blocked the tests during his year in office, said: ''It was always known that India had the capability to do this. The tests only confirm what was already known.''

But the outcry from outside India was almost universal, with dozens of governments expressing anger that India had broken an informal moratorium on nuclear testing that went into effect in 1996, when India and Pakistan stood aside as scores of other nations met at the United Nations to endorse the Comprehensive Test Ban Treaty, which prohibits all nuclear tests. The treaty is widely regarded as a key step toward halting the spread of nuclear weapons.

The Indian tests drew immediate condemnation from the Clinton Administration, which said the United States was ''deeply disappointed'' and was reviewing trade and financial sanctions against India under American nonproliferation laws; from other Western nations, including Britain, which voiced its ''dismay'' and Germany, which called the tests ''a slap in the face'' for 149 countries that have signed the treaty, and from Kofi Annan, the United Nations Secretary General, who issued a statement expressing his ''deep regret.''

But perhaps the most significant reaction came from Pakistan, which raised fears that years of effort by the United States to prevent an unrestrained nuclear arms race on the subcontinent were on the verge of collapse. In the absence of Prime Minister Nawaz Sharif, who was visiting Central Asia, Foreign Minister Gohar Ayub Khan hinted that Pakistan, which has had a covert nuclear weapons program since the early 1970's, would consider conducting a nuclear test of its own, its first.

''Pakistan reserves the right to take all appropriate measures for its security.'' Mr. Ayub Khan said in a statement to the Senate in Islamabad, the capital, that came amid demands from right-wing politicians and hard-line Islamic groups for an immediate nuclear test.

He laid the blame for the Indian tests on Western nations, mainly the United States, for not moving to head them off after Pakistan raised an alarm in Washington last month about the nuclear plans of the Vajpayee Government. When it took office in March after an election, the Government led pledged that it would review India's policy with a view to ''inducting'' nuclear weapons into its armed forces.

''We are surprised at the naïveté of the Western world, and also of the United States, that they did not take the cautionary signals that we were flashing to them,'' the Pakistani Foreign Minister said in an interview with the BBC. He added: ''I think they could have restrained India. Now India has thumbed its nose to the Western world and the entire international community.''

Pakistan demanded that the United States impose harsh sanctions against India. Benazir Bhutto, a former Prime Minister, said in a BBC interview in London that her Government had a contingency plan in 1996 to carry out a nuclear test if India did. She said the ability still existed, and should be used. ''If we don't, India will go ahead and adopt aggressive designs on us,'' she said.

The Vajpayee Government's decision to conduct the tests so soon after taking office appeared to catch the world's other established nuclear weapons states—the United States, Britain, China, France and Russia—by surprise. Although the test site lies in flat desert terrain, under cloudless skies at this time of the year, India seems to have succeeded in keeping preparations secret, even from American spy satellites.

The surprise was all the greater because the Clinton Administration succeeded in heading off an earlier plan by India to stage nuclear tests in December 1995.

This time, the Vajpayee Government appeared keen to heighten the symbolism of the tests, staging them on the same Buddhist festival day as the first Indian test in 1974. According to nuclear scientists who oversaw the first test, the code message flashed to Prime Minister Indira Gandhi confirming the test's success was, ''The Buddha is smiling.''

But Indian commentators noted that Mr. Vajpayee's statement differed in one important respect from Mrs. Gandhi's announcement nearly a quarter of a century ago. Mrs. Gandhi had described the test at Pokharan as a ''peaceful'' explosion, setting the theme for all subsequent Indian policy statements on the country's nuclear program until today.

By avoiding the word ''peaceful'' in his announcement today, Mr. Vajpayee appeared to signal that the days of artful ambiguity about India's plans are at an end. For years, the Hindu nationalists, led by Mr. Vajpayee's Bharatiya Janata Party, have called for India to take a more assertive role in its dealings with the world, one that the nationalists believe is more appropriate for a nation with a 5,000-year history and a population, now nearing 980 million, that means nearly one in every five human beings is an Indian.

In statements issued after Mr. Vajpayee's announcement, the Indian Government sought to take some of the political sting out of the tests, saying that it held to the long-established Indian position of favoring ''a total, global elimination of nuclear weapons,'' and that it had not closed the door to some form of Indian participation in the test ban treaty if established nuclear powers committed themselves to this goal. But diplomats said this appeared to be mainly aimed at dissuading the United States from imposing sanctions.

The core of the new Government's thinking seemed to be represented by Kushabhau Thakre, the president of the Bharatiya Janata Party, who said the tests showed that the Vajpayee Government ''unlike previous regimes, will not give in to international pressure.''

