Thank you Mr. Chairman, other members of the

committee for giving me the opportunity to testify this morning.

OK. I think just turning it on will help.

Thank you, Mr. Chairman.

Recent North Korean behavior has tended to give a boost to the

theory that the DPRK, rather than being willing to trade away its

nuclear option, is determined to acquire and retain nuclear weapons.

But the implications of North Korea becoming a nuclear power

are so disturbing that before we resign ourselves to that outcome,

we should put Pyongyang’s declared willingness to give up nuclear

weapons to the test, and the best way to test it is at the negotiating

table. We need to engage very soon, because in a matter of

weeks North Korea could reprocess enough plutonium for about

five nuclear weapons.

I would like to offer the committee some suggestions on getting

that engagement underway and carrying it forward. The question

of who would participate in negotiations with the DPRK has recently

become a stumbling block. The U.S. has favored a multilateral

approach, while North Korea has adamantly rejected a multilateral

framework, and instead has insisted on engaging the United

States bilaterally.

The Bush administration is right that the challenge posed by

North Korea is not simply a bilateral matter between the United

States and the DPRK. North Korea’s neighbors and the rest of the

international community have a huge stake in the outcome, and

they should participate both in the development and in the implementation

of any solution. At the same time, it is clear that mutual

threat perceptions between Washington and Pyongyang are a central

feature of the current situation, and that any solution will

have to take the particular needs of these two protagonists into account.

I agree with Ash Carter; we cannot outsource such questions as

achieving an effectively verifiable means of ensuring compliance.

In these circumstances, it is reasonable to begin the negotiating

process with bilateral U.S./North Korean talks, primarily on the

nuclear issue. In parallel, a multilateral group could be convened,

consisting perhaps, of the P–5, South Korea, Japan, European

Union, and Australia. It could initially serve as a mechanism in

which the United States could consult the others on its plans for

dealing with the North Koreans on the nuclear issue.

Eventually, perhaps after a general framework had been developed

on the nuclear issue, the multilateral forum, now with the

North Koreans participating, could become the umbrella under

which a variety of bilateral and multiparty engagements with

North Korea could take place.

A number of promising variants of this idea could be devised.

What is critical is to get the talks started right away, and to get

other governments to recognize their responsibility for helping

achieve a solution. Once a workable formula on participation can

be found, it will be important to create an environment in which

neither the United States nor the DPRK has to negotiate under duress.

Therefore, North Korea should pledge that while the talks are

underway it will not reprocess its spent fuel, and it will permit the

International Atomic Energy Agency to return to Yongbyon for the

purpose of reapplying monitoring seals at its reprocessing facility.

For its part, the United States should pledge that as long as

those seals are intact, it will not engage in military action against

Yongbyon and will not support United Nations sanctions against

North Korea. There should be no other preconditions for getting

the talks started.

For the talks to have any chance at succeeding, North Korea

must be given a clear choice between a much brighter future without

nuclear weapons and a much bleaker one with them. This requires

both carrots and sticks.

The U.S. administration is right that the North Koreans should

not be rewarded for simply coming into compliance with their existing

obligations. But that principle does not mean the DPRK should

not be offered additional incentives for accepting additional obligations.

In other words, more for more. I think this is what Arnie

Kanter was talking about when he spoke about the ‘‘whole new

horse.’’

In exchange for verifiable commitments by North Korea that

would terminate its nuclear weapons program and address a range

of other concerns, the United States and other countries should be

prepared to address the DPRK’s needs in the energy, food, infrastructure,

and other economic areas, as well as its concerns about

sovereignty and security.

The vision of a better future must be credible to North Korea if

we want to influence their behavior, but the high cost of continuing

on their current reckless course should also be clear. So far, this

message has not been conveyed clearly enough.

Chinese leaders should use private channels to tell their obstreperous

old friends that China will not use its veto to block U.N.

sanctions if North Korea disregards their advice and opts for nuclear

weapons.

