it is not without notice that their current capabilities of their F–16s are not effective in precision strikes and therefore those militants can cause civilian casualties which we hope this update program will help to prevent. So all of these come together into our request of Congress to proceed with this.

Mr. ACKERMAN. Nobody questions what you are saying there, and everybody wants the same thing that you want. Whether it is going to happen or not really is the question, and that goes to the question of will rather than capability. One of the things we do know is that there are more terrorists and terrorist activities in those areas today than there were 7 years ago. There needs to be a national determination made on the part of Pakistan which does not occur without good strong leadership which is not always very stable in a country that has more—had almost as many governments change by means of mysterious explosions, coups, assassinations, et cetera, than democratic elections.

You mentioned 24 months ago who would have believed this or that. I do not know what we are going to believe 24 months from now. I mean, it is not necessarily the most stable of places that we are supplying sophisticated weaponry to.

I would like to ask a question of you, Admiral. In your statement you twice mention Pakistan's compliance with the letter of assurances security notes in states that need new F–16s, none of their weapon systems will be transferred until Pakistan provides those assurances.

Do you think there is a problem with Pakistan's compliance or do you anticipate that there might be?

Mr. WIERINGA. I think the answer is neither. In the letter of agreement that Pakistan has signed, they agreed to a significant, a long list of provisos. Last March the Defense Technology Security Administration leader, Beth McCormick, went to Pakistan and conducted a preliminary national disclosure policy committee survey. That starts a sequence of events that will continue this November to ensure, and the Air Force will take a leadership position on this, to ensure that the country of Pakistan safeguards the equipment.

Mr. ACKERMAN. In your statement you note that the MLU aircraft will not be delivered until 2011, this being 2008 right now, and that even the new F–16s will not be delivered until 2010. This aircraft being as essential as you tell us it is in the flight against the terrorists, what do they do in the meantime without this crucial weapon system?

Mr. WIERINGA. Well, right now, as we have said of their close air support, they are limited to day visual conditions, and so they do not have the precision-guided munitions and others. The reason the security portion is emphasized is there is significant safeguards imposed by the U.S. Government on Pakistan to ensure they protect our technology.

Mr. ACKERMAN. Mr. Scott, do you have an additional question, I understand?

Mr. SCOTT. Yes, Mr. Chairman. You have really raised some very pertinent questions, and I certainly move with great trepidation in saying I may try to ask some questions to bring some illumination to some of the points that you have made which are very, very good.

But as I go back to the first point, I wanted to clear up because I think it is very important that as we move forward that we certainly clean up our obligations and to make sure we not leave Lockheed Martin hanging out here without this funding that is needed, and I wanted to make sure that this is not new money we are talking about, is that not right? It is more a realignment of monies?

Mr. RUGGIERO. That is correct. This is the realignment of FMF for Fiscal Year 2008.

Mr. SCOTT. And going to some of the issues that the chairman brought up which are very, very important, my thoughts are that we are increasing our military commitment, soldiers, resources, manpower, into Afghanistan. That support is going to be increased, doubled very, very quickly. We are adding more assets to it.

The chairman brings up probably the real issue we have got here in that Pakistan presents an extraordinary challenge. He his absolutely right about the concerns that we have, particularly with the acceptance that this dichotomy of thought within the Pakistan nation regarding America. There is extraordinary growth in anti-Americanism in Pakistan, and there is considerable worry in our quest and our desire to provide Pakistan with the latest in technology to fight with us and for us in connection with the war on terror. To what extend do we have that bugga-boo down the road that the very weapons we give to assist them in terror could very well be used not just not to help us, but against us.

I just wanted to bring to your attention. The chairman mentioned an article from the Associated Press. I want to share one with you from the BBC. It says that,

> "Pakistan's powerful electronic media are whipping up anti-U.S. sentiments amidst suggests that the war against militancy and terrorism is not our war, and that Pakistan should formulate a matching response to U.S. attacks. So our two top allies, the United States and Pakistan, and the war on terror is in danger of coming to blows with each other."

