Thank you, Mr. Chairman. I appreciate your invitation

to testify before the subcommittee today. Our research director,

Steven Dolley, participated in the preparation of this testimony.

I too have a number of items that I would like to submit for the

record as part of my testimony. They include an article that Mr.

Dolley and I wrote for the Outlook section of the Washington Post,

end of 1998, comparing the UNSCOM inspections with the IAEA

inspections in Iraq and pointing out that the UNSCOM formula

was one that held Iraq accountable and did not accept a lack of evidence,

an absence of evidence as evidence of absence while the

IAEA took a very different tack, most of the time under Mr. Blix’

leadership.

We also want to submit for the record a detailed analysis of what

we believe still remains unaccounted for in Iraq in the way of nuclear

weapons components, technology designs that have not been

accounted for, and which the IAEA has not insisted be accounted

for in terms of giving Iraq a clean bill of health or at least enough

to allow Iraq supporters in the Security Council to say that the nu-

clear file should be closed and that sanctions should at least be

partially lifted.

The other items we wish to submit for the record are exchange

of correspondence we had with the current director general of

IAEA, Mr. ElBaradei, on these unresolved issues, unanswered

questions, as well as an exchange of correspondence with the State

Department following the letter that we sent to President Clinton

on these matters.

Most of my testimony focuses on the nuclear

program in Iraq because we feel that this has been neglected and

misperceived largely because of IAEA determinations that all matters

relevant to the nuclear weapons program have been destroyed,

removed, or rendered harmless. We feel that this is an incorrect

conclusion.

We distinguish between the facilities which were uncovered right

after the Gulf war that were subsequently destroyed or put under

monitoring. We compare that with what may be a very small, but

dangerous remnant of the Iraqi nuclear weapons program, specifically

the components that they were known to have been making,

particularly the explosive lenses for the purpose of compressing the

uranium core of a nuclear bomb. We believe that the IAEA at one

point was misled by possibly fraudulent or forged documents suggesting

to the IAEA that back in 1991 the Iraqis were not as far

along with the development of that technology as others believed

them to have been.

My testimony focuses on the role of Mr. Blix and the impact that

will have on the new inspection agency, UNMOVIC, as the successor

to UNSCOM. We have in Resolution 1284 something that we

did not have before, which was a statement of Security Council intention

to lift sanctions if 120 days after a work program has been

established by the IAEA and UNMOVIC, the heads of those two

agencies make a determination that Iraq has cooperated in all respects.

We think, as Mr. Milhollin indicated, that Mr. Blix may not

be well suited for the kind of confrontational approach that Ambassador

Walker himself indicated is necessary.

We detail at some length the kinds of mistakes that the IAEA

made going back almost 20 years prior to the startup of the Osirak

reactor which Israel bombed in 1981 before it became operational,

specifically because the IAEA had negotiated a safeguards arrangement

with Iraq which would not have been adequate to detect the

clandestine production of plutonium. An IAEA inspector, Mr. Roger

Richter, who subsequently became a member of our board, resigned

in protest from the IAEA to point out that Israel was perhaps justified

in bombing that facility because of the weakness of the safeguards

regime.

Then leading up to the Gulf war, I testified before Congress that

Iraq could well be within weeks of acquiring nuclear weapons because

of the safeguarded, bomb grade, highly enriched uranium it

had in its civilian program, courtesy of Russian and French exporters,

which could have been diverted in between inspections. The

IAEA denied such a possibility, as did senior officials in the U.S.

State Department, by the way, but this was later confirmed when

Saddam’s son-in-law——

This was in 1990.

Before the Armed Services Committee, I submitted

testimony suggesting that Iraq could be, at that time, within

weeks——

That is right. It was not seen as credible that

they would actually violate safeguards as a member of the NPT.

In fact, when Saddam’s son-in-law defected in

1995, he had been the head of what was disclosed to be a crash

program where they actually had begun to saw off the ends of the

fuel rods to remove the highly enriched uranium for the purpose

of attempting to make at least one weapon, possibly two within the

6-month period between IAEA inspections.

