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REMARKS OF
LUCY WILSON BENSON
UNDER SECRETARY OF STATE - DESIGNATE
BEFORE
HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
FOREIGN OPERATIONS
MARCH 24, 1977

it could turn out to be, worst possible case -- would

turn out to be against our national security. But, other

than that, I agree.

Mr. Koch. I will pursue it, in the next round, Mr.

Chairman.

Mr. Long. It is especially of interest to us when two

friends of our, two countries each friendly to us, are

cutting each other's throats with our weapons, which has

happened many, many times.

The lady from Nebraska is recognized for five minutes.

Mrs. Smith. Mrs. Benson, Mr. Duncan, we appreciate

you being here. Let me pursue a little bit this human rights

policy.

I think that once we have made the observance of human

rights a part of our foreign- policy, then probably we

would be carrying it all the way. I am wondering about the

fact that the Carter Administration has recommended increasing

the United Nations development program by some \$30 million.

I see that the United Nations development program lists

Uganda as receiving \$30 million.

Now, I am wondering if this is not making a mockery
of the universal Declaration of Human Rights, and if we
don't have a responsibility to protest it.

Mrs. Benson. I would have to answer personally to
this, Mrs. Smith. The international financing institutions
and the United Nations institutions are not under my
bailiwick, and I am not fully informed on how they are
organized, and even what our representation is on the U.N.
Development Council.

However, I personally feel we should make a very
strong case for our point of view. But, as is true in any
organization of which you are a member, but not the con-
trolling member, or not the government itself, you have a

We have a weighted vote in international financing institutions, which does give our vote a proportional weight, having to do with the amount of money we contribute.

I do think we should protest, yes. I believe that we are doing so, as a matter of fact.

Mrs. Smith. Our protests don't always amount to very much, and they are not always observed.

Now, I see that this isn't quite in your area, and I don't want to pursue it. But, are all the United Nations members signatories of the universal Declaration of Human Rights?

Mrs. Benson. I don't remember. I am embarrassed to say that.

Mrs. Smith. That's all right. We will find out.

~~Mrs. Benson. I doubt it.~~

Mrs. Smith. I am wondering, would it be suitable for you folks, or could you give us a list -- I don't mean

today, of course, but for the record -- of all the

countries that receive some sort of security assistance

from us, how much security assistance they receive, and

whether they are in the category of free or partly free or

not free in line with your philosophy of human rights?

Mrs. Benson. Yes, indeed we can. You do have a

lot of detailed information, but we could provide you a

more abbreviated list.

(The information follows:)

INSERT (State)

that are desired are of a defensive character and really
 needed by a given country for its self-defense, what is the
 level of lethality of the weapon, what is the technology
 of the weapon, the plane or the missile or the air warning
 system, or whatever it is. Is it very advanced technology,
 which if you sold it to a given country would have a
 destabilizing effect in its relationships with ^{its} ~~the~~ neighbors,
 or an escalating effect in its relationships with ^{its} ~~the~~
 neighbors.

One gets it, and the next door neighbor wants the ^{same} kind
 of thing.

Another kind of criterion is the regional arms balance.

Does the selling ^{to} ~~of~~ ^{country} ~~one~~ cause an upset in a whole region,
 not just ^{to} ~~for~~ two countries.

Another criterion is whether or not any or many or just

some personnel from this country would be required to under-

take a long-term assignment in foreign countries in order

to train or run the equipment. Another, of course, is human

rights. That is a criterion we will be using. Our own

strategic interests, our own national interests ^{are} ~~is~~ very

important, and probably the first one, as a matter of

fact.

Impact on the economy of a foreign country, as well as

the impact on our economy, is another important criterion.

I don't suppose one would use all of these in every case,

but they would be among the criteria.

Whether or not other countries are supplying arms of

any kind to a given country would be a factor that would

be important.

Procedures -- as to exactly how to implement whatever

policy the President decides to undertake, and whatever

criteria we decide are valid and useful ~~criteria to use~~ in

the final analysis, that is a little bit more difficult.

What we have to do is devise a set of procedures or

let you know.

Mr. Long. Mistakes happen all over the place. I know my office I would say once every five or six years makes a mistake.

Mr. Yates. Mr. Chairman, Mrs. Burke would like to have her time now.

