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THE FORMULATION OF EFFECTIVE NONPROLIFERATION POLICY

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main

CONTENTS

Page

PROLIFERATION: OVERVIEW AND THE FORMULATION OF EFFECTIVE NONPROLIFERATION POLICY—MARCH 21, 2000

Cambone, Stephen A., Ph.D., Director of Research, Institute for National Strategic Studies, National Defense University, Washington, D.C. 44
Prepared statement 47
Cirincione, Joseph, Director, Nonproliferation Project, Carnegie Endowment for International Peace, Washington, D.C. 55
Prepared statement 58
Joseph, Hon. Robert G., Director, Center for Counter Proliferation Research, National Defense University, Washington, D.C. 35
Prepared statement 39
Tenet, Hon. George J., Director of Central Intelligence 3
Prepared statement 8

INDIA, PAKISTAN, AND NORTH KOREA: THE FUTURE OF NONPROLIFERATION POLICY—MARCH 23, 2000

Ganguly, Sumit Ph.D., Visiting Fellow, Center for International Security and Cooperation, Stanford University 96
Prepared statement 100
Ikle, Fred C., Former Director, Arms Control and Disarmament Agency 92
Lehman, Ronald F., Former Director, Arms Control and Disarmament Agency 85
Prepared statement 88

IRAN AND IRAQ: THE FUTURE OF NONPROLIFERATION POLICY—MARCH 28, 2000

Butler, Hon. Richard, Former Executive Chairman, United Nations Special Commission on Iraq (UNSCOM), Diplomat In Residence, Council on Foreign Relations 128
Cordesman, Dr. Anthony H., Senior Fellow and Co-director, Middle East Program, Center for Strategic and International Studies 132
Ekeus, His Excellency Rolf, Former Executive Chairman, United Nations Special Commission on Iraq (UNSCOM), Ambassador of Sweden 125

ADAPTING NONPROLIFERATION POLICY TO FUTURE CHALLENGES—MARCH 30, 2000

Carter, Hon. Ashton B., Former Assistant Secretary of Defense for International Security Policy; John F. Kennedy School of Government, Harvard University, Cambridge, Massachusetts 186
Prepared statement 190
Hadley, Hon. Stephen J., Former Assistant Secretary of Defense; Shea and Gardner, Washington, D.C. Illinois 177
Prepared statement 181
Rumsfeld, Hon. Donald H., Former Secretary of Defense, Rumsfeld and Associates, Chicago, Illinois 162
Prepared statement 166

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PROLIFERATION: OVERVIEW AND THE FORMULATION OF EFFECTIVE NONPROLIFERATION POLICY

Tuesday, March 21, 2000

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 2:29 p.m. in Room SD–419, Dirksen Senate Office Building, Hon. Richard G. Lugar presiding. Present: Senators Lugar (presiding), Biden, and Kerry.

Senator LUGAR. This hearing of the Senate Committee on Foreign Relations is called to order.

Today the committee begins a series of four hearings on United States and intelligence nonproliferation policy. No issue better illustrates the new challenges, complexities, and uncertainties faced by the United States and the world than the proliferation of weapons of mass destruction and their delivery means. Bilateral and multilateral efforts to stop proliferation are perhaps the most important foreign and national security policies we are implementing today.

When the former Soviet Union collapsed just over 8 years ago, a new era in world history began. Many suggested the dangers of nuclear war have been dispelled by the dissolution of the Soviet Union. Instead, we now face a world that is more turbulent, unpredictable, and in some respects more violent than the one we left in the early 1990's.

Hopes for enduring peace have given way to the reality of disorder and conflict. The aspiring nuclear powers of today are not constrained by the patterns of Cold War competition. They do not need a Manhattan Project. The weapons programs of rogue nations and regional powers do not require high standards or a large number of weapons. These programs are harder to detect and to identify as nations are increasingly able to conceal their efforts and move ahead rapidly.

In addition, the motives and methods of these new trans-national threats are very different from those of traditional nuclear powers. Ballistic missiles and weapons of mass destruction provide a cost effective deterrent for countries who do not welcome American leadership. Rogue nations, regional powers, and terrorist groups view ballistic missiles and weapons of mass destruction as a means to intimidate or terrorize their neighbors and to deter the United States.