So, we have a situation today where Iraq has not been cooperative

to say the least, where the IAEA has been prepared, after several

attempts to try to elicit information—once that information is

not forthcoming, they acknowledge discrepancies but they come to

conclusions suggesting that everything, in fact, has been destroyed,

removed, or rendered harmless, and that Iraq has no significant

nuclear capabilities left.

Because of the procurement activities described by Mr. Milhollin,

because of the fact that Iraq’s 200 nuclear Ph.D.’s are still there

or are believed to be there—some of them may actually be traveling

now, but the fact is that the entire human infrastructure of Iraq’s

nuclear weapons program has remained in place and the question

is are there components—as Scott Ritter testified, they were being

transported around the country at that time in an attempt to conceal

them from the UNSCOM inspectors—if there is a basis, if

there is a substantial basis to believe that those kinds of activities

have taken place, that the weapons components have not been destroyed—

and surely no evidence of their destruction, either documentary

or material, has been presented to the IAEA—then one

has to assume that things are on a knife’s edge, that if Iraq is capable

of clandestinely producing highly enriched uranium through

a small centrifuge cascade or, perhaps more likely, attempting to

smuggle plutonium or highly enriched uranium into the country

from Russia or from safeguarded civilian facilities throughout the

world which have IAEA safeguards attached to them, which are

not very effective in an adversarial situation—in other words, a determined

effort to remove material could well end up in Iraq. And

the IAEA has acknowledged that they would have little chance of

detecting the smuggling into Iraq of the kilogram quantities of either

of those fissile materials which would be enough for several

nuclear weapons.

Now, our position is that it is important to hold Mr. Blix accountable.

I would even suggest that this committee invite Mr. Blix to

come and explain how he is going to operate and how differently

he is going to operate as the head of UNMOVIC than he did as the

head of the IAEA. I think it is important to try to pin him down

and to make it clear to him that the Congress is not interested in

a report 120 days after an inspection process has been put in place,

that we have had full cooperation from the Iraqis, we have not

been able to find anything, and therefore there is no basis for

maintaining sanctions. I think a ‘‘shot across the bow’’ at this point

in time, as UNMOVIC is being formed, would be all to the good.

In our conclusions, we have basically three conclusions in our

testimony.

The IAEA should be directed to provide UNMOVIC and the College

of Commissioners that has been formed a complete inventory

of all nuclear bomb components, designs, and models for which

there is documentation or intelligence but which the agency cannot

account for.

And the Security Council should insist that all elements listed in

this inventory be produced by Iraq or otherwise accounted for prior

to any consideration of closing the nuclear file and lifting sanctions.

This indeed was UNSCOM’s approach with regard to missiles and

chemical and biological weapons, and it should be the IAEA’s approach

to nuclear weapons as well. I am particularly concerned because

Mr. Blix is now the head of UNMOVIC, and therefore it

might reinforce the kind of cooperative approach that the IAEA has

been taking in the past, a nonconfrontational approach.

UNMOVIC and the Security Council should make sure that the

IAEA diligently and completely pursues all unanswered questions,

and if the agency proves itself unable to do so, responsibility for

nuclear inspections should be transferred to the Security Council

which has the enforcement authority needed to follow through.

Finally, Dr. Blix should now pledge he will conduct business differently

than he did at the IAEA and will not allow the absence

of evidence to be viewed as evidence of absence of weapons of mass

destruction.

Thank you, Mr. Chairman.

Thank you, Mr. Chairman, for your invitation to testify before the subcommittee

today on U.S. sanctions policy toward Iraq. Steven Dolley, research director of the

Nuclear Control Institute, participated in the preparation of this testimony.

I will focus primarily on issues related to the nuclear inspections that have been

conducted in Iraq under the terms of U.N. Security Council Resolution (UNSCR)

687, the Gulf War cease-fire. From April 1991 until Iraq evicted all U.N. inspectors

in December 1998, the International Atomic Energy Agency (IAEA) was responsible

for conducting nuclear inspections in Iraq, with technical and intelligence support

provided by the U.N. Special Commission on Iraq (UNSCOM). Under paragraph 3

of UNSCR 1284—the December 1999 resolution that establishes the UN Monitoring,

Verification and Inspection Commission (UNMOVIC), the successor agency to

UNSCOM—the IAEA ‘‘will maintain this role with the assistance and cooperation

of UNMOVIC,’’ when and if inspectors return to Iraq.

