Mr. Chairman, the weather has changed

and I thought I would reflect that.

Mr. Chairman, thank you once again for giving me this opportunity

to come before the subcommittee.

I will try to be brief in comments so we can have some discussion.

I think I want to make three sets of points. One, I would say

again what the purposes for the Agreed Framework were when we

negotiated them; two, something about what the performance has

been with respect to those purposes; and, three, my own thoughts

on where we go from here.

First, with respect to the purposes of the Agreed Framework, I

recollect that we had three, one primary and 2 secondary. The primary

purpose of the Agreed Framework was to stop the nuclear

weapons program in North Korea. That meant, first, making sure

that the spent fuel that contained 30 kilograms of plutonium was

not reprocessed; it was recanned and stored until it could be

shipped out of the country; that the research reactor was not started

up again; that the two production reactors, the 50-megawatt and

the 200-megawatt reactors, were not completed; and that the reprocessing

plant was shut down.

In other words, so that they did not proceed with the program

that we estimated, within 3 to 5 years, about now, would be producing

on the order of 150 kilograms of plutonium a year, enough

for maybe 30 nuclear weapons. That is what we wanted to stop.

That was the primary purpose of the Agreed Framework.

The secondary purposes I think were, first, to promote a dialog

between North and South. And that turned out to be manifest in

our initiative with the ROK, the Four Party Talks, essentially to

reduce tensions on the Peninsula and improve generally the security

situation in Northeast Asia. And there is language in the

Agreed Framework about that.

The second secondary purpose was to address—and this is language

from the Agreed Framework by my recollection—other issues

of concern. These other issues are not mentioned in the Agreed

Framework, but we told the North Koreans what they were. First,

their ballistic missile program. Second, their ballistic missile export

program.

Third, the forward deployment of their conventional forces. And

also return of remains from the Korean War. And we had some

other concerns. But these were not mentioned in the Agreed

Framework. There was a linkage between these other issues of concern

and improvement of relations between the DPRK and the

USA. The normalization of relations was linked to their willingness

to address these other issues. Those were the purposes; now for the

performance.

With respect to the nuclear weapons program, it seems to me,

from what I know, that the nuclear weapons program that we were

aware of has essentially been in arrest, as we have said, cryogenic

arrest. It is frozen. And it is frozen under inspection, parts by the

United States, because we have been active in the canning of the

spent fuel, and by the IAEA. The ultimate dismantlement of that

program would take place over time as the elements of the Agreed

Framework were played out.

Two issues have arisen with respect to the primary purpose. The

first had to do with the few fuel elements that the North Koreans

threatened to reprocess. Materially, in terms of plutonium, not particularly

significant, but in principle very important. That, I now

understand from what has been said by Ambassador Kartman, is

going to be addressed. The North Koreans will permit the final recanning

of these elements.

The other issue that has arisen has to do with the other site, the

cavern, the underground site. With respect to that—and this is

maybe the most important point—I recall when I came before you,

Mr. Chairman, some years ago first presenting this, I was asked

before this subcommittee and elsewhere in the Congress whether

I could guarantee that there were not other facilities in North

Korea. And I said, of course not; that I had had the opportunity

to lead inspections in Iraq for UNSCOM and we had uncovered

about 90 percent of the nuclear weapons program that we did not

know about through all our intelligence assets—that was one data

point.

A second was that we knew of one country on earth that was

particularly good at digging holes and tunnels, and that was North

Korea. And if we put those two data points together, one should

not be in a position of saying, I guarantee there will be no secret

facilities. What we can say is the ones we know about, we will be

able to verify with respect to the provisions of the Agreed Framework.

But we will have to be vigilant.

OK, we have been vigilant and we have found something apparently.

My own view is that if North Korea has a secret nuclear program,

it would clearly not be consistent either with the letter, or

with the spirit, of the Agreed Framework—there is a confidential

minute, which you have access to, Mr. Chairman, and that I think

would speak to this. Moreover, it would certainly not be consistent

with the Nonproliferation Treaty, and they are still adherents to

that Treaty. If there is such a nuclear facility and they are pursuing

a secret nuclear weapons program, it would remove the incentive

of the United States, South Korea and Japan to participate in

the Agreed Framework.