So I think there is a concern here, but on the other hand, I think that we do have a very concrete example of how the upgrade of the F–16 is working. If we recall, there was an attack on Zarqawi in 2006, that I believe was successfully accomplished because of an upgraded F–16 with the capacity to go in and get him.

So I guess moving forward it seems to me that [a] I want to see us go ahead and complete the task of making sure we fulfill our obligations and get it, but are there things we can do? Are there conditions we can do? Are there things that going forward we can make sure of?

There is grave concern about Musharraf leaving who was our number one advocate there. Do we have a situation in that volatile country now that gives many people in Congress who have to vote on these appropriations some comfort level that this anti-American sentiment that is growing there can be abated? Are there strategies that work to deal with that? I think that would be one question I would like to see. I see going forward a need to go forward. I think we have got a problem here.

The other thing is I think that given whether or not these weapons will be used in terms of an invasion of India or not, I think we touched upon that, it is, in fact, that they have had some form of F–16s for about 30 years, is that right?

Have there been any examples or any areas in which we have had to raise concerns about them being used in a manner that would cause us some problems?

Those are just a few of the questions I would like to kind of get some response on to see if we cannot address some of these concerns the chairman has raised, and I think I have raised as well, but also to show the need for moving forward on this.

Mr. CAMP. Sure. Let me try that, Mr. Congressman. I would say that, first of all, Pakistan very much needs to win this war against the terrorists in its midst. It is crucial to Pakistan's future, it is also crucial to our own national interest. Therefore, I think everything we do has to be seen in the context of helping Pakistan win that war. It is a war they realize and are increasingly realizing that they have to win.

The Mid-Life Update of the F–16s are one component of giving them that capability. There are other things as well and we are doing those things as well. One, of course, is training the Frontier Corps, which is the sort of para-military force that is actually—that lives and comes from the frontier areas bordering Afghanistan. That is a crucial component of our strategy to provide Pakistan the capabilities to win this war.

We are also doing everything in our power to turnaround what you correctly assess as a growing trend of anti-Americanism in Pakistan. We are demonstrating that we are friends of Pakistan, and friends of Pakistan for the long term. I think our economic assistance, our development assistance goes a long way toward trying to achieve those goals.

Mr. SCOTT. Are there any security arrangements in place to make sure that any of these upgrades will not get into the wrong hands into countries? Is there anything that we have written in concrete conditions of what they can do with these upgrades?

Mr. WIERINGA. Sir, there is an extensive list of provisos in the LOA that we are working through with the Pakistanis now.

Mr. SCOTT. What consequences would there be for Pakistan if any of the end use, monitoring or other security conditions placed on these plane are violated? I mean, if you have the conditions, what happens—what is there to put some muscle behind making sure that the conditions are not violated? What will happen if they are violated?

Mr. WIERINGA. Okay, it is a two-step process. The first one is that the conditions must be met before the airplanes will be delivered. The second would be a policy decision of if there was a violation. In some cases it might be a very, very modest or minor administrative mistake, of which time we would help them correct the deficiency. The more significant would be a policy decision of what to do.

Mr. SCOTT. Now let me ask you—I mentioned that we are moving more forthrightly in terms of committing more resources into Afghanistan of our soldiers. Really I think it is joint bipartisan agenda to concentrate on Afghanistan, winding down out of Iraq and moving in there.

What does that mean to the upgrades? Is that taken into consideration? Does that bring another asset to be used? Is that another important reason why these upgrades need to take place, that it gives us better capabilities? Is there something that would be missing in terms of giving our boys over there and our forces over there what they need to get the job done if Pakistan does not have this capability of these upgrades?