Over the last few years, public concern about Iraq’s weapons of mass destruction

has focused primarily on Saddam’s chemical, biological and missile capabilities. This

perception in large measure results from the IAEA’s finding that ‘‘Iraq’s known nuclear

assets have been destroyed, removed or rendered harmless.’’ This is not, in

fact, the case. While it is true that Iraq’s known nuclear facilities have been destroyed

or were placed under monitoring (prior to December 1998), important questions

about Iraq’s nuclear-weapons program remain unanswered. Key nuclear-bomb

components and weapons designs that were known to exist were never surrendered

by Iraq to UN inspectors.

Indeed, the threat from Iraq’s nuclear capability could be greater than its chemical,

biological and missile efforts. Vital elements of Iraq’s nuclear-weapons program

remain in place today. Over 200 nuclear PhDs continue their work on unknown

projects, with no supervision by UN inspectors for more than a year. Iraq operates

a worldwide network to procure foreign technology, and most trucks entering Iraq

from Turkey are not even stopped for inspection.

Little is known about Iraq’s efforts to enrich uranium for bombs using centrifuges,

and the possibility remains that a small centrifuge cascade for this purpose is hidden

somewhere in Iraq. Iraq was permitted by the IAEA to retain possession of 1.7

metric tons of uranium enriched to 2.6% U–235, as well as some 13 tons of natural

uranium stocks. This uranium, if used as feed material for centrifuges, could

produce over 115 kilograms of bomb-grade highly enriched uranium, enough to

make at least four nuclear bombs. Although the IAEA recently conducted a routine

investigation to confirm that these uranium stocks had not been removed, such inspections

are required only once a year, raising the possibility that Iraq could seek

to enrich these materials to weapons grade between inspections.

The greatest danger is that Iraq will acquire, or has already acquired, fissile material

on the black market. The IAEA has acknowledged ‘‘very little confidence’’ it

would be able to detect the smuggling of the kilogram quantities of plutonium or

highly enriched uranium needed to make a few bombs. Given that Iraq has already

developed the other components for nuclear weapons, the situation is on a knife’s

edge. If Iraq obtains fissile material, it would be at most a few months—perhaps

as little as weeks or days—away from possessing nuclear bombs.

There is an eerie familiarity to all this. Prior to the Gulf War, Saddam Hussein

used the threat of chemical and biological weapons to deflect attention away from

a hidden nuclear threat. ‘‘I swear to God,’’ he proclaimed in March 1990, ‘‘we will

let our fire eat half of Israel if it tries to wage anything against Iraq. We don’t need

an atomic bomb, because we have binary chemicals.’’ Policymakers must not allow

themselves to be distracted again from denying Saddam his ultimate prize: nuclear

weapons.

Iraq’s current position is that it will not permit weapons inspections to resume

unless and until economic sanctions are completely lifted. If Saddam allows nuclear

inspections in Iraq to resume at some point in the future, I am concerned that Iraqi

dissembling and obstructionism will again wear down the IAEA, that the Agency

will be willing to accept less than complete disclosure by Iraq, and that certification

of Iraqi compliance by the IAEA will once again be used by Iraq’s supporters in the

Security Council as the basis for attempting to close the nuclear file and for at least

a partial lifting of sanctions.

I will examine some important unanswered questions about Iraq’s nuclear program;

explore why the IAEA has proven unable to conduct thorough nuclear inspections

in Iraq; and discuss the impact of the appointment of Dr. Hans Blix, former

Director-General of the IAEA, on UNMOVIC, of which he is now Executive Chairman.

Since 1991, U.S. policy has been consistent in requiring Iraq to cooperate fully

with U.N. inspections. On November 15, 1998, prior to Operation Desert Fox, President

Clinton declared that ‘‘Iraq must resolve all outstanding issues raised by

UNSCOM and the IAEA,’’ including giving inspectors ‘‘unfettered access’’ to all sites

and ‘‘turn[ing] over *all* relevant documents.’’ [emphasis added] State Department

spokesman James Foley recently reaffirmed this policy.