Mr. Long. The gentlelady from California.

Mrs. Burke. At this point I would like to ask this.

I believe the Academy of the Americas is a facility in Panama for military training throughout Latin America. Does that come under this military assistance?

Mrs. Benson. Yes, it does.

Mrs. Burke. Will the limitations that we have talked about as far as human rights apply to military assistance in the use of training of those troops from countries that we have determined are violating human rights? For instance, one of

many of the South American countries the people who are doing the torturing and who are often guilty of a great deal of the atrocities are trained as military personnel under these programs. And I just wonder if this will be limited under this budget item.

Mrs. Benson. It could be. The military training programs do come under the military assistance. And whether or not we ^{for human rights reasons} would deny ~~or remove from~~ a country presently in the military training program the opportunity to go to the military training school ~~for human rights reasons~~ ^{it} is possible. I would like to ask Secretary Duncan and General Fish to comment on that.

The Defense Department operates the military training programs for the State Department program.

General Fish. Mrs. Burke, I have a list of the courses here which I will submit for the record, but they include such courses as electronics supervisor technician, aircraft

personnel technician, electronics fundamentals, aircraft

communication, navigation equipment repairman. They are these

sort of things. They are not courses that involve anything like

law enforcement. In fact, the law strictly forbids it, and we

are rigorous in making sure no such thing, police training of

any sort, is provided in this Academy of the Americas.

(The list referred to follows:)

INSERT (attached)

Mrs. Burke. Are there other similar training facilities in other parts of the world?

General Fish. No. This is the only regional school.

And it is because of our special historic relationship with the

Latin American countries. Well, Mr. Forman reminds me there

is right here in Washington, at Fort McNair, the ^{Inter-American} ~~American~~

1A Defense College, where we train officers, United States officers

and officers from the American republics *but not under security assistance program funding.*

Mrs. Burke. I see.

Mr. Koch. May I ask for additional information. There

was a hearing conducted by Congressman Donald Fraser -- I was

there -- the Subcommittee on International Organizations

of the House International Relations Committee. And at that

hearing, Father Cognal -- and I was there when he testified --

advised us of the names of Nicaraguan National Guardsmen

who had participated in torture in Nicaragua and who had

been given training at the very school which the gentlewoman

has just talked about. And I would like to put those names

in the record, Mr. Chairman.

Mr. Long. Without objection, it is so ordered.

(The list of names follows:)

General Fish. I hope, Mr. Koch, that particular line of comment does not mean to imply that we are training them to do these things.

Mr. Koch. I don't really know whether you are or not.

General Fish. I say unequivocally no.

Mrs. Burke. I was not saying we were training them to do atrocities. May I clarify that. I was saying that we are providing them with military expertise and efficiency of a military tpe. It is like walkie-talkies are not bayonets, but walkie-talkies are usually part of any kind of military operation, terrorist operation, and these things are incidental to it. I want to clarify that. I did not mean in any way that we were teaching them how to do torture or atrocities. I was questioning whether or not we were providing them with the military expertise that was then being utilized by military people who often double as police people. And I wondered if we were concerned

with human rights, if we were going to be looking at this as

one of those areas where we should give some consideration.

General Fish. It is specifically prohibited by law to provide any kind of police training or training any kind of police unit, or ^{training} personnel that are assigned to police units.

We are very careful to make sure that is ^{not violated} true.

Mrs. Burke. So there would be no problem if there was a limitation, for instance, in this appropriation bill that no person who receives any military training there would be eligible if they were participating also in police units.

General Fish. ~~I think~~ It is already in the law.

Mr. Yates. What about military police?

Mrs. Burke. I am finished, Mr. Chairman.

Mr. Yates. Mr. Chairman, may I ask that one question?

Mr. Long. You certainly may.

Mr. Yates. What about military police? Are they trained to be military police?

General Fish. No there are no charges, a charge in

military police training is presently conducted in the U.S.

Army Military Police School in Fort McClellan, Alabama, and the

U.S. Army School of the Americas Canal Zone. However, the

course does not provide any instruction relating to civilian

police activities -- strictly military police activities for

military forces, policing the military forces.

