This hearing of the Senate Foreign Relations

Committee is called to order.

Today the Foreign Relations Committee again turns its attention

toward North Korea. On February the 4th, the committee held a

hearing to review issues surrounding weapons of mass destruction

on the Korean Peninsula. That same week we welcomed Secretary

of State Powell, who addressed many questions related to North

Korea. Last week, the committee considered the issue of global

hunger with specific reference to North Korea. Our primary goal at

this hearing is to explore the possible structure and objectives of

diplomatic engagement between the United States and North

Korea.

The events of the last several weeks have confirmed and reconfirmed

how volatile and unpredictable the situation on the Korean

Peninsula has become. The North Korean regime has taken highly

provocative actions toward the United States and its neighbors. All

of us remain concerned about the potential for miscalculation that

could lead to a deadly incident or broader conflict.

North Korea is a foreign policy problem that requires immediate

attention by the United States, thoughtful analysis about our options,

and vigorous diplomacy to secure the cooperation and the

participation of nations in the region. Compared to most nations,

our information on North Korean decisionmaking is scant. The actions

of the North Korean regime and the military often stray from

a course that we perceive as consistent with rational self-preservation.

But we must not be deterred in our pursuits of valid analysis.

We must avoid simplistic explanations of North Korean behavior.

Today, to a degree possible in a public hearing, we will undertake

the timely challenge of thinking through our diplomatic options.

In 1994, the United States and North Korea signed the ‘‘Agreed

Framework,’’ the agreement under which North Korea was to shut

down its nuclear facilities in return for shipments of heavy oil and

the construction of two light water nuclear reactors. Since 1994,

North Korea has engaged in activities that clearly violate the terms

of the Agreed Framework.

Specifically, the pact stipulates that North Korea should freeze

its graphite-moderated reactors and related facilities. This suspension

of activity was to be monitored by the International Atomic

Energy Agency. North Korea also was required to store the 8,000

fuel rods removed from its five megawatt reactor ‘‘in a safe manner

that does not involve reprocessing in North Korea.’’ Based on intelligence

data and the acknowledgments of the North Korean regime,

we know that Pyongyang is taking active steps to implement a nuclear

weapons program.

The Clinton administration had hoped to secure a freeze of North

Korea’s nuclear program and to prevent it from producing nuclearweapons-

grade plutonium. It also intended that the Agreed Framework

would be the basis for ongoing contacts with Pyongyang, but

these goals have not been realized, and circumstances require the

United States to develop a new approach.

The Bush administration has been reluctant to agree to a bilateral

dialog with North Korea until the North Korean regime satisfies

U.S. concerns over its nuclear program. The administration has

instead focused on proposals for multilateral talks involving North

Korea and other countries. Multilateral diplomacy is a key element

to any long-term reduction of tensions on the Korean Peninsula.

But, in my judgment, it is vital that the United States not dismiss

bilateral diplomatic opportunities that could be useful in reversing

North Korea’s nuclear program and in promoting stability. We

must be creative and persistent in addressing an extraordinarily

grave threat to our national security.

While some American analysts oppose any dialog with North

Korea, especially in the wake of extraordinarily provocative events,

I do not believe we have the luxury to be this absolute. The risks

are too immediate and the stakes are too high. The United States

must maintain military preparedness and should not tolerate

North Korea’s nuclear weapons programs. But the mere initiation

of a bilateral dialog, with American authorities concurrently consulting

with the South Korean Government, does not compromise

our national security interests.

In that regard, today’s hearing is based on the presumption that

some engagement must eventually occur between the United States

and North Korea. Our witnesses have been asked to provide their

perspective on the Agreed Framework on how multilateral and bilateral

diplomacy between the two countries could be structured.

They each bring substantial expertise to the committee, and I am

grateful that they have joined us today.

Let me, at this juncture, recognize the distinguished ranking

member of our committee, Senator Biden.

Your statement will be published in full, Senator Biden.