When you look at the range of foreign policy challenges we face, you’ve

got to put that [Iraq’s WMD capability] at the very top, especially when you

consider a number of factors, including past use of chemical weapons by

Iraq; the massive chemical, biological and nuclear weapons programs unearthed

or uncovered by UNSCOM during its years of activity; and, indeed,

the continuing cleanup activity, improvements at some of the sites that are

capable of producing such weapons. We see no reason for giving Saddam

Hussein the benefit of the doubt. We have to remain extraordinarily vigilant

on this, and we will. Of course, our preferred way of dealing with this

problem is to get the inspectors back and doing their job

Significant issues regarding Saddam’s nuclear-weapons program remain unresolved.

A number of these issues were raised by the IAEA in its October 1997 consolidated

inspection report, but were never resolved in subsequent IAEA reports. A

summary of these issues, prepared by Steven Dolley, Nuclear Control Institute’s research

director, is attached to this testimony, as is Mr. Dolley’s full report, for inclusion

in the hearing record. In June 1998, NCI raised these unresolved issues in a

letter to IAEA Director-General ElBaradei. In his reply, ElBaradei assured us in

general terms of the IAEA’s vigilance, but explicitly refused to address the specific

issues we raised. This correspondence with ElBaradei is also submitted for the hearing

record, as is an exchange of correspondence between the Nuclear Control Institute

and the State Department on these unresolved issues.

The IAEA apparently believes that the burden of proof is on the inspectors, not

on Iraq, and demonstrates an almost naive confidence in an absence of evidence to

contradict unsubstantiated Iraqi claims. ElBaradei acknowledged ‘‘a few outstanding

questions and concerns’’ but insisted that these provided no impediment to switching

from investigative inspections to less intrusive environmental monitoring because

The unfortunate result of the IAEA’s accommodation of Iraq, in sharp

contrast to UNSCOM’s confrontational approach, is the widespread perception that

Iraq’s chemical, biological and missile capabilities constitute the only remaining

threat.

Before Iraq put a halt to all weapons inspections in December 1998, the IAEA had

failed to get Iraq to resolve these outstanding issues—and yet helped to make the

case in the U.N. Security Council for closing the nuclear file by declaring that

as IAEA Director General Mohammed ElBaradei reported to the Security

Council on October 13, 1998. This language directly tracks the terms of compliance

required of Iraq in UNSCR 687 in order for economic sanctions to be lifted.

Although there is evidence that Iraq manufactured and tested a number of nuclear-

weapon components, including the high-explosive ‘‘lenses’’ needed to compress

the uranium core and trigger a nuclear explosion, none of these components, or evidence

of their destruction, have been surrendered to IAEA inspectors. In January

1999, Gary Dillon, then head of the IAEA Action Team, asserted that documents

newly provided by the Iraqis demonstrated that there had not been as significant

progress in developing explosive lenses as earlier evidence had indicated. Dillon

claimed that a January 1991 progress report by Iraqi scientists, provided by Iraq

to the IAEA in 1998, showed that no final decisions had been made on key lens design

issues. However, Dillon admitted that forensic analysis conducted by IAEA to

determine the authenticity of the Iraqi document had proven ‘‘uncertain.’’ Thus, the

‘‘new’’ Iraqi document may well have been a forgery, and the question of the existence

of complete sets of weapons components is far from resolved.

Nor has Iraq provided the IAEA with its bomb design or a scale model, despite

repeated requests. Iraq also has refused IAEA requests for full details of its foreign

nuclear-procurement activities and for an official government order terminating

work on its nuclear weapons program. Meanwhile, to the best of our knowledge,

Saddam’s nuclear team of more than 200 PhDs remains on hand. Even before December

1998, the IAEA acknowledged that these scientists are not closely monitored

and increasingly difficult to track.

