Thank you, Mr. Chairman. Let me begin

by saying that I am grateful and honored to have the opportunity

to appear before you today and speak to the question of our future

policy toward North Korea.

Mr. Chairman, with your permission I would like to submit a

slightly longer statement for the record.

It seems to me that we should begin to

address this question by clearly stating that we do not want to go

back to the past, to where we were 8 years ago. It was, in fact, on

May 26, 1993 that I appeared before this committee to explain the

Clinton administration’s approach to the developing crisis over

North Korea’s nuclear weapons program.

Then we estimated that the Democratic People’s Republic of Korea’s

[DPRK] existing research reactor, plus two more reactors

under construction and an expanded reprocessing facility would

give the North Koreans the capability to produce and separate annually

roughly 150 kilograms of plutonium, easily enough for 30

nuclear weapons within 3 to 5 years.

Today, all the facilities we identified as essential to North Korea’s

nuclear weapons program are frozen and open to inspection.

The DPRK remains in the nonproliferation treaty, and, under the

terms of the 1994 Agreed Framework, the North will satisfy the

International Atomic Energy Agency [IAEA] on all inspection

issues before it can begin receiving equipment necessary to construct

the light water reactors envisioned in the framework. Moreover,

there has been a noticeable reduction in tensions between

North and South Korea, as well as a significant amount of diplomatic

engagement by the North with a number of countries around

the world.

That said, we are not now where we wish to be with North

Korea, far from it. I would state our objectives in priority order as

first preserving our alliances with Japan and the Republic of Korea

and protecting their security; second, preventing North Korea from

acquiring nuclear weapons and a nuclear weapons production capability;

third, reducing the risk of a war on the Korean Peninsula;

fourth, preventing the North from further testing, production, deployment,

or export of extended range ballistic missiles and ballistic

missile technology; and fifth, promoting improved relations

between North and South, leading to a reunified nation with a

democratic government and a market economy.

To achieve these objectives, we should try to preserve the Agreed

Framework so long as we believe it is denying North Korea the capability

to produce fissile material for nuclear weapons. In other

words, if we should conclude that there is good evidence that the

North is cheating on its terms by constructing secret nuclear facilities,

as we did in 1998, then we should do what we did then, insist

on whatever access is necessary to resolve our concerns.

Note here that the access we enjoyed in that case did not come

from any verification provisions in the Agreed Framework. It came

from the political realities of our relationship. The benefits that

flow to the North by virtue of the framework gave us sufficient leverage

to gain access to the site that was the focus of our concern.

This should be instructive as we consider other arrangements with

North Korea where we may wish to have strict verification procedures.

The alternative to those procedures is not trust—the Agreed

Framework could be considered a monument to the highest levels

of mistrust between two nations—but a carefully crafted deal that

exposes neither side to more harm than it would suffer absent an

agreement, even if the other side does cheat, and that provides a

basis for inspection to resolve concerns about cheating.

Second, if we conclude that there is virtue in trying to improve

the terms of the Agreed Framework by, for example, seeking to

substitute fossil-fueled power plants for the nuclear reactors described

in the framework, then we should approach the North only

after consultation with, and the concurrence of, our allies in Seoul

and Tokyo, and with no threat to the North that we would unilaterally

abandon the framework if they did not accept the approach.

The point here is that our treaty allies who were with us

throughout the negotiations of the framework have agreed to bear

nearly the entire burden of the nuclear reactor construction cost,

have put their own domestic political interests and bilateral relationship

with the North at risk, and are of overriding importance

to the United States long-term strategic goals in Northeast Asia.

As for the acceptance by the North Koreans, that follows from

the first point, that we should not abandon the framework so long

as it is fulfilling its primary purpose.

Third, we should clearly engage the North Koreans in a negotiation

to see if we cannot end the threat that their ballistic missile

program now poses to Japan, will pose to the United States, and

does pose to the stability of South Asia and the Middle East by virtue

of exports to those regions. We should do this not because we

trust North Korea to live up to an agreement, but because we may

be able to negotiate the verification provisions we need to monitor

compliance, or craft an arrangement that improves our security

and that of our allies, even if we achieve less than what we might

want in inspection procedures.

The policy question revolves around defining available alternatives

to achieve our national security objectives, and then making

the right comparison when assessing a possible agreement,

comparing the best deal that can be made with the North to making

no deal at all, rather than to some notion of an ideal agreement.

Fourth, in close coordination with our allies from the South, we

should eventually seek to engage the North in discussions that

would reduce the risk of a conventional conflict on the Korean Peninsula.

This would involve the kinds of confidence and security building

measures proposed and implemented elsewhere that reduce

the risk of surprise attack, and increase levels of transparency

on both sides.