Mr. WIERINGA. I will take a first shot at it. In general, when we talk about foreign military sales, the first order effect we have is building relationships, and that is the key part as opposed to just selling equipment. So building relationships comes first. You may say before that trust, but next is a key facet of common equipment is interoperability, and that is critically important to work together that you have common equipment. It makes that much easier to do.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you very much.

I just wanted to come back for the sake of——

Mr. SHERMAN. Mr. Chairman.

Mr. ACKERMAN. Yes?

Mr. SHERMAN. I just wanted to let you know I was here.

Mr. ACKERMAN. Duly noted.

Mr. SHERMAN. Thank you.

Mr. ACKERMAN. For the record, on the notification issue which I started out with, our understanding in one of the great both prob-

lems and benefits of having instant communication is that staff watches these hearings wherever they might be as they are televised live, and we have heard back from the member of the staff who was at the meeting in May who handles the full committee's armed sales work, that that was basically a briefing on whether or not the Pakistanis can do the actual work of the upgrades there rather than, I believe, in Texas.

And in the course of that briefing it was suggested by the State Department that there might be a discussion or a suggestion on a different way to finance this deal and that you would like to come and bring that discussion. In fact, there was no other mention of what you had in mind, that the U.S. taxpayers would be on the hook, and no other briefing until July after the proposal was sent and Congress was notified. That is my understanding from the staff person who was at the hearing.

Mr. RUGGIERO. That meeting in May covered a range of issues related to F–16s, and one of the objectives for the administration at that meeting was to broach the idea with the Congress of using FMF for Fiscal Year 2008 for the Mid-Life Update. We wanted to hear from the Congress and in an informal way what the reaction would be, and I think we came away from that meeting with several reactions.

Mr. ACKERMAN. And the State Department was told by the staff at that time that there would be serious objections and that we wanted to hear what you had to say, and there was no further discussion until the notification was sent to the Hill, and then it was brought up in July.

Mr. RUGGIERO. I do think there were additional conversation between the legislative affairs personnel at the State Department and committee staff.

Mr. ACKERMAN. Well, we have no indication of that.

Mr. Sherman, briefly. We have a vote on.

Mr. SHERMAN. Thank you, Mr. Chairman.

We are supposed to win the war against terrorism with an administration that trusts Pakistan and does not trust Congress. When this committee last dealt with this issue, I said that we in the U.S. Government ought to look very carefully at the avionics that we put on these planes before we send them to Pakistan because we know that the Chinese will be looking very closely at that avionics soon after these planes get to Pakistan.

I think it would be absolutely foolish for us to assume that more than 12 months will go by between when Pakistan gets anything and China sees it. And so the question is, what should we be doing now to protect our national security based on the assumption that China will be able to look at these avionics? I will ask the Vice Admiral that question.

Mr. WIERINGA. Sir, earlier I mentioned that there are extensive provisos in the letter of agreement between the United States and Pakistan.

Mr. SHERMAN. There are extensive provisos, treaties and rules that would prevent A.Q. Khan from doing what he did. Paper is paper. You know that it is quite possible for Chinese agents to look at this without us knowing and you know that the Pakistani Government could within 6 months decide to simply renounce the

paper, or 6 months after they get the avionics, and fly the planes to Beijing for a good will tour.

So the question is not how you are going to convince me that a piece of paper is going to shield our technology from China. You are not going to be able to do that. The question is, what do we do to protect our security based on the assumption I am building into the question, which is the assumption that China will see these avionics?

Mr. WIERINGA. Prior to the release of technology for international sales, there is an extremely rigorous vetting process in the Department of Defense, much of which is classified, to determine what technologies we will or will not transfer, and it is only——

Mr. SHERMAN. Are you making those assumptions based on the idea that the paper will protect the avionics or are you doing so on a realistic basis, assuming that whatever you give to Pakistan will be reviewed by the Chinese?

Mr. WIERINGA. Absent the Chinese, the review is, what is the risk of that technology for exploitation?