Ambassador Rolf Ekeus, former head of UNSCOM, suggested in June 1997 that

UNSCOM suspected that Iraq was still hiding nuclear components.

not merely of historical interest, but directly affect Iraq’s current

ability to produce nuclear weapons. The prudent assumption for the IAEA

should be that Iraq’s nuclear weaponization program continues, and that Iraq may

now lack only the fissile material. Even the possibility that Iraq has already procured

this material cannot be ruled out because of the serious nuclear-security

lapses in the former Soviet Union and the abundance of such material in inadequately

safeguarded civilian nuclear programs worldwide.

The ominous implications of missing components and surplus scientists were revealed

by Scott Ritter after he resigned in August 1998 as head of UNSCOM’s Concealment

Investigation Unit. Ritter said, in testimony before the Senate Foreign Relations

Committee, that UNSCOM ‘‘had received sensitive information of some

credibility, which indicated that Iraq had the components to assemble three implosion-

type [nuclear] devices, minus the fissile material.’’ If Iraq procured a small

amount of plutonium or highly enriched uranium, he testified, it could have operable

nuclear weapons in a matter of ‘‘days or weeks.’’

The IAEA promptly disputed the validity of Ritter’s information. IAEA Director

General Mohammed ElBaradei reported to the U.N. Security Council on October 13,

1998 that

As noted, there were sharp differences between UNSCOM and the IAEA on how

to conduct inspections. UNSCOM was more confrontational, refusing to accept Iraqi

obfuscations and demanding evidence of destroyed weapons—what former UNSCOM

chief Rolf Ekeus once called ‘‘the arms-control equivalent of war.’’ The IAEA has

been more accommodating, giving Iraqi nuclear officials the benefit of the doubt

when they failed to provide evidence that all nuclear weapons components have

been destroyed and all prohibited activities terminated. Ekeus has acknowledged ‘‘a

certain culture problem’’ resulting from UNSCOM’s ‘‘more aggressive approach, and

the IAEA’s more cooperative approach.’’ As noted, the result is a widespread and

dangerous perception that Iraq’s nuclear threat is history, while Iraq is generally

perceived to be concealing other weapons of mass destruction because UNSCOM

consistently refused to accept unverified claims of their elimination.

Iraq learned early on that it could conceal a nuclear weapons program by cooperating

with the IAEA. Khidhir Hamza, a senior Iraqi scientist who defected to the

United States in 1994, wrote in the Bulletin of the Atomic Scientists that Saddam

Hussein approved a deception-by-cooperation scheme in 1974.

’’ Hamza said.

The strategy worked. Iraq, as a signer of the 1968 Nuclear Non-Proliferation

Treaty, was subject to IAEA inspections on all nuclear facilities. But IAEA’s inspectors

had failed to detect the Iraqi-style ‘‘Manhattan Project,’’ which was discovered

after the Gulf War by IAEA teams at sites identified by UNSCOM.

The IAEA’s track record of missing evidence of Iraq’s nuclear weapons program

predates the Gulf War. In 1981, Israeli air strikes destroyed Iraq’s nearly complete

Osirak research reactor because Tel Aviv feared Iraq’s plutonium-production capacity

if the plant was allowed to start up. After the attack, IAEA inspector Roger Richter

resigned from the agency to defend Israel’s action. He had helped negotiate the

IAEA’s ‘‘safeguards’’ arrangement for the reactor and later told Congress that the

agency had failed to win sufficient access to detect plutonium production for weapons.

In August 1990, only weeks after Iraq invaded Kuwait, IAEA safeguards director

Jon Jennekens praised Iraqi cooperation with the IAEA as ‘‘exemplary,’’ and said

Iraq’s nuclear experts ‘‘have made every effort to demonstrate that Iraq is a solid

citizen’’ under the Non-Proliferation Treaty.

In 1991, after the Gulf War, the U.N. awarded the nuclear-inspection portfolio in

Iraq to the IAEA rather than UNSCOM, following a concerted lobbying campaign

by the IAEA, supported by the United States and France. The principal argument

was political: With only a few years remaining before the Non-Proliferation Treaty

had to be extended, it would be extremely damaging for the treaty’s survival if the

agency were downgraded in any way.