Finally, we should be willing to engage the North in discussions

of political, economic, and security issues, always in consultation

with our allies, with the long-term objective of reducing tensions on

the peninsula and contributing to a process that would lead to reunification.

We should do this with our eyes open, aware that we

do not know what calculations the leadership of North Korea is

making in its recent openings to the United States, South Korea,

and the rest of the world.

Anyone who has read the history of that country over the last 50

years, or reads the newspaper today, knows that North Korea has

been responsible for war and horrendous acts of terrorism in the

past, and that there are no guarantees about its future policy, as

welcome as some of its policies of the last few years may be. Moreover, the regime in the North is as close to totalitarian as any on

earth today, and we should not be optimistic about internal transformations

any time soon.

But to conclude from this dismal picture that negotiation is

wrong, that we should not reward North Korea with political and

economic benefits in exchange for the outcomes we seek, is to retreat

to superficially pleasing rhetoric that highlights the threat

posed by North Korea, but offers no plausible policy to address it.

Neither a policy of sanctions nor one that simply enhanced our defense

and deterrent posture in the region would prevent North

Korea from developing nuclear weapons and ballistic missiles that

would directly threaten our country.

Were we to use force to block these programs, we would in the

end no doubt prevail, but at the cost of lives, perhaps many lives.

To do this unnecessarily, without exploring negotiated solutions,

would not be in our Nation’s interest, that of our allies, and certainly

not in the best interests of the 37,000 Americans currently

deployed in South Korea.

Mr. Chairman and members of the Committee, let me begin by saying that I am

grateful and honored to have the opportunity to appear before you today and speak

to the question of our future policy toward North Korea.

It seems to me, that we should begin to address this question by clearly stating

that we do not want to go back to the past, to where we were eight years ago. It

was, in fact, on May 26th of 1993 that I appeared before this Committee to explain

the Clinton Administration’s approach to the developing crisis over North Korea’s

nuclear weapons program. Then, we estimated that the DPRK’s existing research

reactor, plus two more reactors under construction, and an expanded reprocessing

facility, would give the North the capability to produce and separate, annually,

roughly one hundred and fifty kilograms of plutonium, easily enough for thirty nuclear

weapons, within three to five years. The DPRK had also announced its intention

to withdraw from the Nuclear Non-Proliferation Treaty, and indicated that it

would never accept the special inspections that the International Atomic Energy

Agency said were necessary to determine how much plutonium it had produced in

the past. In addition, relations between North and South Korea were tense and

intermittently marked by provocations from North Korea, a country that was essentially

isolated from the international community.

Today, all the facilities that we identified as essential to North Korea’s nuclear

weapons program are frozen and open to inspection, the DPRK remains in the NPT

and, under the terms of the 1994 Agreed Framework, the North will satisfy the

IAEA on all inspection issues before it can begin receiving equipment necessary to

construct the light water reactors envisioned in the Framework. Moreover, there has

been a noticeable reduction in tensions between North and South Korea, as well as

a significant amount of diplomatic engagement by the North with a number of countries

around the world.

That said, we are not now where we wish to be with North Korea; far from it.

I would state our objectives, in priority order, as

preserving our alliances with Japan and the Republic of Korea, and protecting

their security;

preventing North Korea from acquiring nuclear weapons and a nuclear weapons

production capability;

reducing the risk of a war on the Korean peninsula;

preventing the North from further testing, production, deployment or export of

extended range ballistic missiles and ballistic missile technology; and

promoting improved relations between North and South leading to a reunified

nation with a democratic government and a market economy.

To achieve these objectives, we should first try to preserve the Agreed Framework,

so long as we believe that it is denying North Korea the capability to produce

fissile material for nuclear weapons. In other words, if we should conclude that

there is good evidence that the North is cheating on its terms by constructing secret

nuclear facilities, as we did in 1998, then we should do what we did then: insist

on whatever access is necessary to resolve our concerns. Note here that the access

we enjoyed in that case did not come from any verification provisions in the Agreed

Framework. It came from the political realities of our relationship. The benefits that

flow to the North, by virtue of the Framework, gave us sufficient leverage to gain

access to the site that was the focus of our concern. This should be instructive as

we consider other arrangements with North Korea where we may wish to have

strict verification procedures. The alternative to those procedures is not trust—the

Agreed Framework could be considered a monument to the highest levels of mistrust

between two nations—but a carefully crafted deal that exposes neither side to

more harm than it would suffer absent an agreement, even if the other side does

cheat, and that provides a basis for inspection to resolve concerns about cheating.