Mr. SHERMAN. The risk. That is not an answer to the question unless it is in a language I do not understand. Are you vetting this technology on the assumption that Pakistan will adhere to every piece of paper that you put on the table or are you limiting what you export to things that if China saw them we would still be a secure nation?

Mr. WIERINGA. I think both of those. Additionally, I am reminded that there is 24/7 United States presence with the airplanes and the sensitive technology in Pakistan.

Mr. SHERMAN. But you know that the day after you deliver this technology Pakistan could order those people out and fly these planes to China for a good will tour. You know that is a possibility. How is that possibility factored into what avionics you are putting on these planes?

And by the way, I do not think they would have to do it that way but I am trying to get you to focus on the question.

Mr. WIERINGA. All I can continue to say is that outside of my agency, the Department of Defense Acquisition Technology and Logistics has a rigorous vetting process of what technologies they will export.

Mr. SHERMAN. But you have no idea how that process is working. You have no idea whether they are making one extreme assumption, which is the Chinese will never see it, or the other extreme assumption that the Chinese will see it as soon as it is delivered. So this vetting, I get back to it. You trust Pakistan but you do not trust Congress to even tell us what vetting process you are using, but you will trust the Pakistanis with the technology. A house divided against itself is not likely to win a war against terrorism, and an administration that regards Congress as the enemy to be bamboozled and obfuscated is not likely to win a war on terrorism.

I yield back.

MAJ GEN FIELD. Sir, can I take a stab at trying to allay some of your concerns?

Mr. SHERMAN. Well, if the chairman thinks we have time.

Mr. ACKERMAN. We have 2 minutes to get to the floor, but we will keep the record open for written response and comments to

Mr. Sherman's serious questions as well as to any other comments that the witnesses may want to make.

Thank you very much for participating in the hearing. Stand adjourned.

MAJ GEN FIELD. Thank you, Mr. Chairman.

[Whereupon, at 12:07 p.m., the subcommittee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE JOE WILSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF SOUTH CAROLINA

Thank you, Chairman Ackerman for holding this hearing today on Pakistan.

Since the terrorist attacks of September 11th, the relationship between the United States and Pakistan has grown increasingly more complicated. Having chosen to ally itself with the United States in our fight against Al Qaeda in Afghanistan, Pakistan's government made a sound strategic decision. We must do all we can not to forfeit the opportunities that arise from our partnership, but we must be vigilant that our efforts and our financial and military assistance to Pakistan is indeed mutually beneficial.

At the heart of today's hearing and the greater dialogue on our relationship with Pakistan is: to what extent do we forge a greater partnership with the Pakistani government and what will be the nature of that relationship? In the Global War on Terrorism, Pakistan has been an ally—though reluctant at times—in going after Al Qaeda. However, their efforts along the Afghan-Pakistan border have come under increasing scrutiny. A closer examination and review of the success or failure of their efforts is absolutely the correct course of action for our military, our intelligence community, and Congress. There is no substitute for oversight—particularly when the price of failure or inaction can be so high. We need to know what is happening along that border because it is from those mostly ungoverned territories that Al Qaeda continues to plot and plan and the Taliban continues to foster instability in Afghanistan.

Our sale of military technology to Pakistan is nothing new. This latest debate over whether to continue to supply them with more modern weaponry and aircraft is being considered in the context of many difficult determining factors—namely our relationship with India, the Global War on Terrorism, and our concern for an unstable government in Pakistan.

I remain hopeful that Pakistan can build a more stable government. When I had the privilege of visiting with the late Pakistani Prime Minister Benazir Bhutto four weeks prior to her murder, I saw a strong leader who wanted to reform her nation. Her death was not just a loss for the people of Pakistan but also a threat to stability in the region. In my visits to Islamabad and Muzaffarabad, I have been impressed by the entrepreneurial Pakistani people and the professional military.