The message from Seoul is probably even more important. But

so far, South Korea’s new President, Roh Moo-hyun, has spoken as

if a peaceful diplomatic solution could be achieved with only carrots

and no sticks. His administration should be frank with Pyongyang

that a DPRK decision to become a nuclear power would put a brake

on inter-Korean relations.

With regard to the agenda for negotiations, the nuclear issue deserves

the highest priority. Beyond that, there is a wide-range of

subjects that various countries wish to take up with Pyongyang.

The Bush administration previously spoke about a comprehensive

agenda that, in addition to the nuclear issue, also covered missile

exports, North Korea’s indigenous missile program, conventional

arms, and human rights.

Administration officials said that they would insist on making

progress across the board, and would not conclude separate agreements

on some issues if deliberation on other issues was not getting

anywhere.

All the items on the administration’s agenda, in my view, are important

and should be pursued with North Korea. But insisting on

progress on all issues as a condition for reaching agreement on any

of them, could lead to a prolonged stalemate. And it could preclude

near-term agreements on items of urgency, such as stopping North

Korea’s long-range missile exports. So while progress should be

sought on a wide-range of issues, the items should not be tightly

linked.

Finally, close coordination with South Korea will be critical both

to improving prospects for a negotiated solution to the nuclear

issue, and to preserving the strength of an alliance relationship

that is vital to stability in Northeast Asia, but that has become

quite strained in the last few years.

In the weeks ahead, the Bush and Roh administrations should

make every effort to forge a common approach on the nuclear issue.

In the absence of such a common approach, Pyongyang will have

every incentive to prolong the crisis in the hope of exacerbating

U.S.-ROK differences and stimulating anti-Americanism in South

Korea.

Mr. Chairman, we have all read news reports in recent days that

the Bush administration is now accepting as inevitable that North

Korea will reprocess the spent fuel and become a nuclear power.

According to those reports, the administration has essentially given

up on preventing such a development and is now falling back to a

policy of trying to stop a nuclear armed North Korea from selling

fissile material to hostile States and terrorist groups.

I hope these reports are inaccurate. North Korea may well have

decided that its survival depends on having nuclear weapons and

that it must proceed rapidly to amass a small nuclear arsenal. But

at this stage, we certainly do not know that, and given the huge

stakes involved it would be a monumental error if, out of an aversion

to dealing with the regimes we do not like, we fail even to explore

whether an agreement could be reached that could credibly

terminate North Korea’s nuclear program.

If North Korea has indeed decided that it must have nuclear

weapons, then any negotiations will fail. In that event, we will

have no choice but to turn to the policy of pressure, isolation, and

containment. And having tried the path of negotiations, we will be

in a stronger position to mobilize international support for such an

approach. But before setting ourselves on such a troublesome

course, we should find out at the negotiating table whether a better

outcome is possible.

Thank you, Mr. Chairman.

I would just comment on the other part about the

red line.

Clearly, the step of reprocessing the spent fuel is

the most worrisome, dangerous, near-term step. But I am not sure

it is a good idea at this stage to say, ‘‘If you do that, there will be

inevitable consequences.’’ You have to be prepared to followup on

that threat.

I think a better approach would be to make a proposal along the

lines that all three of us have made. Be prepared to sit face-to-face

with the North Koreans, but say, ‘‘Before we sit down, we have to

create the right environment. So you need to pledge that you are

not going to reprocess, and you are going to invite the IAEA back

in to seal that reprocessing facility. And then we will make a corresponding

pledge about not attacking Yongbyon, a nuclear facility.’’

It seems to me that may be a better way of dealing with that red

line. If we do what most of North Korea’s neighbors want us to do,

which is sit down bilaterally at the negotiating table, then, I think,

they would give strong support to that proposal for a freeze on reprocessing.