Second, if we conclude that there is virtue in trying to improve the terms of the

Agreed Framework by, for example, seeking to substitute fossil fueled power plants

for the nuclear reactors described in the Framework, then we should approach the

North only after consultation with and concurrence of our allies in Seoul and Tokyo,

and with no threat to the North that we would unilaterally abandon the Framework

if they did not accept our approach. The point here is that our Treaty allies were

with us throughout the negotiations of the Framework, have agreed to bear nearly

the entire burden of the nuclear reactor construction cost, have put their own domestic

political interests and bilateral relationship with the North at risk, and are

of overriding importance to the United States’ long-term strategic goals in Northeast

Asia. As for the acceptance by the North Koreans, that follows from the first point,

that we should not abandon the Framework so long as it is fulfilling its primary

purpose.

Third, we should clearly engage the North Koreans in negotiation to see if we cannot

end the threat that their ballistic missile program now poses to Japan, will pose

to the United States, and does pose to the stability of South Asia and the Middle

East by virtue of exports to those regions. This is the course that the Clinton Administration

was on right up until the very end when Secretary of State Madeleine

Albright visited Pyongyang last year. It is entirely consistent with the course set

by former Secretary of Defense Perry in his report on ‘‘where we should go from

here’’ with North Korea. We should do this, not because we trust North Korea to

live up to an agreement, but because we may be able to negotiate the verification

provisions we need to monitor compliance, or craft an arrangement that improves

our security and that of our allies, even if we achieve less than what we might want

in inspection procedures. For example, monitoring commitments not to test extended

range ballistic missiles or to refrain from certain exports of material or technology,

might be less demanding in terms of inspections than monitoring production or even

deployment of those missiles. The policy question revolves around defining available

alternatives to achieve our national security objectives, and then making the right

comparison when assessing a possible agreement: comparing the best deal that can

be made with the North to making no deal at all—rather than to some notion of

an ideal agreement.

Fourth, in close coordination with our allies in the South, we should eventually

seek to engage the North in discussions that would reduce the risk of a conventional

conflict on the Korean peninsula. This would involve the kinds of confidence and security

building measures proposed and implemented elsewhere that reduce the risk

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Finally, we should be willing to engage the North in discussions of political, economic

and security issues, always in consultation with our allies, with the long-term

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in the North is as close to totalitarian as any on earth today, and we should

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But to conclude from this dismal picture that negotiation is wrong, that we should

not ‘‘reward’’ North Korea with political or economic benefits in exchange for the

outcomes we seek, is to retreat to superficially pleasing rhetoric that highlights the

threat posed by North Korea, but offers no plausible policy to address it. Neither

a policy of sanctions nor one that simply enhanced our defense and deterrent posture in the region would prevent North Korea from developing nuclear weapons and

ballistic missiles that would directly threaten our country. Were we to use force to

block these programs, we would in the end no doubt prevail, but at the cost of lives,

perhaps many lives. To do this unnecessarily, without exploring negotiated solutions

would not be in our nation’s interest, that of our allies, and certainly not in the best

interests of the thirty-seven thousand Americans currently deployed in South Korea.

Thank you Mr. Chairman.

Mr. Chairman, I would like to take a

shot at that.

My recollection of the language of the framework is that it says

that in effect none of the equipment that is listed on the trigger

list of the nuclear supplier guidelines, which is really the key

equipment for a nuclear reactor, can be delivered to North Korea

until the IAEA is satisfied with respect to the implementation of

the full scope safeguards agreement. It may be true that an ob-

server can look at the timeline and say, gee, that should come

about in about 3 years, and gee, therefore the IAEA should start

the process.

But this was a political agreement, the Agreed Framework with

North Korea, and North Korea is still acting consistent with the

terms of the agreement to delay the imposition of safeguards by the

IAEA or the safeguards inspections until it comes time for delivery

of that equipment.

Now, something should be quite obvious, which is that in the end

here the time schedule for the construction of the reactors will be

held up to the extent that North Korea does not cooperate with the

IAEA. I do not want to be crude here, but that is all right with me.

I mean, the idea here was to stop a nuclear weapons program.

We have a lot of other objectives, and you mentioned some of

them in your opening statement. There were discussions about the

conventional forces forward-deployed, about the ballistic missiles,

but the North Koreans, if they wish to go slow with respect to safeguards,

will slow down the construction of the reactor, and they

will carry the burden for that, and that is not, in my view, necessarily

a bad thing.

Senator, I am not intimately aware of the

discussions that must occur between the IAEA and the inspectors

who go there regularly and the North Korean side. To my knowledge,

I know of no substantive area in which the North Koreans

are acting inconsistent with the framework. One used to be able to

argue that they were not engaging the South in serious dialog, but

now that President Kim Dae-jung has gone North I think that is

a harder case to make, so I think I would not say there is no substantive

violation that has been made public.

