Thank you, Mr. Chairman, members of the committee.

I appreciate this opportunity to join my colleagues here on

the panel to discuss the North Korea issue and the relevance of the

1994 Agreed Framework to where we go from here. And as it will

be clear from my remarks, I think we have all pretty much figured

out that this animal we are all groping, is an elephant.

We are facing a crisis. If the term ‘‘crisis’’ means anything, it

means a dangerous problem that requires urgent attention. As a

result of deliberate North Korean provocations, that is the situation

we face today on the Korean Peninsula. It is, moreover, a situation

that is likely to grow steadily more dangerous unless and until it

is actively addressed.

I think it also should be noted that this escalating series of

North Korean actions places two additional obstacles in the way of

finding an effective political solution.

First, it tends to split and polarize opinion among precisely those

allies, and other regional actors, whose support will be indispensable

to the success of any approach.

Second, it makes it harder and harder for the United States itself

to show flexibility, lest that flexibility look like a response to escalating

North Korea blackmail.

Against this backdrop, let me turn to the question of what a U.S.

approach should look like. I think there is a natural tendency to

take the Agreed Framework as the point of departure. I believe,

however, that that is the wrong place to begin, because it begs or

assumes answers to what I believe are the right questions, namely,

‘‘What are the North Korean problems or threats that we properly

should be addressing? That is, what is the appropriate scope of a

U.S. approach? And then, how can we best deal with these problems

and threats?’’

What I do not find to be a particularly useful question in fashioning

a strategy, is to agonize over whether North Korea really

would be willing to abandon its nuclear ambitions. First, there is

no way to make confident predictions about the behavior, much

less the objectives, of an isolated, demonstrably unpredictable regime.

Second, it is reasonable to assume that North Korea, like my

mother, wants to have it both ways.

That is, they presumably would want all of the benefits of a deal

and the benefits they think they would achieve by a covert continuation

of their nuclear and missile programs, that is, by cheating.

And so our challenge is to design an approach that, at a minimum,

denies them the possibility of having it both ways and,

ideally sets in motion indigenous forces that both reduce the incentives

to cheat and increase the chances of whistleblowing if cheating

is attempted.

Third, we cannot know the answers to the question until we

make an authentically good-faith effort to find out, that is, until we

really try to negotiate a reasonable deal.

And, finally, and in some ways to me most important, if we do

make such a good-faith effort, and if that proves to be unsuccessful,

we will be in an immensely stronger position internationally to

deal with a North Korea that has, by its failure to agree, shown

to be determined to be a dangerous nuclear and missile

proliferator.

So to reiterate, I believe we should start with a clean sheet of

paper in fashioning the U.S. approach, rather than just assume

that we should pick up where the Agreed Framework left off. That

said, I do believe that it is useful to briefly review the terms of the

Agreed Framework, to generate a kind of checklist of issues that

will need to be considered in fashioning any new U.S. strategy.

As we all know, the Agreed Framework was most of all a limited

deal. It was the best the U.S. side thought it could get to address

an immediate crisis. It was confined to the North Korean nuclear

program. Within the nuclear program, it was predominantly about

plutonium-related activities, and addressed highly enriched uranium

[HEU] only by implication. It did no more than freeze these

plutonium-related activities until we would be well along the implementation

timetable. And as we have now seen, the limits on

North Korean actions were easily reversible by Pyongyang.

In exchange for the undertakings by the North Korean side, the

United States and other members of the international community

offered some inducements. The North Koreans were offered light

water reactors, which as the U.S. side fully recognized at the time,

make no economic sense whatsoever in terms of modernizing North

Korea’s energy sector or meeting its pressing development needs.

They were simply the price of getting North Korea’s agreement.

The North Koreans also got interim supplies of heavy fuel oil for

their thermal power plants. We made a commitment to move toward

more normal political and economic relations, and we offered

security assurances, specifically, assurances against the threat or

use of nuclear weapons.

In form, the Agreed Framework was a bilateral agreement. In

substance, I think it was multilateral in important respects. First,

the whole process of negotiations involved very close and continuous

consultations and coordination between the United States,

Japan, and South Korea, and the Perm Five. Second, implementation

of the Agreed Framework was accomplished through a multilateral

consortium, KEDO.

Armed with this checklist, I conclude that the Agreed Framework

would be the wrong point of departure both for fashioning

U.S. policy on North Korea, and for engaging the North Koreans.

