Mr. Chairman, Senator Hagel, I am

pleased, really, to have the opportunity to appear before you today

and address the critical issue of American policy toward Iraq. I

would request, please, permission to provide a written statement for the record.

I would begin with the premise that the

only way Iraq poses a critical threat to the United States or our

allies is through the use of weapons of mass destruction in one of

two scenarios. First, if Iraq were to transfer chemical, biological, or

nuclear weapons to a terrorist group, or second, if Iraq were to use

these weapons against American or allied forces or homelands in

order to impede an American-led invasion aimed at overturning the Iraqi regime.

Let me put this another way. If Iraq can be prevented from acquiring

weapons of mass destruction, and I say particularly viral,

biological weapons or nuclear weapons, then Iraq poses no special

threat to America or her allies. If Iraq does acquire WMD, the

threat still does not rise to a critical level because our deterrent,

our threat to retaliate in the event of Iraqi use of WMD is both credible and effective.

However, if Iraq acquires and clandestinely transfers WMD to a

terrorist group, or if the United States should move to overthrow

Saddam Hussein, then we should not expect our deterrent to be effective

either in preventing terrorist use of WMD against us or

Iraqi use against us in an effort to prevent regime change.

This line of reasoning leads us to ask about Iraqi WMD capabilities

that were addressed this morning. I would submit that no one

outside of Iraq knows with high confidence what those capabilities

are today. However, based on 7 years of inspections and 4 years

without inspections, the only prudent assumption is that Iraq has

or will have chemical and biological weapons at some point relatively soon.

The nuclear weapons issue I think is more complicated, but since

Iraq has already done the signature work to design and develop the

triggering package for a weapon, and the acquisition of HEU or

plutonium from the states of the former Soviet Union cannot be

ruled out, we cannot have any real confidence that Iraq is not now

or will not become soon a nuclear weapons state.

In light of the threat posed by Iraqi acquisition of these weapons,

the unfulfilled requirements of the 1991 U.N. Security Council Resolution

687, the likelihood that Iraq will continue efforts to acquire

such weapons, and the character of the Iraqi regime, I do not think

it would be prudent for the United States to leave Iraq free to pursue

WMD acquisition indefinitely.

This assessment stands even if we lack any intelligence that Iraq

would, in fact, transfer WMD to a terrorist group. It is also an assessment

that leads some analysts to favor military action against

Iraq aimed at overturning the regime, which is one of the two circumstances

in which deterrence could be expected to fail and Iraqi

weapons of mass destruction used against America or her allies.

It seems to me, therefore, that if the United States is to block

Iraqi acquisition of WMD, it should look for ways to do so short of

such a war for this, if for no other reason, and the other reasons,

loss of life, severe budgetary consequences, alienating friends and

allies around the region and around the world, and avoiding the

challenge of post conflict regime reconstruction and maintenance, are important as well.

The question is, then, can a politically plausible inspection regime

be designed and put in place that would offer sufficient assurance

of preventing Iraq from acquiring WMD over the long term,

and could such a regime be forced upon the current Iraqi government

in the near term without first going to war against that government?

Fortunately, 7 years or so of UNSCOM inspections give

us some insight into what a desirable regime would look like, and

what pitfalls need to be avoided in designing one.

First, we can assume that any regime that appeared as though

it would be effective in blocking Iraqi’s WMD acquisition would

also be resisted by Iraq. Therefore, the only way to impose such a

regime, short of war, would be to pose to Iraq the credible alternative

of a prompt invasion and regime change if the inspection regime

is resisted. Just as clearly, Iraq must be convinced that accepting

such an inevitably intrusive inspection regime permanently

would, indeed, protect it from invasion, at least by the inspection regime’s sponsors.

Second, it should be clear to all by now that an inspection regime

that fails to give us high confidence that it is successfully uncovering

and blocking any serious WMD development is worse than no

regime at all. Such a regime gives Iraq cover and gives it the initiative,

protects it from invasion, and in some circumstances would supply it with hostages.