Its turf battle won, the IAEA continued to see things Iraq’s way. In September

1992, after destruction of the nuclear-weapons plants found in the war’s aftermath,

Mauricio Zifferero, head of the IAEA’s ‘

But it eventually became clear that Iraq had concealed evidence of its continuing

nuclear bomb program. In 1995, Saddam Hussein’s son-in-law, Gen. Hussein Kamel,

fled to Jordan and revealed that he had led a ‘‘crash program’’ just before the Gulf

War to build a crude nuclear weapon out of IAEA-safeguarded, civilian nuclear fuel,

as well as a program after the war to refine the design of nuclear warheads to fit

Scud missiles. Iraqi officials insisted that Kamel’s work was unauthorized, and they

led IAEA officials to a large cache of documents at Kamel’s farm that, the Iraqis

said, proved Kamel had directed the projects without their knowledge.

But the Kamel revelations refuted an IAEA claim, made by then-Director General

Hans Blix in 1993, that ‘‘the Iraqis never touched the nuclear highly enriched uranium

which was under our safeguards.’’ In fact, they had cut the ends off of some

fuel rods and were preparing to remove the material from French- and Russian-supplied

research reactors for use in weapons when the allied bombing campaign interrupted

the project. The IAEA accepted a technically flawed claim by Iraqi officials

that the bomb project would have been delayed by the need to further enrich the

bomb-grade fuel for use in weapons, but defector Hamza later made clear that Iraq

could have made direct use of the material in a bomb within a few months.

Given the urgency of finding out whether Iraq is secretly rebuilding nuclear,

chemical and biological weapons, or the missiles for delivering them, it is ironic that

the United Nations’ new chief inspector in Iraq is Hans Blix, who headed the IAEA

from 1982 to 1998. He was in charge when the IAEA totally missed Saddam Hussein’s

nuclear weapons program before the Gulf War and accepted unsubstantiated

Iraqi disarmament claims after the war. The United States originally supported

Ambassador Ekeus to head up UNMOVIC, but fell in line behind Dr. Blix after

France and Russia, Iraq’s original nuclear suppliers, opposed Ekeus with strong

backing from China and Iraq. Given his record, it is fair to ask how good a job Dr.

Blix can be expected to do.

Dr. Blix’s 16-year record at the IAEA offers mixed signals. He was an intelligent

manager and skillful diplomat, but often failed to stand up to national nuclear interests

in the agency’s Board of Governors. The Board always had statutory authority

to impose far more intrusive inspections on national nuclear programs than it did,

but Dr. Blix did not urge the Board to do so until after the humiliation of Iraq’s

hidden nuclear-weapons program. An improved IAEA safeguards system for which

Dr. Blix takes credit, in place since 1997, is still far from universal or foolproof.

In 1987, Dr. Blix failed to blow the whistle when North Korea refused to enter

into an inspection agreement with the IAEA within the required 18-month period

after North Korea ratified the NPT in 1985. The Soviet Union had prevailed on the

United States in the Board of Governors not to make an issue of it, and Dr. Blix

followed suit. North Korea did not permit nuclear inspections until 1992, by which

time U.S. intelligence agencies concluded that the North Koreans had begun extracting

plutonium for weapons from its uninspected plants. The high marks Dr.

Blix received for his agency’s subsequent inspections in North Korea were, in fact,

attributable to technical assistance received from U.S. and other nuclear weapons

experts.

Under pressure from the IAEA board, Dr. Blix also failed to draw attention to

large measurement uncertainties in commercial plutonium processing plants which

make it impossible for IAEA inspectors to determine with confidence that none of

this fuel is being siphoned off for nuclear weapons. At first he refused to acknowledge

what U.S. weapons designers had told the IAEA—that plutonium separated in,

these plants from the spent fuel of electrical generating nuclear reactors could be

made into weapons. Dr. Blix’s pliant stance on plutonium has made possible a commercial

industry that already has processed more plutonium for civilian fuel than

the superpowers have produced for weapons.

As I have detailed in my testimony, the IAEA under Dr. Blix’s tenure was forced

to backtrack on rosy conclusions about Iraq’s nuclear program. Dr. Blix brings to

his new post considerable managerial and diplomatic skills, but a flawed record on

Iraq. His reluctance to stand up to the IAEA Board of Governors also raises questions

as to whether he will be able to withstand strong pressures from within the

Security Council to give Iraq a clean bill of health and lift economic sanctions.

