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**STATEMENT OF REP. GARY L. ACKERMAN
CHAIRMAN
SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA
Defeating al Qaeda's Air Force: Pakistan's F-16 Program in the Fight Against Terror**

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.

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