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Our nonproliferation efforts have been rewarded with several important accomplishments. When the Soviet Union collapsed, the Ukraine, Belarus, and Kazakhstan became the third, fourth, and eighth largest nuclear powers in the world. The addition of three more nuclear weapons states would have drastically changed the strategic landscape. Fortunately, these nations chose to embrace the nuclear Nonproliferation Treaty and adhere to the START I Treaty and the number of nuclear weapons states was reduced by three.

Although this tremendous achievement was due in large part to Congressional programs and policies designed to assist in the dismantlement, the system has worked. And despite these and other improvements, several factors foreshadow a decrease in the effectiveness of international measures to combat nuclear proliferation.

For example, India and Pakistani tests in 1998, Iran intransigence with UNSCOM, and Iranian and North Korean ambitions continue to confound nonproliferation efforts and are producing dangerous stresses on international norms. Some states in high tension regions have become disillusioned with the international community's uneven enforcement and what they view as the limited capability to enforce multilateral treaties.

Indeed, the degradation of the UNSCOM regime sends a signal that transgressors can outlast international resolve. The confluence of political and strategic factors in high tension regions may provide the impetus for new nuclear programs, stimulate advanced technological developments in existing programs, or cause some states to reassess their security postures.

Our country must undertake an effort to identify those nonproliferation efforts that have proven successful and seek ways to intensify these activities. Likewise, we must acknowledge that some policies have proven to be ineffective. In some cases, the actions of proliferators and rogue states have succeeded despite United States and international efforts. We must alter and improve our programs and policies that have proven unsuccessful and modify our efforts to reflect changes in this strategic environment. That is the purpose of these four hearings that the chairman has asked me to conduct.

We are especially pleased that the Director of Central Intelligence, George Tenet, has agreed to begin our hearings with testimony on the current state of the nonproliferation threat facing our country. Mr. Tenet will be joined at the witness table by Mr. John Lauder, Director of the Nonproliferation Center at the Central Intelligence Agency, and Mr. John McLaughlin, Deputy Director of Intelligence at the Agency.

Only with a complete understanding of the threats facing our country can we make rational decisions on the policy we must implement to ensure the safety of the American people. Following Mr. Tenet's statement and a brief round of questions on his testimony, we will invite a second panel consisting of Ambassador Robert Joseph, the Director of the Center for Counter Proliferation Research at the National Defense University, Mr. Steve Cambone, the Director of Research at the Institute for National Strategic Studies at the National Defense University, and Mr. Joseph Cirincione, the Director of the Nonproliferation Project at the Carnegie Endow-

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ment for International Peace. They will provide insight on the formulation of nonproliferation policy as they see it.

Our next hearing will analyze the India-Pakistan situation, in which a downward spiral in regional relations threatens to continue to escalate tensions between the nations that have recently tested nuclear weapons. The next will focus on Iraq and Iran. It appears that international resolve is faltering with regard to efforts to ensure and verify that Iraq dismantles its weapons of mass destruction and missile programs, and likewise Iran continues to flout international law with continued attempts to acquire long range missile capabilities and an indigenous nuclear weapons capability.

Our series will conclude with a discussion of proposed policy innovations to improve or alter current United States and multilateral nonproliferation policy to achieve the stated goals and reduce the threats to American national security, international law, and the global nonproliferation regime. It is my hope that these hearings will lead to a set of policy and program recommendations that will be helpful in updating or altering where necessary United States and international efforts to reflect current and future nonproliferation challenges and threats.

As he appears, I will call upon the distinguished ranking member of the committee, Senator Biden, for an opening statement or comments that he may have. But for the moment, I call upon Director Tenet. Let me point out that we have asked Director Tenet to testify directly today on the threats of proliferation as opposed to other issues. We are hopeful that members will respect that and that we will keep on the track of proliferation and nonproliferation today with the Director.

Director Tenet.

STATEMENT OF HON. GEORGE J. TENET, DIRECTOR OF CENTRAL INTELLIGENCE

ACCOMPANIED BY JOHN E. McLAUGHLIN, DEPUTY DIRECTOR FOR INTELLIGENCE, CENTRAL INTELLIGENCE AGENCY; AND JOHN A. LAUDER, SPECIAL ASSISTANT TO THE DIRECTOR OF CENTRAL INTELLIGENCE FOR PROLIFERATION, AND DIRECTOR, NONPROLIFERATION CENTER, CIA

Mr. TENET. Thank you, Senator Lugar.