Politically, the Agreed Framework is damaged goods. But more important

substantively, its focus is too narrow and its ambitions are

too limited.

Let me hasten to add, however, that I think it would be a mistake,

a serious mistake, to declare the Agreed Framework dead before

we have anything to take its place.

Let me address what I think would be the proper scope of a new

approach, and this very much follows what Ash has said. North

Korea poses a whole host of issues, problems, and threats. I do not

believe, however, that we should try to address all of them, much

less simultaneously, because it is a near certainty that if we do try

to do so, we will overreach and we will fail.

At the other extreme, while the current preoccupation with the

North Korean nuclear program is understandable, I believe it is too

narrow a focus. I believe the U.S. approach should address as a

first priority the twin issues that are at the core of the North Korean

WMD threat; that is, it should encompass the North Korean

ballistic missile problem, as well as the nuclear problem.

Our approach should address North Korean capabilities to

threaten its neighbors, and the North Korean capacity to provide

these WMD capabilities to others. And we should do so in ways

that give us confidence that the actions that North Korea takes are

not easily reversible. Accordingly, our objective ought to be the

verifiable dismantlement of North Korean nuclear and missile programs.

Conversely, I believe that other than possible confidence-building

measures, we should defer efforts to reduce the North Korean conventional

military threat. We, likewise should defer efforts to address

such problems as North Korea’s horrifying human rights

practices and other issues that are not related to immediate security

concerns.

Next, let me turn to the form and process of the U.S. approach.

I think this is a good place to make explicit that which is both obvious

but fundamental: North Korea is not just a problem for the

U.S., but for the international community. It is, in a word, a multilateral

problem. And any strategy for addressing it must take this

essential fact as its point of departure.

As we all know, often from bitter experience, virtually any unilateral

approach that aims at a political solution is vulnerable to

being undermined by others. To be effective, therefore, any moves

by us to pressure, leverage, or isolate North Korea until it abandons

its nuclear and missile ambitions must be taken in close coordination

with the other key actors. And so it follows that the first

challenge for U.S. diplomacy is to persuade our allies, friends, and

others in the region that North Korea is not just a U.S. problem

that is amenable to a purely U.S. solution. On the contrary, we

have a common fate and we must make common cause.

And our diplomatic objective should be to persuade each of the

key regional actors to make clear to Pyongyang, by word and by

deed, that they are not just messengers for the United States, but

that North Korean actions are threatening their respective core interests.

Now, time does not allow me to go into detail, but I think, at the

same time, we need to be candid in recognizing that the concerns

and the priorities of these other key regional actors are unlikely to

coincide perfectly with our own, and our strategy needs to take account

of those differences as well. The approach to North Korea

also needs to be multilateral because, as in the case of the Agreed

Framework, it is hard to imagine any proposal that would be attractive

to North Korea that would not depend on the active cooperation

and tangible support from others for its implementation.

And, finally, and key, North Korea requires a multilateral approach

because, as has become increasingly obvious over the last

several weeks, the crisis is putting our key relationships, starting

with the relationship we have with South Korea, at risk.

These considerations tell me that a framework for dealing with

North Korea must be multilateral at least in the sense that there

is genuine and sustainable consensus on the objectives, approach,

quid pro quos, and so forth. Absent real agreement on these kinds

of issues, I do not know what a multilateral strategy means or

looks like. But given real agreement, I think the modalities of how

we engage with the North Koreans matter a lot less; that is,

whether the negotiations with Pyongyang take place in a multilateral

forum or whether the United States takes the lead in ‘‘direct

talks,’’ while others have parallel reinforcing engagements with the

North Koreans.

Put another way, I think the debate about form—whether talks

with the North Koreans should be multilateral or could be direct

and bilateral—is somewhere between irrelevant and distracting,

and in no event should it be allowed to be a major stumbling block.

Finally, let me say a word about how we should get started. I believe

we face an urgent, essentially tactical, yet critically important

task that is a first step in a broader, more strategic approach.

What is perhaps most striking about North Korea’s recent actions,

is not just the number of steps it has recently taken toward the nuclear

brink, but also the speed with which it has taken them. We

need to stop this momentum. We need to get the North Koreans

to immediately freeze both their nuclear and ballistic missile programs

in place before the problem becomes even more dangerous

and difficult, and before we are left with only profoundly unattractive

options.