Let me be as clear as I can. It would seem to me that if there

was a secret nuclear weapons program, either that program would

end, the issue would be resolved, or the Agreed Framework becomes

or should become a dead letter.

With respect to the other two issues, the North-South dialog, we

have had some Four Party Talks. We have had some contacts between

North and South, but they have not resulted in the kind of

reduction in tensions that we had hoped for—even with the Republic

of Korea adopting its sunshine policy.

With respect to other issues of concern, the performance has

been even worse. I refer first to the ballistic missile test. And I do

not only mean the recent test of a multistage missile, a portion of

which overflew the main island of Japan, but I mean the ballistic

missile test in South Asia by Pakistan and the ballistic missile test

in the Middle East by Iran, neither of which would have been possible

without the assistance of North Korea. So this has been perfectly

dreadful in terms of performance.

The issue, then, at this point is what should we do. It seems to

me that we should go back to the purposes again and then look at

alternatives—the purposes of the Agreed Framework. If the Agreed

Framework is serving to prevent a nuclear weapons program in

North Korea, it ought to be preserved. If it is not, it should not be.

And that issue needs to be resolved.

Second, with respect to the ballistic missile program and the

Four Party Talks, it seems to me that we have laid a groundwork

for addressing these issues, we have had some talks with respect

to ballistic missiles, and we ought to continue with diplomacy and

negotiations, and we should continue to link their performance or

lack of performance with what we do with respect to normalizing

our relations with North Korea.

As I say this, I also note that it is irksome, it is irritating in the

extreme, and it is certainly politically difficult to deliver heavy fuel

oil on schedule, even to provide humanitarian assistance, while the

North Koreans are providing ballistic missiles to countries in other

regions and destabilizing them. But I would suggest that if we give

in to the perfectly natural political urge not to speak to North

Korea and not to continue with the Agreed Framework, if we try

to link North Korean performance to ballistic missile performance

or to other non-nuclear issues—in other words, if we try to unilaterally

change the understanding of the Agreed Framework—we

could lose the framework.

And then the question is, what do we have to replace it with?

What are the policy alternatives?

It seems to me that they are quite familiar. There are three. We

can accept a nuclear weapons program, combined with extended range

ballistic missiles in North Korea. Or we could attempt to influence the North Koreans through international sanctions. Or we

could attempt to interdict those programs through military action.

Accepting that capability in North Korea, it seems to me—and I

believe it has been said by this administration—would be unacceptable—

unacceptable to have a nuclear weapons program in North

Korea. Second, I do not believe that anybody who has looked at it

has thought that U.N. sanctions would be effective in stopping

these programs. And, third, I do not think we should contemplate

military intervention unless we are prepared to engage in a major

conflict on the Korean Peninsula.

In short, it seems to me that the administration is on the right

course. It is a rough and rocky road. But it is the right road. And

I do not see any smooth paths to get to where we need to go.

Thank you, Mr. Chairman.

Mr. Chairman, you do not understand

what I believe the administration policy is?

I think we are on the right path, Mr.

Chairman, because I understand that the administration intends

that the primary purpose of the Agreed Framework, stopping the

nuclear weapons program, is continuing to be the measure of

whether the framework should be supported. In other words, either

the issue of the cavern is going to be resolved, or the underground

site or whatever it may be, or if it is not, then we are going to move

off to another policy. I think that is correct.

Absolutely not, Mr. Chairman.

Mr. Chairman, the policy of the administration

before and now, as I understand it, was to negotiate an

Agreed Framework to deal principally with one concern. And hopefully,

that being an element in a strategy to deal with the threat

from North Korea, it would put us in a position to deal politically

with other issues. We wanted to promote dialog between North and

South.

We wanted to get confidence in security building

measures to deal with the conventional imbalance of

forces, the forward deployment. We were concerned about the ballistic

missile program when I was negotiating the Agreed Framework.

We prioritized these. We drew a line of what we absolutely

needed to get and what we would do in order to get that. We made

that call.

And the gentlemen that preceded me said what I believe to be

true then and now: the Agreed Framework is not a strategy; it is

an element in a strategy.

And I believe it fits. I believe it addresses

the nuclear issue. And to the extent we demonstrated it fails to,

then it is not a useful element any longer.