Let me now welcome, officially, our three witnesses.

First of all, I will introduce you in the order that we will

ask you to testify: Ash Carter, who is now a co-director of the Preventive

Defense Project at Harvard University. As many of you

know, I paid tribute to Ash Carter many times because he was sort

of a founding advisor to former Senator Sam Nunn and to me as

we tried to work on the Cooperative Threat Reduction Act.

And Arnold Kanter, a principal and founding member of the

Scowcroft Group; I want to just say, Arnie, when Sam Nunn and

I were in Korea in 1994, we were reading your papers, even then,

on Korea to the South Koreans. We did not have contact with the

North at that occasion.

And Robert Einhorn, senior advisor of the International Security

Program at CSIS, has been before this committee many, many

times, a trusted advisor.

We really appreciate all three of you very much. All of your prepared

statements have been made a part of the record, so you do

not need to ask for permission to do that. And we will ask you to

present and summarize your presentations in ways that you find helpful.

I would just mention, as a point of business, there will be a 10:30

vote in the Senate on the Estrada cloture situation. And so at that

point, we will recess at 10:30 so that everybody may go and vote

immediately and come back, and resume the hearing as rapidly as

possible, at that point.

At this point I would like to recognize Secretary Carter.

Thank you very much, Secretary Carter.

Mr. Kanter.

Thank you, Dr. Kanter. Mr. Einhorn.

I wonder if you might pull that microphone closer, or turn it on.

Well, thank you very much, Mr. Einhorn.

I am advised that the vote is going to occur in

5 to 10 minutes. There are additional speeches being made at the

moment. So, if we can have a 7-minute limit, I will commence questioning,

and if the vote comes in the middle of my questions, members

should feel free to leave and head to vote. Or we will recess

when the vote comes, and come back so we can all hear each other.

Let me just ask as a starter: It is ideal that each of the parties,

China, Russia, Japan, South Korea, have objectives. We understand

that they might be very diverse and that these be incorporated,

as you have suggested, whether we are talking bilaterally

or multilaterally in one or more rooms. But what if the situation

exists here in which the interest of these countries are so diverse

and really so different from our own that, in fact, this kind of coalition

becomes impossible?

For example, what if the other countries are not as concerned as

we are about nuclear proliferation? We just assume that they all

would be, and that they would see security risks. But what if the

South Koreans come to the conclusion that really the North Koreans

would not use those weapons on other Koreans? And, as a matter

of fact, some South Koreans have professed that the United

States is the provocative instrument in this situation. It is very,

very difficult to think of a multilateral approach, and yet the necessity

of working with our South Korean friends is obviously of the

essence.

In other words, without drawing the Iraq problem into this one,

because this one is big enough, what if a situation exists in which

our national interests appear to be diverse from other major countries

to such a point that they are prepared, physically, to say, ‘‘We

are not a part of those objectives?’’

So then, at that point, what do we do? In other words, we all

would agree, at least, I think, today, that the building of more nuclear

weapons, the genie out of the bottle, the dispersal of uranium

in ways it can never be found again, the sale of all of this to al-

Qaeda or whomever else might pick it up, and an overt attempt by

the North Koreans to sell it because they need the money without

being covert about it at all—there is testimony that in small

amounts, as you have said, Dr. Carter, it could be beyond any surveillance,

even our very best ability to interdict this becomes impossible,

so that the proliferation situation is immediate and intense.

Now, under those situations we have, as you have suggested, the

talks, but we may find out that they want to have the bomb anyway,

as well as the ability to sell.

We could take the containment situation which you have described

as the worst of all alternatives, namely, just acknowledge

they are going to have weapons, and you sort of hope that the regime

will go away in due course of old age, that missile defense will

work, or for some reason it will all work out. Or we take military

action and maybe a surgical strike with the thought that there

could be retaliation; just the fear the South Koreans have, or

maybe the Japanese.