Third, it is probably true that an inspection regime that is too

robust, that is, one accompanied by substantial supporting military

units deployed to the region, would inevitably be taken by friends

and allies, as well as Iraq, as a step to invasion, Desert Shield

masquerading as UNMOVIC plus.

Fourth, we are, therefore, in search of the Goldilocks inspection

regime, one that is balanced just right to be effective, acceptable,

and sustainable. Some obvious elements of such a regime are the following:

Inspectors who have unrestricted, unlimited, and immediate access

to any site in Iraq. There can be no sanctuaries or exceptions.

Inspectors must be chosen for their experience and expertise,

without regard for geographic balance.

Inspectors must be free to receive, exchange, and discuss intelligence

with governments as necessary to conduct their missions.

Inspectors must be able to take whatever steps are necessary to

maintain the security of their communications and their operational plans.

Inspections must be undertaken in an environment free of Iraqi

movements of any kind, air or ground, in the area of the inspection.

And here is a key element: Inspectors should have the option of

conducting inspections supported by a specifically configured and

prepositioned military unit to assist it in entry, prevent loss of containment

at an inspectionsite, and to manage any spontaneous civilian opposition.

On the last point, the inspection regime thus must be capable of

inspecting any designated site and overcoming any Iraqi noncooperation

or resistance, except that mounted by a significant

military unit. In short, if an inspection fails, it must do so in a way

that creates a clear casus belli.

There will be many with international inspection experience who

would only participate in an inspection regime that presumed host

government cooperation, and who would oppose a regime that had

a military force organic to it, as I propose here. There are good reasons

for adopting such a position as a rule, but our past experience

with UNSCOM provides ample reason to treat Iraq as an exceptionto that rule.

This inspection regime would be designed to prevent Iraq from

manipulating the inspection process. It would aim to strike the

right balance, linking the inspection regime to an invasion if Iraq

fails to cooperate, without being so robust as to appear an inevitable

move to overthrow the Iraqi Government. Thank you, Mr. Chairman.

For me, there is a huge difference between,

on the one hand, chemical weapons and bacteriological or

biological weapons that are toxins, and on the other hand, viral biological

weapons and nuclear weapons. That is where the break

comes in terms of casualties and death and destruction, though you

can have these overlap, depending upon a lot of manipulating assumptions.

I assume, not withstanding the careful statements I tried to

make here in writing, I assume that Iraq has—not will have, might

have, has VX, a very serious nerve agent, certainly sarin, in a deliverable

form. I assume it has both anthrax and botulinum toxin,

as it did before. It had 4 years to regenerate, and I do not believe

UNSCOM could be confident it destroyed it all, so I believe that

is the extant right now. I do not know about the smallpox, and that

to me is a huge, huge concern, and I think the nuclear weapons fallinto that same category.

The problem is, of course, I think getting evidence of this is going

to be very hard. We have to ask ourselves the question of whether

we want to wait for that evidence, do we want to get on that slope

that Charlie was just talking about, trying to figure out what this

looks like in terms of long-term costs, when the near-term costs are so easy, or force themselves upon us.

When I try to net this out, I think I come down and conclude

that we do not have, right now, an urgent need to act, as we might

if we saw a facility under construction, or that missile you talked

about with Mort before. That is not in front of us right now, nor

do we have the evidence that they are complicit in 9/11. If we had

such evidence, I do not believe this Government would have any

choice whatever but to act, so we do not have that kind of pressure

on us. At the same time, we have no confidence that we will see

anything like that before we are confronted with something we wish not to see.

So I end up thinking that this is not something we should try

to live with for a long period of time. We need to get ourselves in

the position to cut this off. That means we have got more time than

just the next 6 months, year or 2 years that we might be thinkingabout with an invasion.

That is why I am looking for some option other than an invasion

like this very aggressive inspection regime, which can only work if

invasion is a viable option, to force Saddam to accept it. But I think

you are right to try to push at the edges here to make us think

through what would cause us to find it prudent to pay the cost and

run the risk of action sooner rather than later.

Thank you, Senator. I would like to take

a shot at a few of those questions, or observations that were in your statement.