And what I understood them to be saying was that we are going

to insist that the North Koreans resolve that question. The elements

of the spent fuel that were not reprocessed, the North Koreans

have already said they will take care of. I know of no problem

with the freezing of the facilities. I have understood from compliance

checked by the IAEA that that has been all on track. So with

respect to the primary purpose, we have identified where the problems

are and the standards are.

Absolutely.

Absolutely.

Mr. Chairman, that is the part where I

guess we are diverging.

It seems to me if you start with the nuclear

issue and the Agreed Framework and then say, OK, we have

other concerns with North Korea—we do not like their ballistic

missile development program, even if they were not exporting it,

because it threatens not only South Korea but Japan and Northeast

Asia—but we especially do not like it because they are exporting

NO DONG’s, the version prior to the TAEPO DONG which

they just tested, to South Asia and to the Middle East. So we have

grave concerns about this.

The question is, how do you address this? Well, you address this

through diplomacy—the only way I know of—apart from some

other actions, and I already mentioned them, which I do not think

are particularly prudent at this point. And that is to get the North

Koreans into a negotiation in which they might be willing to give

up this program.

I know of no other strategy. What the Agreed Framework does

is deal with one issue and give you a political framework, or begin

to give you a political framework, to help you engage them on that

issue. But it does not address it by itself.

Mr. Chairman, I must be missing something

here, because it seems to me, as I look around the world, the

United States does not always get its way. It does not get its way

in South Asia, where both countries tested nuclear weapons recently.

It does not get its way in Iraq, where we fought and won

a war. That just does not happen that simply.

The only way I know of is you start a negotiation, you make a

decision whether the use of force is going to be one of your options

or not. And that is based on a whole lot of calculations.

Indeed.

Almost.

Senator, I think that a decision needs to

be made, or a calculation needs to be made, continually about

whether the game is worth the candle.

And what I am trying to say is that up

to now, for me at least, it seems the answer to that was yes. But

the North Koreans have done some pretty provocative things of

late.

I have special responsibility for the U.S. Government for the

Russia-Iran relationship with respect to ballistic missiles and nuclear

weapons. And the North Korean-Iranian connection on ballistic

missiles is particularly troubling. And I do not need to explain

here about the implication of ballistic missiles being introduced

into Pakistan for the Pakistan-Indian relationship, particularly recently.

So this makes it a circumstance in which one wants to look very

carefully if we are still in a position where we see that it is worthwhile

to freeze the nuclear issue even though something so critically

important is not going where we would like it to go.

I would also add that politically to be in a negotiation in New

York, and while that negotiation is proceeding, to have the missile

test was—and I say this as a Dean from Georgetown—was felt like

a finger in the eye at that moment. While, incidentally, we are considering

humanitarian assistance, too. If that missile test had been

over Florida or Long Island, we could get a little bit of the feeling

of how Japan must feel at a time like this.

So I do not believe that any of this is easy. But what I was trying

to say in my remarks was that this requires real political maturity

to sit and look hard at this and say, OK, this is a very hard thing

to take, but let us look at what the alternatives are, and are they

better?

If we take a step and we say we are going to recondition our participation

in the Agreed Framework so that we link ballistic missile

tests or ballistic missile deliveries to our performance under the

Agreed Framework, we are trying to add more on to it than I negotiated.

OK, if we lose the agreement, are we better off?

What happens, then, if the nuclear program that we know about

starts up again? How else will we deal with it?

All I am saying is it is very hard to do, to make that calculation.

I think I could say something to it which

would not get us into trouble.

All of us who deal with the international

security situation now are concerned about the availability of fissile

material, particularly plutonium, from the former Soviet Union—

particularly.

And under those circumstances, one asks

the question of whether it is still worthwhile to make indigenous,

home-grown fissle material, the centerpiece of a policy. And I would

note that we estimated that the Iraqis spent someplace between $8

billion and $10 billion for those facilities that would produce only

a relatively small amount of highly enriched uranium.

I believe that while one cannot exclude and one needs to worry

a great deal about a black market in fissile material, that we have

not reached a point yet—thank God—that that is a reality. Or, to

put the implications of that more clearly, that it is still worth a

great deal to focus on facilities to produce fissile material, whether

we are talking about Iraq, Iran, Libya, or North Korea. I really do

think that is true.

The question I think, Mr. Chairman, is

making the calculation, again, about whether it is in our interest

to take the steps to enforce an agreement.