The issue of proliferation, as we have testified previously to other committees, we believe is maybe one of the most important challenges to our country's security as we proceed forward. Indeed, we face a world where technology develops and spreads at the speed of light and becomes obsolete just as fast, but also a world in which nation states are still important players, but nation states are no longer the only players, particularly in the context of proliferation, where corporations, nongovernmental organizations, terrorist groups, organized crime groups, and even single individuals can have a very important impact.

We have witnessed continued missile development in Iran, North Korea, Pakistan, and India. Add to this the broader availability of technologies relevant to biological and chemical warfare, nuclear tests in South Asia, as well as continuing concerns about other nuclear programs and the possibility of shortcuts to acquiring fissile

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material. We are also worried about the security of Russian WMD materials, increased cooperation among rogue states, more effective efforts by proliferants to conceal illicit activities, and growing interest by terrorists in acquiring weapons of mass destruction capabilities.

Our efforts to halt proliferation are complicated by the fact that most weapons of mass destruction programs are based on dual use technologies and materials that have civil as well as military applications. In addition, a growing trend toward indigenous production of weapons of mass destruction-related equipment decreases to some extent the effectiveness of sanctions, interdictions, and other tools designed to counter proliferation.

Although U.S. intelligence is increasing its emphasis and resources on many of these issues, there is continued and growing risk of surprise. We focus much of our intelligence collection and analysis on some ten states, but even concerning those states there are important gaps in our knowledge. Our analytical and collection coverage against most of these states is stretched and many of the trends that I just noted make it harder to track some key developments, even in states of the greatest intelligence focus. Moreover, we have identified well over 50 states that are of concern as suppliers, conduits, or potential proliferants themselves.

Let us look first at the growing missile threat. We are all familiar with Russian and Chinese capabilities to strike at military and civilian targets throughout the United States. To a large degree, we expect our mutual deterrence and diplomacy to help protect us from this, as they have for much of the last century. Over the next 15 years, however, our cities will face ballistic missile threats from a wider variety of actors: North Korea, probably Iran, and possibly Iraq.

In some cases this is because of indigenous technological development and in other cases because of direct foreign assistance. While the missile arsenals of these countries will be fewer in number, constrained to smaller payloads, and less reliable than those of the Russians and the Chinese, they will still pose a lethal and less predictable threat. North Korea already has tested a space launch vehicle, the Taepo Dong 1, which it could theoretically convert into an ICBM capable of delivering a small biological or chemical weapon to the United States, although with significant inaccuracies. It is currently observing a moratorium on such launches, but North Korea has the ability to test its Taepo Dong 2 with little warning. This missile may be capable of delivering a nuclear payload to the United States.

Most analysts believe that Iran, following the North Korea pattern, could test an ICBM capable of delivering a light payload to the United States in the next few years. Given the likelihood that Iraq continues its missile development, we think too it could develop an ICBM some time in the next decade with the kind of foreign assistance that I have talked about.

These countries calculate that possession of ICBM's would enable them to complicate and increase the cost of U.S. planning and intervention, enhance deterrence, build prestige, and improve their abilities to engage in coercive diplomacy.

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As alarming as the long range missile threat is, it should not overshadow the immediacy and seriousness of the threat that U.S. forces, interests, and allies already face overseas from short and medium-range missiles. The proliferation of medium-range ballistic missiles, driven primarily by North Korean No Dong sales, is significantly altering strategic balances in the Middle East and Asia.

Against the backdrop of this increasing missile threat, the proliferation of biological and chemical weapons takes on more alarming dimensions. Biological and chemical weapons pose arguably the most daunting challenge for intelligence collectors and analysts. Conveying to you an understanding of the work we do to combat this threat is best dealt with in closed session, but there are some observations and trends that I can highlight here today.

First, the preparation and effective use of biological weapons by potentially hostile states, by non-state actors, including terrorists, is harder than some popular literature seems to suggest. That said, potential adversaries are pursuing such programs and the threat the United States and our allies face is growing in breadth and sophistication.