Given past differences between the IAEA and UNSCOM, the IAEA should be directed

to provide UNMOVIC and the College of Commissioners with a complete inventory

of all nuclear-bomb components, designs and models for which there is documentation

or intelligence but which the agency cannot account for. The Security

Council should insist that all elements listed in this inventory be produced by Iraq

or otherwise accounted for prior to any consideration of ‘‘closing the nuclear file.’’

This was UNSCOM’s approach with regard to missiles and chemical and biological

weapons, and it should be the IAEA’s approach to nuclear weapons, as well. The

burden of proof should be on Iraq, not on the inspectors. The United States should

continue to oppose closing the Iraqi nuclear file and the lifting of economic sanctions

until all outstanding questions on Iraq’s nuclear-weapons program are resolved.

UNMOVIC and the Security Council should make sure that the IAEA diligently

and completely pursues all unanswered questions. If the Agency proves unable to

do so, responsibility for nuclear inspections should be transferred to the Security

Council, which has the enforcement authority needed to follow through.

Finally, Dr. Blix should now pledge he will conduct business differently than he

did at the IAEA, and will not allow the absence of evidence to be viewed as evidence

of absence of weapons of mass destruction in Iraq. This is particularly important

given the provision (paragraph 33) of UNSCR 1284, expressing the Security Council’s

intention to lift economic sanctions if the heads of both UNMOVIC and the

IAEA certify that Iraq ‘‘has cooperated in all respects’’ with the two agencies for a

period of 120 days after monitoring and verification programs have been reestablished.

I think not and I think the fact that Mr. Blix’

principal sponsors on the Security Council were the Russians and

the French and that they had strongly opposed Ambassador Ekeus’

nomination, which the U.S. had supported, bodes ill, which is one

of the reasons I thought it might be a useful exercise to try to bring

Mr. Blix to Washington and at least let him know what the congressional

sentiment is.

It may well be that the administration feels that the risk of further

military confrontation is simply not worth it in response to the

inevitable refusal by Saddam to cooperate. So, our administration

seems to be ratcheting down while what is really needed is a

ratcheting up, particularly since there have been no inspections

now for more than a year.

Well, I think the U.S. Government feels that

right now.

Well, I think that at the very least, since this

new process is underway, that the sort of requirements that we

laid out in our conclusion here be actually done.

I would ask Blix to——

I just wanted to clarify what I stated was an observation

that the U.S. Government apparently was not prepared

at this point in time to risk military intervention over the issue of

inspections, and I think Ambassador Walker’s testimony where he

said the red line did not include cooperation with inspections supports

that.

What I stated in my conclusion is that the best way to proceed

at this point is to hold Blix and the IAEA accountable for a very

detailed report on what is still outstanding as unanswered questions

and what are the answers to those questions.

The new inspection protocol?

It is clearly an advance but it is by no means

foolproof.

I support any improvement in this regard.

Are you speaking of Iraq now?

Right and its general upgrading of——

The lessons learned from Iraq.

Understand, Senator, that is a voluntary undertaking

on the part of member states of the IAEA and it is by no

means assured that it will be universally applied.

I would like to see the IAEA go a lot further in

terms of inspections by pointing out that the ability to safeguard

facilities that process plutonium and highly enriched uranium is

limited and can be defeated in an adversarial situation. I would

like to see the IAEA provide support for putting an end to commerce

in fissile materials that could end up some day in Iraq or

Iran on a smuggling basis. So, my feeling about the IAEA upgrade

in inspections is that it does not get to the heart of the problem,

which is the inability of the Agency to effectively account for tons

of fissile material that are being introduced into civilian commerce

and subject to possible diversion and theft.

Absolutely.

Well, I did the initial work on the Nuclear Non-

Proliferation Act, so I have a sense of what is possible and what

is not possible legislatively. I think the most important thing is to

expose the vulnerabilities——

Well, our position is that the Non-Proliferation

Treaty already makes possible the outlawing of commerce in plutonium

and highly enriched uranium. What is lacking is the political

will.

Mr. Milhollin, do you have an answer?