This means, on the one hand, we need to be clear with North

Korea about our red lines, starting with the reprocessing of pluto-

nium in the spent fuel rods. On the other hand, I believe that in

exchange for an immediate freeze, we should offer to meet with the

North Koreans. For our part, it need be nothing more than a preview

of coming attractions; for example, telling the North Koreans

in general terms, both what the international community requires

of them and why it would be in their interest to respond positively.

I believe such an offer could offer several benefits.

First, it might be a face-saving way for the North Koreans to

stop their self-destructive march toward the brink. Second, countries

that thus far have been unwilling or unable to press North

Korea to meet our demands might see such an offer by us as a reason

to engage Pyongyang in exactly the kind of concerted way that

an effective multilateral approach demands. And, third, it could

help end the sterile debate over ‘‘form’’ that is increasing strains

among those who need to work together on North Korea.

But, again, freezing the North Korean nuclear and missile programs

is just a tactical first step to create conditions that would

be more conducive to a lasting arrangement. I have already indicated

what I believe our core goal should be. And in pursuing these

objectives, the approach to the North Koreans should convey pretty

much the sense that everything is on the table.

Specifically, we should be willing to provide security assurances

to North Korea that affirm that we have no hostile intent toward

them; that is, the problem is the North Korean programs and actions

that pose a threat to regional and international stability. We,

therefore, should be prepared to assure North Korea that if and as

that threat disappears, it need have no concern about its own security.

We also should be prepared to take steps to end North Korea’s

political and economic isolation. Not only are such measures likely

to be the price of a deal, I think it is also important to recognize

that they additionally would be in our self-interest.

First, we have a clear interest in a stable Korean Peninsula and,

therefore, in avoiding an abrupt North Korean implosion.

Second, much of North Korea’s isolation is self-imposed. That isolation

is the source of the regime’s control over the North Korean

people. And it is very likely a root cause of North Korea’s paranoia.

And so it follows that steps that erode that isolation would serve

both the immediate objectives and our longer-term objectives.

Obviously, everything would depend upon the specific terms of a

deal, but just as obviously, the goal of any deal must be much more

than simply to return to the Agreed Framework and to restore the

status quo ante. This is not, and cannot be, about paying twice for

the same horse. The idea is to buy a whole new horse.

In conclusion, it must be said that there is nothing in the history

of North Korean agreements that give any grounds for optimism

that they would honor a new, more lasting deal. That is why our

objective should be the verifiable dismantlement of North Korean

nuclear and ballistic missile capabilities, and that is why anything

we offer to Pyongyang in return must be at least as reversible as

any undertakings they make.

There, likewise, as Senator Biden suggested, is just too much history

to be confident that there is even a new deal to be made, and

just as—much less be confident that there is a deal to be made that

Pyongyang will keep. But it is unarguably in the U.S. interest to

make every effort to lead an international campaign to achieve a

political solution. Not only do the stakes require it, but it also

would pay big dividends if, in the end, there is no political solution

and other alternatives must be considered.

Thank you.

Yes. This may sound excessively pedantic, but I

think there is a useful distinction to be made between interests and

priorities among interests. That is, I think we have interests that

are substantially in common with those of the other regional actors.

The problem arises because our priorities among interests,

where you always have to make tradeoffs, may be different, and

that is important because it means that the risks you are prepared

to run may be different.

At the end of the day, if it turns out that we cannot find common

cause, then we and our allies will confront the consequences of the

United States having to do things alone and that, in turn, directly

impinges on their interests. They are not going to like that. That

will help forge a common approach.

Let me try my hand in here. I am responding in the

spirit of ‘‘let me try and make the case’’ rather than convey the

Bush administration’s foreign policy.

First, as I understand the administration’s position,

the United States is willing to talk to North Korea. It has said it

is willing to talk. The question is: Under what circumstances? With

what pre-conditions? And in what forum?

He is tough.

He can take it.

As I have stated, North Korea is a multilateral

problem that requires a multilateral approach. But if the United

States just says, ‘‘Well, look—you know, we will do this all bilaterally.

Thank you very much,’’ I think the other countries with important

stakes in this issue will be all too happy to hold our coats

and let us go off and do it and, frankly, not be willing to bear some

of the burden, bear some of the risk that is entailed in dealing with

the North Korea issue.

So I think that there is a good reason to try and make sure that

whatever the modalities that everyone is pretty much on the same

wave length before you engage with North Korea, or we are going

to be there alone.