Senator Biden——

My guess is that a number of those

neighbors of North Korea would be happy to sit down in multilateral

talks. Their concern is that the North Koreans would not do

it. And because the North Koreans have been so obstinate on the

point, they are saying to the United States: Look, why do you not

sit down with them bilaterally? Maybe later we can join. We are

not opposed to multilateral. It is just that it would not work multilaterally

from the beginning.

And as to your question on when is the time, I think the time

is now for the administration to say, yes, we are prepared to sit

down bilaterally. I think perhaps they could put in place a parallel,

multilateral structure that eventually could become the umbrella,

the multilateral umbrella we are looking for, but I think the time

is now.

I think one of the reasons for it is that there is

a split within the administration. That is not a deep secret. And

I think some in the administration simply would not like to engage

for a number of reasons. They believe it would reward bad behavior.

They believe it would confer a legitimacy on this regime in

Pyongyang that it does not deserve. They believe that any new deal

would not be complied with by North Korea, so it would not solve

the problem in the first place. So I think there is an element that

is simply opposed to engagement.

There is another element I believe that would welcome the opportunity

to engage, maybe in a tough-minded way, but it would

like to engage and find out whether an effective deal can be made.

But I think that is the principal reason why there is uncertainty

about where the administration stands.

On this question of the Bush administration rhetoric

and the impact it had, clearly the Bush administration rhetoric

did not create the North Korean nuclear program. It clearly did not

motivate the North Koreans to begin the clandestine uranium enrichment

program in the late ’90s.

But I think under the Agreed Framework, one of the reasons

that it was concluded was because the question of how much plutonium

they had hidden away before 1994 was deferred; no resolution

about that. There was ambiguity about how much they had.

I think they saw value in that uncertainty. They believed it provided

some deterrent value. And whether the uranium enrichment

program was designed as another kind of hedge, we do not know.

Perhaps it was designed as more than that.

But it is possible that some of the statements by the administration

over the last few years have convinced the North Koreans that

ambiguity as a deterrent is not enough. They have to go beyond

ambiguity and, substantially more than that, to demonstrate that

they have a credible, unambiguous nuclear deterrent capability. I

think it perhaps had that impact. Thank you.

Senator, my guess is that the North Koreans are

seeing ambiguous signals from this administration; and I think the

administration needs to be more disciplined in adopting a consistent

line. It is not just a question of these news stories in the

last few days and the welcomed clarification that they are not accepting

the North Korean nuclear capability or resigning themselves

to it. That is a welcome clarification, but on a number of

issues, Deputy Secretary Armitage’s testimony before this committee,

gave a lot of people the impression that we were prepared

to sit down bilaterally. But then we heard, a few days later, a different

position, that it was really multilaterally and multilaterally

only.

A month or two ago, the administration was speaking as if the

military option was simply off the table; we were going to be focused

exclusively on peaceful, diplomatic means. But then I think

the administration felt that it was sending the wrong signal there;

we had to make a correction and indicate that the military option

was on the table. And a few days ago, the President talked about

the military option and, perhaps, created the impression that—it

may not be accurate, but the impression that it was not a last resort option.

I think the North Koreans may be seeing and hearing all of these

things and drawing the wrong conclusion. I think we do have to

maintain a much more disciplined, consistent line.

I just want to reinforce what Arnie Kanter just

said. Even if the North Koreans were prepared to accept

verification measures much more intrusive than anyone has ever

accepted, even along the lines of what Iraq is now permitting by

UNMOVIC and the IAEA, the fact of the matter is: We are not

going to have high confidence that they are not engaged in some

clandestine uranium enrichment effort. We are simply not going to

get that, and we need to recognize that up-front.

And what we need to do is compare the uncertainties and the

risks of that situation of an imperfect verification, an imperfect

confidence, against the risks of adopting a policy of pressure, isolation,

containment, because of the risks of that strategy as well. And

you have to weigh these two possibilities. But you are not going to

get a perfectly verifiable agreement with the North Koreans.

Yes, it is a—it is certainly a necessary condition——

It is not sufficient. We do not know what else is there.

I think it is a necessary condition.