I do not, on this. I want to make a plea

that as we focus on verification, because nobody wants to trust

North Korea, that we be reasonable about this at the same time.

We have what used to be called national technical means, but there

are no real verification provisions in the Agreed Framework. We

have national means to verify compliance to some degree, and then,

if there is a problem, we have an agreement of sorts in which the

North Koreans have invested to give us access, to insist upon physical

access.

Similarly, I would say when you look at this case, if you are talking

about the ballistic missile components, there are four. It is the

testing, the deployment, the production, and the export, and the

verification requirements for these four are all different. For testing

you do not need very much, for export we need a little more,

arguably for deployment we need a little more, and for production

we need the most. But we should be looking to compare the right

things.

Whatever verification we were able to negotiate, we should then

compare what that gives us to not having the agreement at all, and

not to some abstract notion of perfect verification.

I agree about 90 percent with what was

just said, but there is a 10-percent difference. In other words, I

think there is a trilateral political relationship here, but I would

frame it differently. I would say that the North right now is holding

negotiations, and specifically the visit to the South, hostage,

waiting for the United States to finish its policy review and reengage

with the North, that once we do, then I think we will see

a willingness on the part of the North to engage with the South.

We have made it quite a central feature of our discussions with

the North that there needed to be some parallelism in terms of reduction

in tensions in the dialog with the South. I do think that

the North attempts, whenever it can, to play one off against the

other and use leverage back and forth, but I think the outcome

that would be acceptable to them and should be acceptable to us

is one in which negotiations are proceeding at the same time, we

with the North and the South with the North.

I wanted to comment on that.

I think I would characterize this substantially

differently than Mr. Downs. I do believe what the doctor has

said, and we all have noticed that the North Koreans extract everything

they possibly can from every discussion. I would, as a negotiator,

expect no less, and therefore I think when we get into negotiations

in which we do not expect to trust them, we expect a fair

amount of cheating when they can get away with it, and we expect

them to extract everything, we have to think about ending up with

an arrangement which is in the end in our interests.

So I disagree with Mr. Downs that they come to the table and

they get everything and we get nothing. I would observe that 1993,

when the Clinton administration came to office, we were looking

down the throat of a nuclear weapons program that was going to

be producing 30 nuclear weapons a year with the capability to

transfer fissile material and nuclear weapons around the world,

that that program has been verifiably frozen since 1994. That is

not nothing. That is close to, in terms of negotiating objectives, everything.

Now, we wanted a whole lot of other things after that, but that

is what we went after with the Agreed Framework, and we got it.

Nothing is forever when it comes to this stuff in North Korea or

Iran, Iraq, or anywhere else, so we have to be aware of that, but

we got quite a lot.

You asked, Mr. Chairman, about the moratorium. Now, I do not

consider that nothing either. If there were a test tomorrow morning,

that would be pretty big news. The Japanese would be very

upset. We would be very upset, and it would indicate the program

was moving ahead at a certain pace, depending upon what, exactly,

the test was.

I like the idea that there is a moratorium. I do not believe we

get gifts from the North Koreans, and I am sure there is a calculation

behind it, but it is not nothing.

I am not sure I am being responsive

here, but again for the record, Mr. Chairman, I think it is important

to point out that we were looking at facilities being built in

North Korea which were, by the way, not in violation of any international

undertaking. There is nothing in the NPT or the IAEA

that says you cannot build gas graphite reactors, even though they

are the most provocative and dangerous, most likely to lead to a

nuclear weapons program, which we are absolutely confident they

were intended to do, but they were not in violation.

This is not a matter of theory. The reactor had operated and produced

30 kilograms of plutonium, enough for five nuclear weapons.

They had that material in spent fuel that was going to be reprocessed. They had a reprocessing facility that they were expanding.

They had two reactors being constructed as we watched in slow

motion with overhead photography. All that has been frozen in

place. I submit again, please, this is very substantial. That is what

got our attention.

Everything else, virtually, we were aware of, and we knew. We

knew how horrible the regime was, how awful it treated its own

people, how threatening it was to the South, but we sat essentially

confident in a defense and deterrent posture in South Korea with

North Korea contained.

The one thing we could not allow to go unaddressed was the nuclear

weapons program, because of its ultimate possible impact,

catastrophically on not only South Korea and Japan but the United

States, if it was ever mated with the ballistic missile program, and

we acted against that nuclear weapons program, and we froze it.

The question is now, will we act against the ballistic missile program

and try to freeze that? It will not come free.