First, I cannot help going back to the nuclear weapons observation,

because it troubled me. I do not know that Iraq has nuclear

weapons, but I do know for a fact that there was a workable design

in Iraq in the days of UNSCOM, which we picked up, and it was

an implosion system, a relatively sophisticated design, that they

did more work on after that. I also know that we have a real problem

with accounting for material, fissile material coming out of the

former Soviet Union. I think I also know that we should have no confidence, we should

have no confidence that we will know if fissile material finds its

way into Iraq from one of those countries. We might know, but we might not.

What I am getting to here is a very troubling sentence, and that

is that I do not understand how someone fully familiar with all of

our intelligence capabilities and our knowledge could say with high

confidence that Iraq does not have a nuclear weapon now, or will

not have one for 6 months or 6 years, not when they have done the

work on an implosion system and there is fissile material to be

had. I do not understand how one could say that, so that is point one.

Second, when we come to the question of time, do we have time,

and would we want time to use it for something useful, for example,

to build a necessary consensus domestically and internationally

to make this a more politically plausible and successful operation.

I think there is a risk there, because of what I just said

about the nuclear issue, because for me the key issue here is, is

Iraq plausibly capable of transferring a viral biological weapon or

a nuclear weapons capability to a terrorist entity that could not be deterred?

I do not know the answer to that, but I do not like sitting around

a long time hoping it does not happen, so I think that is what

makes me uncomfortable with simple containment, just wait and

see. What we may next see is some devastating event in the United

States that is traced back to Iraq, and I would then say, well, I

guess that calculation was wrong, waiting and seeing, so I am uncomfortable with indefinite postponement.

However, if you were to say, but do we have time, I guess I think

it is important enough to get this right, that we take some time,

and for me, again, I think there may be an inspection option. It is

not UNSCOM. It sure is not UNMOVIC. It is another kind of inspection

that is much more aggressive, that could not be put in

place unless the Iraqi regime saw an invasion as the alternative.

So I like the idea of trying to find another way to grapple with this,

and even, if you must do an invasion, to take the time to get it right.

The chairman referred to doing some missionary work, I think

with other countries, particularly Russia, and we have had a concern

for a period of time with the position of France within the Security

Council. There is much to be done in the region, and you will hear more about that.

So yes, I think we can take the time, but I do not think indefinitely.

I am troubled by the simple containment option in which

you wait for something that would be a trigger. What the administration

is talking about is not preemption, as I understand it. It is

a preventive war. Preemption is the anticipation of an act by the

other side. We do not see that. This would be looking way down

the road and saying, we are not going to allow that situation to

emerge. That is a very forward-leaning posture, and I think we have the time to get ourselves ready.

I think not only could you, but you have

no hope of getting successful inspections unless you took the antecedent

steps. The Desert Shield, if I can be allowed, a period of

time in which we took some of those steps, and began to put forces

in place, and began to take the political steps that made the invasion

a very credible option that is something we intended to do,

and I think we would be believed this time, where we were not believed 11 years ago.

I think I have to go. I do not know, Senator,

that I can add on the three points you made, economics, the

opposition, and the allies, to what has been said. I liked General

Hoar’s list of things we ought to think about, and particularly those

things we ought to think about being able to do the day after, as

well as the things we ought to put in place so that we do this in

the most politically plausible way. That was, I thought, a very nice

list, and I would associate myself with that.

I guess for my moment here I would say that I worry about the

‘‘lite’’ option, and I will be listening to General McInerney as well

to learn more about that option. I have in my ears ringing the

words of Tony Cordesman this morning about assuming too much

about what the opposition might accomplish, about going in to a

light, taking that risks. I do not know that he was speaking specifically

about the blitzkrieg type operation, but it seemed that he was

speaking to that, and worried about that being the concept of operations,

rather than a heavier up, more traditional approach, and that troubles me.

So I guess I still remain to be persuaded that that option really

is viable, and that you have got that kind of support, and that the

regime is that fragile and can be overturned. It may well be true,

but I think the point this morning was that is a hell of an assumption

to make, or a risk to take, and right now I would not—based

upon what I know, I would not be there myself in making that calculation.