Again, trying to make the case, if you want to have

confidence that the folks who say they are with you really are with

you, they ought to be there with you. If there are other ways to

achieve that confidence, then it gives you some more flexibility to

engage in direct talks knowing that they are with you and they are

doing their thing in their way.

No, I am sorry, Senator. I just got back in the country

and had to speak from notes.

Senator, I do not have any great insight into what

rationale the administration is pursuing here.

I would say, however, that I see no evidence that the administration

is, as I think you put it, is waiting for a successful outcome

for Iraq and that will become the model for dealing with North

Korea. I see no indication of that whatsoever, and I think President

Bush has said repeatedly that North Korea is a different kind of

problem than Iraq.

I think it is fair to ask whether North Korea is concerned about

whether it might be the next Iraq. So I acknowledge that there

may be that North Korean concern or worry, but I do not believe

that kind of rationale is in any way a relevant factor in U.S. policy.

With respect to where is the situation headed, as I tried to indicate

in my remarks, I think it is headed toward an increasingly

dangerous situation, which is why I think it is essential that steps

be taken urgently to arrest this momentum. And I tried to indicate

some steps that I thought would help accomplish that outcome.

That is the first step, arresting the momentum, freezing the situation

in place, but it is only the first step.

There were obviously missed opportunities in the

implementation of the Agreed Framework on everybody’s side.

Everybody agrees with that. If you remember, the

Agreed Framework was a phased agreement.

We agreed to do certain things in phase one, and

then additional steps in phase two. The two sides never got beyond

phase one.

And certainly we are disappointed in that because

we are facing one of the consequences of that which is we did not

get the fuel rods out, which came in a later phase, and now the

fuel rods are still there.

I presume the North Koreans are disappointed that we did not

get into further phases with them either, other things that were

promised in that agreement. So from that point of view, there are

plenty of regrets all the way around. The larger picture that was

painted by the Agreed Framework of something that was a stepby-

step, reciprocal, as Bob Einhorn said, and gradually grew into

something larger is a perfectly reasonable model for an agreement

now if one is in the cards, phased, reciprocal, step-by-step, getting

wider and wider.

As far as your question on timing is concerned, the only timing

situation that disturbs me right now besides the plutonium are the

provocations by North Korea. Those provocations are clearly going

to make it harder for us to enter into talks with the North Koreans

and they are creating a pace of events. I think it is clear why they

are doing it. I do not think our timing has anything to do with

Iraq, but I suspect that North Korea’s timing has everything to do

with Iraq.

And so this is a situation that is going to get worse before it gets

better. It has been doing that for several months, and that by itself

is a reason to try to pull our strategy together as soon as we can

and get started.

Excuse me, Senator. I agree that that is not an outcome

that we should tolerate. I have just mentioned that, I think

while you were out of the room, Senator Brownback said he had

checked with the NSC and they had rather firmly denied that

story.

No more than has been reported in the press, Senator.

They did not like it.

But that is not the test of whether it was a correct or appropriate

thing to do. I would also notice that in this year’s State of the

Union President Bush addressed Iraq, Iran, and North Korea separately

rather than lumping them together.

In all such cases one relies primarily on speculation

because we are talking about North Korea. I would speculate that

the North Korean action first helped to increase the number of

things they could do. That is, it is in addition to taking nuclear

steps because, frankly, they are running out of nuclear steps to

take. So this helps to increase the volume.

They may be looking for additional things to do so

they do not have to take the few remaining nuclear steps.

Second, precisely because it was so provocative, they may see it

not only as a way to get our attention, as the press likes to put

it, but also to increase the pressure on us from our allies and other

actors to enter into the direct talks that North Korea has been demanding.

So they may have seen it as a pressure tactic. Beyond

that, my imagination fails me.

Senator, the problem is, the North Koreans object

and complain about so many things——

All the time, that you cannot know

which of the ones they are complaining about is a signal.

I have nothing to add, Senator.

We do have a very rich experience with arms control

verification, and what we learned from that experience is that

it can be immensely complicated. The START II treaty spends considerably

more time on verification provisions than it does on reductions.

It is immensely complicated, immensely difficult. It is always

imperfect. The North Koreans have no idea what they are in

for. Not only of the nature of the North Korean regime, but also

because of their specific practices, including very, very extensive

tunneling, the verification challenges in the case of North Korea

will be very substantial.

Now, you have turned me in.

Yes.