Mr. Long. Would the gentlelady yield. I wonder in your response to the gentlelady from California's question, whether you could give a definition of just what is meant by police as opposed to military functions.

General Fish. Well, civilian law enforcement is the fundamental difference.

Mr. Long. I would hope we could get the answer somewhat more specifically.

General Fish. I will be glad to provide a detailed answer for the record. Would that be helpful, Mrs. Burke?

Mrs. Burke. Yes, it would be.

Mrs. Burke. Of course I think that we also cannot overlook the fact that in many of these instances there is no distinction between the administration and the operation of the military versus the civilian police. In many cases there is a total overlap of officers and control.

General Fish. Well, I would like to read from one of my papers here. "Assistance to foreign countries for all phases of civil law enforcement, other than narcotics control, is prohibited. Law enforcement includes apprehension and control of political offenders, opponents of the government in power, other than prisoners of war, as well as persons suspected of so-called common crimes. The prohibition does not apply to units whose sole function is that aspect of internal security which may involve combat operations against insurgents or legitimate self-defense of national territory against foreign invasion, whether or not such units are called police. Assistance is however prohibited to units which have an ongoing civilian

law enforcement as well as combat function." And that last statement goes to the heart of your question. If they have an overlapping function, then we cannot provide any training.

Mr. Yates. Suppose they have no civilian police force.

General Fish. I don't know. I will have to get you an answer.

Mr. Yates. You are still going to train them.

General Fish. I don't think so, no. If they are involved in the civilian police force, it is prohibited.

Mr. Yates. If they have no civilian police force and have only the military, taking care of what I conceive to be --

Mr. Forman. We have found, Mr. Yates, those few countries where that exists, you can separate out the units of the so-called national police as among those units which are distinctly civilian law enforcement, police in the true sense and those which are not. The name of the whole force may be the

national police force, but in fact the units and their functions

and the way they are organized and carry them out are different.

And we limit, therefore, our training in those countries to those non-civilian law enforcement agencies.

Mr. Yates. There is no interchange of forces, no change of one force into another?

Mr. Forman. No. Now, of course, it is conceivable that you might have a person who is performing one thing one day and another thing two years or three years later. However, our regulations provide that we will not accept a man for training who will be reassigned after he finishes his training to the law enforcement function. We require that there be an established period of time elapsed before he can go into the prohibited type of work.

Mr. Long. Mr. Young has a question.

Mr. Young. Mr. Chairman, thank you very much. For

both Secretaries, I want to say I have a lot of specific

questions that I want to hold off on until next week when we

LIST OF COUNTRIES WITH MILITARY SALES PROGRAMS WHICH INCLUDE TRAINING

Afghanistan	Lebanon
Argentina	Liberia
Austria	Malaysia
Belgium	Mexico
Bolivia	Morocco
Brazil	Nepal
Burma	Netherlands
Canada	New Zealand
Chile	Nicaragua
China (Taipei)	Nigeria
Colombia	Norway
Denmark	Oman
Dominican Republic	Pakistan
Ecuador	Panama
El Salvador	Paraguay
Ethiopia	Peru
Finland	Philippines
France	Portugal
Germany	Saudi Arabia
Ghana	Senegal
Greece	Singapore
Guatemala	Spain
Haiti	Sri Lanka
Honduras	Sudan
India	Sweden
Indonesia	Switzerland
Iran	Thailand
Israel	Tunisia
Italy	Turkey
Jamaica	United Kingdom
Japan	Uruguay
Jordan	Venezuela
Kenya	Yemen
Korea	Zaire
Kuwait	

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4 human rights that have taken place there? What would be lost to the United States, what would be a violation of our security interests?

Mrs. Benson. I cannot think of a single thing...
(interrupted; please see p 2610-11 for further amplification)

Mr. Long. Very good. So --

Mr. Koch. Stop while you're ahead, Mr. Chairman.

Mr. Long. I think you're right. I will stop there.

Mr. Koch. I will stop at that point, too.

Mr. Long. Now, I have a number of questions to ask on the whole question of human rights.

In light of the statements made by the President, Secretary Vance, regarding the human rights issue, why are you proposing security assistance programs in fiscal '78 for the following countries which have been cited, I believe documented, as having been gross violators of human rights.