Of all the things that I think in this list that I would worry

about most at this point, if we were doing this mostly because we

want to avoid the transfer of this capability to terrorist groups, we

want to reduce, the vulnerability of the United States of America

today to suffering a 9/11 event with a weapon of mass destruction,

then I want to ask myself, if we do this unilaterally, and we have

not taken care with allies in the region, are we going to create a

situation which worsens the situation? That for me that is the key

question. Mort Halperin’s comments went to this, and that to me is very, very important.

Unfortunately, it is a soft point, if I can put it that way. It is

a hard one to assess, but if we do this the wrong way and we create,

Senator Lugar, what you were talking about before, that situation

in which we can ask ourselves, gee, I wonder why we are not

appreciated the way we think we ought to be, then we will have

really made a tragic error, so I think that is the kind of calculation,

very hard to make, and we look to regional experts to help us.

I would like to take a brief shot at that

and go back to a point that was made earlier that the coalition

fought a war against Iraq and won, and there was a resolution to

the war, the U.N. Security Council Resolution 687. It is still outstanding

and is not being implemented, and so as an opening proposition,

Senator, your statement that we have this uncertainty, let

us remember that there was a resolution that really deserves to be

implemented. So we are dedicated to getting from here to there,

which is to say, to an Iraq that does not have weapons of mass destruction.

So the question is, how do we get there? Well, do we have to invade

immediately? I would say no. Is that something we want to

leave alone for a long period of time? I would say no, too risky, for the reasons we have all talked about.

So in the near term it would seem to me one of the things we

ought to do is build a consensus around the need for action. We

should have hearings in the Senate Foreign Relations Committee

on this, and we should address all this, and the American people

should be listening, and then we should start to do those things,

some of which have been laid out by some of my colleagues at the

table, that would build a consensus domestically and internationally,

in order that we be in a position to take military action when

either we are forced to because of some bit of information that is

delivered to us by George Tenet, or some other way, or because we

have come to the point where we think we now are in a better position

in terms of our status with allies and friends and domestically.

Fially, if you took the advice I was offering, you would also want

to check the box of really trying to see whether an aggressive inspection regime could be put in place.

But there is a deliberate process, I think, that we can move and

implement, but starting with the proposition that that U.N. Security

Council resolution deserves to be implemented and has not

been for the last, you could pick the year, but certainly probably 5 or 6 years is not a bad number.

Senator, I think Iran is a serious problem

for us, but I hope it is not on our list of countries which we would

plan to invade any time soon in a preemptive act.

That is good. I think there is a question

about how best to deal with Iran. I guess I would disagree with

General McInerney. I do not think that addressing the Iraqi problem

is necessarily going to help us with Iran. I think certainly, if

the Palestinian-Israeli issue were resolved, that would go a long

way in taking away one of the issues that causes difficulty.

Iran’s drive to weapons of mass destruction independent of its

support for terrorism is, I think, a much more deeper rooted desire

in Iran, and I do not think it is connected particularly to this regime.

I think it is traceable to the Shah, and I think this is a strategic

issue that only when we get a dialog with Iran will we be able

to address successfully. Right now, I think the key to dealing with

Iran is dealing with Russia rather than Iran, because we do not have much going on with Tehran.

To go back to your first question about where do we go next, I

would be putting energy working on the Mort Halperin theory of

governance, that governments of the United States only have so

much energy. I would be putting energy on working on South Asia

and Pakistan in particular, and I worry greatly about the stability

and coherence of that country and its relationship with India over Kashmir.

It is a leading question, Mr. Chairman, but I think you lead us in the right direction.

In my over 20 years of working on the

nonproliferation problem, it has always been so, that we have always been making the case.

Less in London, but in Paris, and Bonn, and Rome, and Tokyo,

these are without closest allies, that threat of the spread if weapons

of mass destruction is something that affects us all, and they

always have been closer geographically, but it is also true that we

are the superpower, that our interests are everywhere, that we are

expected, in fact, to take on this burden, and they do not see themselves,

I think, as quite in harm’s way as we see ourselves and our

interests, and indeed, I think one could make a pretty good case

that we are more of a target.