About a dozen states, including several hostile to western democracies—Iran, Iraq, Libya, North Korea, and Syria—now either possess or are actively pursuing offensive biological and chemical capabilities for use against their perceived enemies, whether internal or external. Some countries are pursuing an asymmetric warfare capability and see biological and chemical weapons as a viable means to counter overwhelming U.S. conventional military superiority. Other states are pursuing biological weapons programs for counterinsurgency use and tactical applications in regional conflicts, increasing the probability that such conflicts will be deadly and destabilizing.

Beyond state actors, there are a number of terrorist groups seeking to develop or acquire biological and chemical weapons capabilities. Some such groups, like Usama bin Ladin's, have international networks, adding to uncertainty and the danger of surprise attack. There are fewer constraints on non-state actors than on state actors.

Adding to the unpredictability are the lone militants or the *ad hoc* groups here at home and abroad who may try to conduct a biological or chemical weapons attack. Nor should we forget that biological weapon attacks need not be directed only at humans. Plant and animal pathogens may be used against agricultural targets, creating potential economic devastation and the possibility that a criminal group might seek to exploit such an attack for economic advantage.

One disturbing trend that numbers alone do not reveal is that biological weapons programs in particular are becoming more dangerous in a number of ways. First, as deadly as they now are, BW agents could become even more sophisticated. Rapid advances in biotechnology present the prospect of a new array of toxins or live agents that require new detection methods, preventative measures, and treatments. On the chemical side, there is the growing risk that new and difficult to combat agents will become available to hostile countries or sub-national groups.

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Second, BW programs are becoming self-sufficient, challenging our detection and deterrence efforts and limiting our interdiction opportunities. Iran, for example, driven in part by stringent international export controls, is acquiring the ability to domestically produce raw materials and the equipment to support indigenous biological agent production.

Third, countries are taking advantage of denial and deception techniques, concealing and protecting both biological and chemical weapons programs. Biological weapons in particular lend themselves to concealment because of their overlap with legitimate research in commercial biotechnology. The technologies used to prolong our lives and improve our standard of living can quite easily be adapted to cause mass casualties. Even supposedly legitimate facilities can readily conduct clandestine BW research and can convert rapidly to agent production, providing a mobilization or a breakout capability.

Fourth, advances are occurring in dissemination techniques, delivery options, and strategies for BW and CW use. We are concerned that countries are acquiring advanced technologies to design, test, and produce highly effective munitions and sophisticated delivery systems.

Turning now to nuclear proliferation, the growing threat is underscored by developments in South Asia, where both India and Pakistan are developing more advanced nuclear weapons and moving toward deployment of significant nuclear arsenals. Iran also aspires to have nuclear weapons and Iraq probably has not given up its unclear ambitions, despite a decade of sanctions and inspections. Nor dare we assume that nuclear is out of the business just because the Agreed Framework froze Pyongyang's ability to produce additional plutonium at Yongbang.

I would like to now turn to a discussion of the problem of nuclear security and smuggling. We are concerned about the potential for states and terrorists to acquire plutonium, highly enriched uranium, and other fissile materials, and even complete nuclear weapons. Acquisition of any of the critical components of nuclear weapons development program, weapons technology, engineering know-how, and weapons usable material would seriously shorten the time needed to produce a viable weapon.

Iran or Iraq could quickly advance to nuclear aspirations through covert acquisition of fissile material or relevant technology. The list of potential proliferators with nuclear weapons ambitions is not limited to states, however. Some non-state actors, such as separatist and terrorist groups, have expressed an interest in acquiring nuclear or radiological weapons. Fortunately, despite press reports claiming numerous instances of nuclear materials trafficking, we have no evidence that any fissile materials have actually been acquired by a terrorist organization. We have also no indication of state-sponsored attempts to arm terrorist organizations with the capability to use any type of nuclear materials in a terrorist attack.

That said, there is a high risk that some such transfers could escape detection and we must remain vigilant.

Similarly, we have no evidence that large organized crime groups with established structures and international connections are as yet involved in the smuggling of nuclear materials. It is the poten-

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tial that such involvement may occur or may be ongoing yet undetected that continues to be of concern to us.

Let us now take a quick look at the countries who are suppliers of weapons of mass destruction-related weapons technology. Russian and Chinese assistance to proliferant countries has merited particular attention for several years. Last year Russia announced new controls on transfers of missile-related technology. There have been some positive signs in Russia's performance, especially in regard to transfers of missile technology in Iran. Yet the overall program and assistance to the Iranians is deeply troubling to us. Still, expertise and materials from Russia has continued to assist the progress of several other states.