Again, I wish to thank Chairman Ackerman and my fellow committee members for this opportunity, and I look forward to today's testimony.

PREPARED STATEMENT OF THE HONORABLE MIKE PENCE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Thank you, Mr. Chairman, and I welcome our distinguished witnesses.

Mr. Chairman, I am always mildly amused by your hearing titles, and today is no exception. But, from the time the hearing notice was issued one week ago, we have been inundated with public reports about our military's efforts in Afghanistan that have spilled over into Pakistan. *The New York Times* reported last Thursday that President Bush signed an order in July authorizing U.S. special operations forces to conduct missions in Pakistan without asking for its permission.

The Sunday Times of London reported the apparent specifics, September 14:

> "Both US and British special forces have been carrying out missions inside Pakistan since March this year following an agreement in January between [President] Bush and Pervez Musharraf, then president of Pakistan. In return,

Pakistan's military received 227 million Pounds ($408 million) to upgrade its F–16 fighters."

Mr. Chairman, I am not certain that I want our witnesses to confirm any of this publicly, but it appears that this trade and not the sarcastic suggestion in the hearing title is probably the reasonable approach the Administration took. In fact, the Congressional Notifications we have received indicate that the F–16 transfer is partly a reward or an encouragement for help on counter-terrorism. And, as our witnesses' testimony makes clear, these jets can be used for a counter-terrorism mission, for close air support or precision attack missions.

In fact, the Associated Press reports *today* that Pakistani troops "backed by helicopter gunships and *fighter jets*" killed 24 militants yesterday. This move was praised by US commanders. Isn't this a perfect example of how this weaponry should be used?

Mr. Chairman, you have implored this President to get tough on Pakistan. Indeed, he has. We can stipulate that this is overdue, but I am not certain that this is the optimal time for us to be publicly shaming the Government of Pakistan at the very moment, it appears, that we have taken an especially aggressive approach toward forces in their territory. Perhaps it is the time to tread lightly . . . or at least walk softly, while carrying the big stick. I am certain we all want to support Pakistan's new President Asif Zardari, widower of the heroic Benazir Bhutto, who is holding talks with the British Prime Minister Gordon Brown as we speak.

Mr. Chairman, we all want success against Al Qaeda and the Taliban in Afghanistan and the Federally Administered Tribal Areas of Pakistan. Unquestionably, our mostly friendly local governments there have struggled mightily, or perhaps not enough, in dealing with a terrorist threat that would challenge any government. One retired Pakistani General told *The Sunday Times of London*, "We're a conventional army set up and trained to fight one enemy—India. We are neither equipped nor skilled to fight an insurgency."

We can all lament this situation, or the fecklessness of the Afghanistan and Pakistan governments, for that matter, but it looks to me like we are actually taking the right approach: unapologetically defending our national interests while trying to encourage positive reform in Pakistan. Mr. Chairman, the Associated Press reported Sunday that "Pakistan's government eased its rhetoric yesterday [Saturday] against unilateral U.S. attacks." I wonder if the correct answer to a cooling of the rhetoric is today's hearing.

Just as the brilliant and successful surge strategy taken by the Administration in Iraq took some time—indeed, too long—perhaps we have now settled on a winning approach with respect to the Taliban and Al Qaeda presence near the Afghanistan-Pakistan border. Admiral Mike Mullen, Chairman of the Joint Chiefs, has made it clear that there will likely be more "hot pursuit" raids into Pakistan. I think we're approaching a reasonable balance between the carrot and stick-taking direct action when required while supporting the Pakistani Government to the extent possible. Contrary to your opening statement, Mr. Chairman, the Administration does deserve credit for good faith.

I confess I am deeply disturbed by disputed reports this morning of Pakistani forces opening fire on US forces in this border area. If true, this is very disturbing. This situation is unquestionably a difficult foreign policy challenge for the United States.

Thank you, Mr. Chairman, and I look forward to hearing from our witnesses.