Mr. Yates. Mr. Chairman, would you yield just a second.

I just wanted to find out from the witness why she made no

5 reference to the term "human rights" once in her statement,
inspite of the fact that President Carter has emphasized this.
I have read the statement carefully. I find no reference to
human rights once.

Mr. Conte. She did on a question I asked.

Mr. Yates. I am talking about the statement.

Mr. Conte. She referred to it.

Mr. Long. Very well. The countries that I want to
refer to are as follows. Indonesia, Korea, the Philippines,
Ethiopia, Argentina -- those two countries were mentioned by
the President -- Brazil, El Salvador, Guatamala, Haiti,
Nicaragua, Paraguay.

Mr. Conte. Chile.

Mr. Long. I don't know why I don't have that one
down here. There is no security assistance request there,

Mr. Conte.

Now, why are you proposing security assistance programs

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there and what would be the administration's reaction if the Congress terminated the security assistance programs for those countries in fiscal '78?

Mrs. Benson. It would depend, Mr. Chairman, on the country. Human rights is not the only criterion upon which we made decisions.

Mr. Long. I have given you the specific countries.

Mrs. Benson. Yes, sir. In the case of Korea, we are as well aware as anyone of the record of the Korean Government in the human rights area. We are maintaining our military assistance programs in Korea for a national security reason pure and simple.

Mr. Long. I am inclined to agree with you.

Mrs. Benson. That is the only reason.

Mr. Long. So far as Korea is concerned -- to me the reason why we are in Korea is to prevent a Communist

~~takeover which might precipitate Japan into a~~

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Mrs. Benson. As I mentioned in the case of Nicaragua, we have been in communication at the very highest level of that country four times since January about these very matters.

Mr. Long. As you have already testified, you can see no objection to this committee cutting off military aid to Nicaragua. Now let's get to Ethiopia, Argentina, Bravil, El Salvador, Guatamala, Haiti and Paraguay.

Mrs. Benson. Argentina, of course, has reacted to our human rights statements already, has alleged we have interferred in their internal affairs, and they don't want it.

Mr. Long. That settles Argentina. And we can be quite free to cut Argentina off the list.

Mrs. Benson. Well, we would prefer that you wait ~~while~~ while we see if we can, through dialogue and discussion, bring about a better situation in Argentina.

Mr. Long. You merely prefer it. You do not view this

with great alarm. This would not be a terrible catastrophe.

9

Mrs. Benson. No, it would not be a catastrophe. It might not be good policy.

Mr. Long. How can Argentina object when they already said they don't want it?

Mrs. Benson. The question is a little bit unclear as to just exactly what they have said they don't want, and whether they realize what they have said they don't want. We are ~~presently~~ going to have a dialogue with them. They said ~~for~~ military sales. They may or may not have meant training. So we need to clarify this.

Mr. Long. I had the impression they just didn't want anything from us. I think that is the impression most people have gotten. Wouldn't that be a kind of act of super-arrogation, of redundancy, for us to vote military aid to countries that have made a statement on the public record that they don't want it? "If you are going to talk about human rights, we don't want it." Don't you think this committee

10 would be justified in cutting that off? After all, can't

we take it up again at some later date?

Mrs. Benson. Yes, you can. But I think it would be

far better, sir, to wait until we can find out just exactly

where we are with Argentina, ^{and} whether or not we might be able

to bring about some significant changes. There have been some

significant changes in Argentina.

Mr. Long. Do you recally feel within the next few

months you are going to be able to stop all torture and know

about it even if they had in that country, or be sure about it?

Won't we have plenty of time between now and the next fiscal

year, when the new proposals come up, to take it up again?

Mrs. Benson. We can always, ^{not give the money} even though you ~~can~~

appropriate the monies, and the country stays in the budget. ^g

we can always not give the money. And what we would like is

the opportunity, the flexibility to be able to continue with

^g the program if we consider it to be a good idea. We would

11 be glad to consult with you about it before doing so.

Mrs. Long. But this would merely be a preference, that you would like to be the ones to decide whether they got it or not.

Mrs. Benson. Yes.

Mr. Long. Rather than the Congress.

Mrs. Benson. The State Department would like to have the flexibility to make that decision. It is a policy of the administration.