The Chinese story is a mixed picture. China has taken steps to improve its nonproliferation posture over the last few years through its commitments to multilateral arms control regimes and the promulgation of export controls, but it remains a key supplier of WMD-related technologies to developing countries.

There is little positive that can be said about North Korea, the third major global proliferator, whose incentive to engage in such behavior increases as its economy continues to decline. Successes in the control of missile technology, for example through the Missile Technology Control Regime, have created a market for countries like North Korea to exploit illicit avenues for conducting sales activities in this area.

Missiles and related technology and know-how are North Korean products for which there is a real market. North Korea's sales of such products over the years have dramatically heightened the missile capabilities of countries such as Iran and Pakistan.

While Russia, China, and North Korea continue to be the main suppliers of ballistic missile and related technology, longstanding recipients such as Iran might become suppliers in their own right as they develop domestic production capabilities. Other countries that today import missile-related technology, such as Syria and Iraq, may also emerge in the next few years as suppliers. Over the near term, we expect that most of their exports will be of shorter-range ballistic missile-related equipment, components, and materials. But as their domestic infrastructures and expertise develop, they will be able to offer a broader range of technologies that could include longer range missiles and related technology.

Iran in the next few years may be able to supply not only complete Scuds, but also Shahab–3's and related technology, and perhaps even more advanced technologies if Teheran continues to receive assistance from Russia, China, and North Korea.

Mr. Chairman, the problems may not be limited to missile sales. We also remain very concerned that new or non-traditional nuclear suppliers could emerge from the same pool. This brings me to a new area of discussion that now, than ever before, we risk substantial surprise. This is not for lack of effort. It results from significant efforts on the part of proliferators.

There are four main reasons. First and foremost, denial and deception; second, the growing availability of dual use technologies; third, the potential of surprise is exacerbated by the growing capacities of countries seeking WMD to import talent that can help make dramatic leaps on things like new chemical or biological agents or

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delivery systems. In short, they can buy the expertise that confers the advantage of technological surprise.

Scientists with transferable know-how continue to leave the former Soviet Union, some potentially for destinations of proliferation concern. As you know, plugging this brain drain and helping provide alternative work for the former Soviet Union's weapons of mass destruction infrastructure and key scientists are key goals of U.S. nonproliferation policy, as well as a variety of U.S. and international cooperation programs with Russia and other former Soviet states.

Finally, Mr. Chairman, let me just close—I provided a detailed statement dealing with North Korea, Russia, and other countries. Let me just close with one concern about Russia. Our greatest concern, regardless of the path that Russia takes, remains the security of its nuclear weapons and its materials. Moscow appears to recognize some of its vulnerabilities. Indeed, security seems to have been tightened somewhat during the Chechnya conflict. But economic difficulties and pervasive criminal corruption throughout Russia potentially weaken the reliability of nuclear personnel.

With regard to its nuclear weapons, Moscow appears to be maintaining adequate security and control, but we remain concerned about reports of lax discipline, labor strikes, poor morale, and criminal activities. An unauthorized launch or accidental use of a Russian nuclear weapon is unlikely as long as current technical and procedural safeguards built into the command and control system remain in place.

With regard to its nuclear material, Russia's nuclear material is dispersed among many facilities involved in the nuclear fuel cycle, more than 700 buildings at more than 100 known facilities. Its physical security and personnel reliability vary greatly. Security at weapons production facilities is better than at most research laboratories and buildings at fuel fabrication facilities that have not received physical security upgrades.

There are few known cases of seizures of weapons-usable material since 1994. This may be due to several factors: U.S. assistance to improve the security of these facilities, a possible decrease in smuggling, or smugglers becoming more knowledgeable about evading detection. Our analysts assess that undetected smuggling has occurred, however, although we do not know the extent or the magnitude of the undetected thefts.

Mr. Chairman, there is more I could say, but I know you have many questions. We appreciate the opportunity to be with you here today. This is a very important subject for our community and we would welcome the opportunity to return at any time.

Thank you, sir.

[The prepared statement of Mr. Tenet follows:]

Prepared Statement of George J. Tenet

INTRODUCTION

Mr. Chairman, as we face a new century, we face a new world. A world where technology, especially information technology, develops and spreads at lightning speed—and becomes obsolete just as fast. A world of increasing economic integration, where a US company designs a product in Des Moines, makes it in Mumbai, and sells it in Sydney. A world where nation-states remain the most important and

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powerful players, but where multinational corporations, non-government organizations, and even individuals can have a dramatic impact.