Strategists who have the ear of the Hindu nationalists have argued that India's deference to American pressures put the country at risk of being permanently stunted as a nuclear power. According to one recent estimate, by the Institute for Science and International Security, a Washington-based research group, India has stockpiled enough weapons-grade plutonium to make 74 nuclear warheads, while Pakistan has enough for about 10 weapons. A parallel race to develop missiles that could carry nuclear warheads accelerated last month when Pakistan test-fired a missile it says has a range of nearly 1,000 miles.

But many Indians believe that the message of today's tests was intended more for China than for Pakistan. Although Pakistan has fought three wars with India since the partition of the subcontinent in 1947 and is engaged in a long-running proxy conflict with New Delhi in the contested territory of Kashmir, Indian political and military strategists have concluded that even a nuclear-armed Pakistan, with 130 million people and an economy ravaged by corruption, does not pose as great a long-term threat to India as China does.

China is even more populous than India, has long-running border disputes that cover tens of thousands of square miles of Indian-held territory, and has an expanding arsenal of nuclear missiles that it has been developing since the 1960's, with none of the pressures from Western powers to desist that India has faced. Today's tests came barely a week after India's Defense Minister, George Fernandes, warned that China, not Pakistan, is India's ''potential enemy No. 1.''

[From the Los Angeles Times, May 12, 1998]

INDIA PLAYS WITH NUCLEAR FIRE

India's new government took power two months ago with a hard foreign policy line, including the appalling threat to develop nuclear weapons. Even more shocking was Monday's announcement that three underground nuclear devices had been detonated in a state bordering archenemy Pakistan.

Because the coalition government is dominated by the Hindu nationalists of the Bharatiya Janata Party, Muslims inside and outside India have looked with alarm at the new regime. Pakistan, overwhelmingly Muslim, has fought three wars with India since 1947; in April it announced the successful test-firing of a new missile that could reach deeper into India. That no doubt prompted India's hawks to brandish the nuclear sword.

Monday's explosions, the first major explosions since China and France conducted nuclear tests in 1996, raise the stakes again in South Asia, a restive region long considered vulnerable to nuclear war. Pakistan, predictably, pledged to take ''all appropriate measures for its security.'' Nuclear experts believe that the Islamabad regime is capable of assembling a nuclear weapon on short notice. China, which fought a war with India in 1962, obviously must be concerned by Monday's news.

Previous Indian governments, most of them led by the Congress (I) Party, insisted that New Delhi's only previous nuclear test, in 1974, was a ''peaceful'' experiment. The new government, in contrast, boasted that Monday's tests demonstrated a nuclear weapons capability, a message that rang loudly in Pakistan. Although China denies it, intelligence sources contend that Beijing has helped Pakistan's nuclear program, also tabbed the ''Islamic bomb'' due to funding from some Arab nations.

The United States was quick to condemn Monday's tests and clearly will have to rethink President Clinton's planned trip to India and Pakistan later this year. Washington and its allies should make clear to the two Asian nations that weapons tests and hostile rhetoric inflame an already dangerous situation.

DEVELOPMENTS IN SOUTH ASIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, following up on the previous gentleman from American Samoa, this week's headlines have focused on India's nuclear tests at a below-ground location within India. Analysts have interpreted this action as an indication that India is moving from a policy of ambiguity about its nuclear capabilities, a policy that has essentially stood since India conducted its first nuclear test in 1974, to more openly declaring that it has nuclear weapons.

Mr. Speaker, while I oppose nuclear testing by India or any other nation, I want to stress that this week's test should not derail the U.S.-India relationship, which has been growing closer and stronger over the past 5 or 6 years. Particularly in the areas of trade and investment, the United States and India are finding that we have many common interests.

In terms of our strategic relationship, this week's news demonstrates, if anything, the need for closer coordination between the United States and India, the world's two largest democracies, and more effective diplomacy in trying to improve stability and working towards a reduction in nuclear weapons arsenals.

Mr. Speaker, in light of this week's test, it is particularly important to remember the defense situation that India faces. India shares approximately a 1,000-mile border with China, a nuclear-armed Communist dictatorship that has already launched a border war against India and maintains a large force on India's borders. China maintains nuclear weapons in occupied Tibet, on India's borders, and also maintains a military presence in Burma, another neighbor of India.

China has been proven to be involved in the transfer of nuclear and missile technology to unstable regimes, including Pakistan, a country that has been involved in hostile actions against India for many years; and China has conducted some 45 underground nuclear tests over the years.

Mr. Speaker, I bring out these facts to help put India's action this week into perspective, to try to explain to my colleagues here and to the American people the background for India's decision to conduct these tests. I know that India's action has met with widespread criticism, including from our own administration, but India's decision to test a nuclear explosive device should be understood in the context of the huge threat posed by China. Indeed, Mr. Speaker, I believe the United States should be taking the threat from China more seriously and doing much more to discourage and deter China's proliferation efforts.