Mr. Long. Would you mind terribly if Congress or this committee said we would like to be the ones that decide?

Mrs. Benson. I wouldn't dream of arguing with you.

Mr. Long. Thank you very much.

Mr. Conte. Mr. Chairman, may I ask a question.

Mr. Yates. May I have time when you are through with your five minutes?

Mrs. Burke. I would like to be in on this, too.

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Mr. Long. We are off the five-minute rule. When

the chair enunciated the five-minute rule, he enunciated it

in the same spirit that it has been enunciated by the committee

which set it up, and that was everybody had five minutes, and

then the chair proceeded on an unlimited time basis, and every-

body else has unlimited time, too. And the chair has tried in

fact not to take unlimited time.

Mr. Yates. You have been very fair, Mr. Chairman.

Mr. Long. Thank you very much, Mr. Yates. I serve

on your committee and I agree you have been very fair.

Now -- Mr. Conte.

Mr. Conte. Thank you, Mr. Chairman. Let me pick up --

Mr. Yates. Mr. Conte, will you just yield while I

apologize to Mrs. Benson, because you are right, she did

mention human rights once.

Mr. Long. I yield five minutes to the gentleman from

Illinois to apologize

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Mr. Yates. I don't need five minutes. I apologized

in five seconds.

Mr. Conte. She mentioned human rights in her statement
and also in the first question I asked.

Really, on this human rights proposal -- and I agree
with the administration and last year joined with Mr. Koch
to put some restrictions in the bill on Uruguay. At that
time, however, I said, you know, if we really are going to be
technical about this whole thing, we are going to have to cut
out foreign aid to just about every country we deal with. We
have been talking about Zaire here. Two years ago I had
the good fortune to go to Zaire with Yvonne Burke and a
group on an American-African Conference there. I found a
lot of violations of human rights in Zaire. Mobutu was
penalizing the Catholics there, who had the biggest school
system going in all of Zaire, and they were closing up the

23 are certainly many that are not free, many that are considered partly free, and some free. Unfortunately there are not as many free as there should be.

Mr. Conte. There are sixty countries, all around the world.

Mrs. Burke. What I am getting down to is I find this whole thing very confusing. When I look through this -- and I have been going through this human rights portion -- in the justifications it says we find human rights considerations have been met -- that is in the justifications. Then look to Volume 2. So now I am going through Volume 2. I find no consistency between those countries that we are alleging human rights have been met and those that we allege have not been met. You find just as many on both sides as the other.

Now, first of all, I want to be very clear. I am a strong supporter of civil liberties and human rights, and I

~~feel very strongly about it. But I do think it has to be looked~~

24 It in some way that we can get a handle on it and understand
it and have some consistency -- or that we should just say
that it is one factor among many factors that we are going to
weigh. Because quite frankly, Mr. Chairman, you say that you
want to take the authority in this committee. One of the big
issues in this committee has been India. India is listed
down here as partly free. Many other countries that are listed
as not free, there is a great emphasis on aid in large amounts.
So I frankly wouldn't even know how to vote -- if you asked
me to vote -- if we took over that issue.

Mr. Long. Would the gentlelady accept some advice at
the time from the chair?

Mrs. Burke. Yes, delighted, Mr. Chairman -- as long
as it is consistent.

Mr. Long. I will turn that over to the consistency
subcommittee.

25

Mrs. Benson. Of the way in which the material is presented?

Mrs. Burke. Right -- the way it is applied.

Mrs. Benson. We are caught between two administrations

and two budgets. Much of this material was prepared before

this administration took office. It was in the writing process.

You have your deadlines. And we were late with all of this

material to you because of the time factor. I think it is

unsatisfactory the way it is now done. I can assure you it will

be done differently next year. But it should be pointed out that

on the page of the various countries, where it says -- and I

think the paragraph is identical in every country -- "Human

rights considerations," it says they have been carefully

considered, and that in fact they have been carefully considered.

In most cases the reason that they have not appeared to be the

commanding criterion is for other reasons.

Now, there is going to be a big difference next year in

26 this whole thing. But there was not time to go through this.

Besides which we wanted very much to do the study which I

spoke of, I think before you came in, ~~which we are doing on~~

the problem of conventional arms transfers, which includes

military assistance, and do that study before we made vast

changes in what has been for a good long while standard opera-

ting procedure.