This new world harbors the residual effects of the Cold War—which had frozen many traditional ethnic hatreds and conflicts within the global competition between two superpowers. Over the past 10 years they began to thaw in Africa, the Caucasus, and the Balkans, and we continue to see the results today.

It is against this backdrop that I want to describe the realities of our national security environment in the first year of the 21st century: where technology has enabled, driven, or magnified the threat to us; where age-old resentments threaten to spill-over into open violence; and where a growing perception of our so-called "hegemony" has become a lightning rod for the disaffected. Moreover, this environment of rapid change makes us even more vulnerable to sudden surprise.

TRANSNATIONAL ISSUES

Mr. Chairman, bearing these themes in mind, I would like to start with a survey of those issues that cross national borders. Let me begin with the proliferation of weapons of mass destruction (or WMD)—an issue of particular concern to this Committee today.

We have witnessed continued missile development in Iran, North Korea, Pakistan, and India. Add to this the broader availability of technologies relevant to biological and chemical warfare, nuclear tests in South Asia, as well as continuing concerns about other nuclear programs and the possibility of shortcuts to acquiring fissile material. We are also worried about the security of Russian WMD materials, increased cooperation among rogue states, more effective efforts by proliferants to conceal illicit activities, and growing interest by terrorists in acquiring WMD capabilities.

Our efforts to halt proliferation are complicated by the fact that most WMD programs are based on dual-use technologies and materials that have civil as well as military applications. In addition, a growing trend toward indigenous production of weapons of mass destruction-related equipment decreases, to some extent, the effectiveness of sanctions, interdictions, and other tools designed to counter proliferation.

Although US intelligence is increasing its emphasis and resources on many of these issues, there is continued and growing risk of surprise. We focus much of our intelligence collection and analysis on some ten states, but even concerning those states, there are important gaps in our knowledge. Our analytical and collection coverage against most of these states is stretched, and many of the trends that I just noted make it harder to track some key developments, even in the states of greatest intelligence focus.

Moreover, we have identified well over 50 states that are of concern as suppliers, conduits, or potential proliferants.

The Missile Threat

Let's look first at the growing missile threat We are all familiar with Russian and Chinese capabilities to strike at military and civilian targets throughout the United States. To a large degree, we expect our mutual deterrent and diplomacy to help protect us from this, as they have for much of the last century.

Over the next 15 years, however, our cities will face ballistic missile threats from a wider variety of actors—North Korea, probably Iran, and possibly Iraq. In some cases, this is because of indigenous technological development, and in other cases, because of direct foreign assistance. And while the missile arsenals of these countries will be fewer in number, constrained to smaller payloads, and less reliable than those of the Russians and Chinese, they will still pose a lethal and less predictable threat.

- North Korea already has tested a space launch vehicle, the Taepo Dong-1, which it could theoretically convert into an ICBM capable of delivering a small biological or chemical weapon to the United States, although with significant inaccuracies. It is currently observing a moratorium on such launches, but North Korea has the ability to test its Taepo Dong-2 with little warning; this missile may be capable of delivering a nuclear payload to the United States.
- Most analysts believe that Iran, following the North Korean pattern, could test an ICBM capable of delivering a light payload to the United States in the next few years.
- Given the likelihood that Iraq continues its missile development—we think it too could develop an ICBM capability sometime in the next decade with the kind of foreign assistance I've already discussed.

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These countries calculate that possession of ICBMs would enable them to complicate and increase the cost of US planning and intervention, enhance deterrence, build prestige, and improve their abilities to engage in coercive diplomacy.

- As alarming as the long-range missile threat is, it should not overshadow the immediacy and seriousness of the threat that US forces, interests, and allies already face overseas from short- and medium-range missiles. The proliferation of medium-range ballistic missiles (MRBMs)—driven primarily by North Korean No Dong sales—is significantly altering strategic balances in the Middle East and Asia.

The Biological and Chemical Threat

Against the backdrop of this increasing missile threat, the proliferation of biological and chemical weapons takes on more alarming dimensions. Biological and chemical weapons pose, arguably, the most daunting challenge for intelligence collectors and analysts. Conveying to you an understanding of the work we do to combat this threat is best dealt with in closed session, but there are some observations and trends that I can highlight in this unclassified setting.