Now that India has demonstrated its nuclear capability, I would urge India's government to join the Comprehensive Test Ban Treaty, following the other democratic nations in the nuclear club, including the United States, that have now discontinued testing. Having nuclear capability means that India has an even greater burden to ensure peace in its region and in the world.

I would urge President Clinton to wait before imposing sanctions, I am talking about the sanctions that have been discussed, particularly if India announces that it will not conduct any further tests. The implications of the sanctions are so broad that many of our own interests could be damaged, particularly in the area of trade and investment. A wide range of international financial institutions would also be prevented from working in India, potentially thwarting important development projects that will help improve the quality of life for India's people.

Since India conducted its first nuclear test in 1974, it has maintained the strictest controls on transfers of nuclear technology. India's nuclear program is indigenous, and successive Indian governments have not been involved in the transfer or acquisition of nuclear technologies with other nations. I believe it is very important that this policy be maintained, Mr. Speaker.

Mr. Speaker, again, although I oppose the nuclear tests, I believe that we must now work with India and the rest of the world community in enacting and enforcing an effective worldwide ban on nuclear testing, leading to the reduction and ultimate elimination of nuclear weapons from the face of the Earth.

INDEPENDENT COUNSEL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, besides enjoying this past weekend with my constituents and my family, and conveying to the mothers of America a happy Mother's Day, I spent a lot of time interacting with the good people of the 18th Congressional District of Texas. Many, of course, talked about Medicare issues, housing issues, Social Security, but many stopped me and asked the question: Where will it end?

Mr. Speaker, my colleagues might be thinking that I am talking about Armageddon or some crisis being discussed on the floor of the House. I am actually talking about the misunderstood, misconstrued and wrong-headed statute called the Independent Counsel.

What do the names Ken Starr, Carol Elder Bruce, Donald Smaltz, David Barrett, Daniel Pearson, Curtis Van Kan, and an unnamed independent counsel that now still proceeds with the investigation of a HUD Secretary, that started in 1990, have in common? All are individuals that have been established or given authority by the statute, Independent Counsel.

In fact, the recent appointment of an independent counsel to the Secretary of Labor, Alexis Herman, adds an additional wedge in what I perceive to be the system of justice and fairness and the understanding of the American people.

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Even the Attorney General yesterday said, as she offered to appoint an independent counsel for Secretary Herman, there was really no evidence of the Secretary's involvement or participation in anything illegal.

The question for the American people then, the common sense question, Mr. Speaker, why then an independent counsel? Most people in my district perceive this as a runaway threat to the fairness and justice that most Americans believe they are owed. Many people have made suggestions that this compares, this onslaught of independent counsels, this runaway process separate and apart from the U.S. Attorney's Department of Justice, seems to suggest there is no fairness in the judiciary or judicial process.

Why? We have Susan McDougal, someone who is now incarcerated under the pretense of obstruction of justice. How can this be, Mr. Speaker? How can Kenneth Starr use his office to intimidate someone who has already indicated that they have no more information about Bill Clinton and Hillary Clinton, who has indicated that they are prepared to take the fifth amendment, but in fact they have no information? Many people question and wonder why a young woman like Susan McDougal, who has lived and grown up in Arkansas, who has paid her dues, who is a young businesswoman, who engaged in business activities in the early years when women were not known to be participating in some of the high finance; the allegations against her have already been tried, and now she is being shackled in courtrooms not because of something that she has personally done but because of something that is perceived that she may have information on some other matter.

As a colleague and I were discussing, members both of the Committee on the Judiciary, we know what is wrong with the independent counsel statute. Is has no end. It has no beginning. This statute and this independent counsel can investigate anything. It is not a crime that they are investigating, Mr. Speaker. They are investigating your name. And so, for example, if today it is Whitewater and tomorrow it may be Monica Lewinsky, made up of course of facts that we do not really know, and tomorrow it may be the circus. So it is not the actual crime that is being investigated, it is not the issue whether someone burglarized something, someone stole something, or someone lied; it is moving from hither to thither.

I would simply say, Mr. Speaker, that the independent counsel statute must be assessed not because we want special privileges for anyone. Absolutely not. But we really must assess it to find out whether or not even the American people are asking whether this is the right kind of tool to bring justice and to oversee the process of government: Is it the kind of tool to avoid cover-ups?

I would simply say, by the evidence and performance of those existing today, but in particular the habits and the performance of Mr. Starr, the intimidating of someone's mother, the trying to go into the White House bedrooms, the intimidating of close White House aides, violating the rights of the President to have confidential conversations and executive privilege, all of this suggests to me, Mr. Speaker, that we have got a problem with the independent counsel statute. And on behalf of the American people, I think it is key that we assess it fairly and objectively. Let us not go back to the McCarthy era, Mr. Speaker. Let us stand up for justice for all America.