Now, you know, in these stark terms, what do we do? Is this

something that is serious enough that the United States ought to

contemplate the fact that it might be alone again because it is not

in the interest right now of any of the other countries to enter

physically and dangerously in this way to the point of drawing the

red line? As I hear about a red line, that means if you cross it,

something happens. And something happening is likely to lead to

a military conflict. Do we do that? Will you start, Dr. Carter?

Dr. Kanter, do you have a thought?

Well, we have come to the end of my time, and

we also are having a vote.

Do you have a thought, Mr. Einhorn?

Yes.

Very well. We will recess and come back as soon

as members can vote. Thank you.

The hearing is reconvened. The Chair will take

advantage of the fact that no one else has reappeared to ask another question.

Secretary Carter, you mentioned the military option is not your

preference or anyone’s, but if there was to be a military option involved

here, obviously the fear on the part of most people that this

might lead to a retaliation of guns that are above Seoul or other

means that North Korea might employ. Certainly this has been a

fearsome prospect for our South Korean friends and for others.

What are the reasons to believe that a strike upon the plutonium

facility would lead to these consequences? Or is it a problem that

we know so little about the South Korean mind-set, and the talks

or the communication has been so sparse in the past that it is almost

random as to what might occur at that point? From your own

experience analyzing this through the last administration which

you were involved, what views do you have?

Thank you. I call upon the distinguished ranking member for his questions.

Right.

Thank you very much, Senator Biden.

Please proceed.

Thank you very much, Senator Brownback. Senator Dodd.

Thank you very much, Senator Dodd. Senator Nelson.

Thank you. Thank you very much, Senator Nelson.

I just have one more question sort of following along the reasoning

of Senator Nelson. Recently when the aircraft, the United

States aircraft, was accompanied by North Korean aircraft, this

was a different kind of activity than progressing along the plutonium

production line or reopening that situation, and I am just

querying you as experts as to what the mind-set is there. In other

words, the North Koreans probably were not enticing us into military

action, although our response was to send two dozen aircraft

out with the explicit thought they were now within range, and we

spelled out why these aircraft are better than anything that was

out there to begin with in terms of their armament, their accuracy.

So the North Koreans, at least if you follow the sequence of provocative

events, have been suggesting military activity. Or was the

purpose of that just simply, in the sequence of the nuclear situation,

sort of a front for commerce, if they want to get in the way

as they try to sell material to save a bankrupt economy?

In other words, it seems to me there are two different sets of activities

here. And if the second set, the military one, is such, what

kind of activity might we anticipate as the next stage? This has

been a pretty rapid set of activities, just one after another. It may

be to get our attention. This is what the press suggests sometimes,

that we just cannot seem to get with it because then we will have

to do more.

But I think we all understand what is happening, but this

seemed to be ratcheted into a different area. Did you have that impression?

And, if so, what does this mean in terms of the next step,

what next week?

In other words, they are almost to the point that

you just flow right into the plutonium separation and the building

of weapons.

Yes, sir.

Well, your responses are appreciated, but disquieting

because if they have almost gone through the steps in the

nuclear sequence and are running out of room there and have

started military provocation and want to continue the pace that

has been suggested thus far, we cannot anticipate a lot of time.

There could very well be activities that are even more provocative,

and so I do not anticipate what they are either. I did not anticipate

the military activity this week. But we appreciate once again your expertise.

Yes. Yes. Yes.

Senator Feingold.

Thank you very much, Senator Feingold. Senator Biden.

Thank you, Senator Biden.

Let me just mention that the committee will have the privilege

on March 12, which is just 6 days away, of hearing from Assistant

Secretary Kelly of the State Department. And the topic then will

be regional implications of the changing nuclear equation on the

Korean Peninsula. So it will be a continuation of our discussions

about Korea, and I want to mention that for public notice because

I know there is a very large interest in our country and in the Senate, obviously.

We thank each one of you for your remarkable contributions

today. And the hearing is recessed. Thank you.