Mr. Long. To the chair, at least, this decision on

where the human rights issue should stand would be something

like the following.

This country has stood from the very beginning, two

hundred years ago, for human rights -- in spite of all our

failings, I think America has been the leading nation in

the world during that time in standing for these great

principles. This seems to me to be fundamental. And unless

some other factors can be brought in, such as security,

which are so overriding that we just have to disregard it for

27 our own survival. It would seem to me then that the principle of human rights should be the fundamental thing. At least that is my own evaluation. Fundamental in the sense that I at least would be willing to lose an awful lot of investment in a country -- I would be willing to accept a cut-off of an awful lot of raw materials. Others may not feel the same way. But this is my own evaluation. That is, in order to make human rights the very important factor in which we decide whether to give military aid or economic aid or any other kind of aid and comfort to a particular country. Because it seems to me if we don't stand for that, America is a great disappointment in terms of our history and tradition.

Would you agree with that?

Mrs. Benson. I certainly agree on the emphasis^s which

you put on civil rights and on our political traditions^o and

on what the country is supposed to stand for.

Mr. Long. Of course, reasonable people will disagree

28 on the question of what is survival and what costs you have to pay.

Mrs. Benson. I might not agree on the implementation of that philosophy in every instance.

Mr. Long. Exactly. It would be impossible to get total agreement on it. But it does seem to me you have an advantage when you start off with a fundamental principle. You are willing to pay very considerable costs for the principle of human rights. And I don't think this is the image, I am sorry to say, that the United States in its foreign policy over the last decade or so has given to the world.

Now, I do think President Carter has spoken out on this. I am not impugning the Republicans, because I think the previous administration and the Democrats were equally guilty. But I think here we have a chance to make a new, fresh start on this whole issue, and once again put what

American stands for in terms of civil rights and human rights

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at the absolute top of the list.

Mrs. Benson. I wonder if I might make a comment, to get back to something you were talking of earlier, still on the same subject. And that is about the countries, some of those whose names you read off, and who have big human rights problems, and who are still in the proposed budget.

(This amplification refers to P2586)

The State Department ~~would feel~~ ^{believes} that it would be a mistake to take any pre-emptive budgetary action at this time which would limit our flexibility in dealing with these governments. And I really would like to ask you, Mr. Chairman, to consider the possibility that it would be a better course of action at the present time to give us the time to work with these countries, to see whether we can make more progress. There are things which have happened, just since the President ^{began} ~~has begun~~ to talk so much about human rights, that I think what we would like is to have the possibility still open to

us for maintaining ties which we have historically had with

30 many countries over many, many decades ^{and} and not to have them

~~have~~ instantly changed, ~~since~~ in a sense they are probably

no worse than they were last year on human rights, and suddenly

we rise up and start removing all kinds of security assistance, ^{on}

supporting assistance, which could create more of an upheaval

than we might ^swith to create. ~~and~~ I would ask you to consider

the possibility of leaving that flexibility until we have a

little more time to work on it.

Mr. Long. Well, I was delighted when you nodded your head a little bit before. But you sort of lost me in the last few minutes. I can't see that we stand for anything if it is mere rhetoric. I think that is the great problem. Many people just think ^kthis is rhetoric, when we say we think human rights is a big factor. It is only rhetoric unless we do something. And that is where the Appropriations Committee of the United States Congress -- that is where we stand. We are the people who can put teeth in it. That

31 has been the very beginning, the instrument of democracy --
appropriations.

Mrs. Benson. I agree with you.

Mr. Long. Well, I hope you then will strike out from
the record some of the words you just spoke.

Now, I have a couple of other questions.

Along the lines of stimulating arms races, we have a
massive transfer of arms that has taken place in the Middle
East. Iran, Saudi Arabia, Syria, Egypt, have received and
purchased huge amounts of armaments supplied by the United
States, the Soviet Union and others. And of course Israel
has had to build up here own arms stock. The United States
has sold to the countries in the Middle East, I believe,
something like two-and-a-half times as much weaponry as we
have sold to Israel in recent years.

Now, what we have done, then, is to stimulate an

arms race and we have done it from both sides. Instead of