- First, the preparation and effective use of biological weapons (BW) by both potentially hostile states and by non-state actors, including terrorists, is harder than some popular literature seems to suggest. That said, potential adversaries are pursuing such programs, and the threat that the United States and our allies face is growing in breadth and sophistication.
- Second, we are trying to get ahead of those challenges by increasing the resources devoted to biological and chemical weapons and by forging new partnerships with experts outside the national security community.
- Third, many of our efforts may not have substantial impact on our intelligence capabilities for months or even years. There are, and there will remain, significant gaps in our knowledge. As I have said before, there is continued and growing risk of surprise.

About a dozen states, including several hostile to Western democracies—Iran, Iraq, Libya, North Korea, and Syria—now either possess or are actively pursuing offensive biological and chemical capabilities for use against their perceived enemies, whether internal or external.

Some countries are pursuing an asymmetric warfare capability and see biological and chemical weapons as a viable means to counter overwhelming US conventional military superiority. Other states are pursuing BW programs for counterinsurgency use and tactical applications in regional conflicts, increasing the probability that such conflicts will be deadly and destabilizing.

Beyond state actors, there are a number of terrorist groups seeking to develop or acquire biological and chemical weapons capabilities. Some such groups—like Usama bin Ladin's—have international networks, adding to uncertainty and the danger of a surprise attack. There are fewer constraints on non-state actors than on state actors. Adding to the unpredictability are the "lone militants," or the ad hoc groups here at home and abroad who may try to conduct a biological and chemical weapons attack. Nor should we forget that biological weapons attacks need not be directed only at humans. Plant and animal pathogens may be used against agricultural targets, creating both potential economic devastation and the possibility that a criminal group might seek to exploit such an attack for economic advantage.

One disturbing trend that numbers alone do not reveal is that BW programs in particular are becoming more dangerous in a number of ways.

- First: As deadly as they now are, BW agents could become even more sophisticated. Rapid advances in biotechnology present the prospect of a new array of toxins or live agents that require new detection methods, preventative measures and treatments. And on the chemical side, there is a growing risk that new and difficult-to-combat agents will become available to hostile countries or sub-national groups.
- Second: BW programs are becoming more self-sufficient, challenging our detection and deterrence efforts, and limiting our interdiction opportunities. Iran, for example—driven in part by stringent international export controls—is acquiring the ability to domestically produce raw materials and equipment to support indigenous biological agent production.
- Third: Countries are taking advantage of denial and deception techniques, concealing and protecting BW and CW programs. BW in particular lends itself to concealment because of its overlap with legitimate research and commercial biotechnology. The technologies used to prolong our lives and improve our standard

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of living can quite easily be adapted to cause mass casualties. Even supposedly "legitimate" facilities can readily conduct clandestine BW research and can convert rapidly to agent production, providing a mobilization or "breakout" capability.

- Fourth: Advances are occurring in dissemination techniques, delivery options, and strategies for BW and CW use. We are concerned that countries are acquiring advanced technologies to design, test, and produce highly effective munitions and sophisticated delivery systems.

Nuclear Proliferation

Turning now to nuclear proliferation, the growing threat is underscored by developments in South Asia, where both India and Pakistan are developing more advanced nuclear weapons and moving towards deployment of significant nuclear arsenals.

Iran also aspires to have nuclear weapons and Iraq probably has not given up its unclear ambitions despite a decade of sanctions and inspections.

Nor dare we assume that North Korea is out of the business just because the Agreed Framework froze Pyongyang's ability to produce additional plutonium at Yongbang.

Nuclear Security and Smuggling

I would like to turn now to a discussion of the problem of nuclear security and smuggling. We are concerned about the potential for states and terrorists to acquire plutonium, highly-enriched uranium, other fissile materials, and even complete nuclear weapons. Acquisition of any of the critical components of a nuclear weapons development program—weapons technology, engineering know-how, and weapons-usable material—would seriously shorten the time needed to produce a viable weapon.

- Iran or Iraq could quickly advance their nuclear aspirations through covert acquisition of fissile material or relevant technology.

The list of potential proliferators with nuclear weapons ambitions is not limited to states, however. Some non-state actors, such as separatist and terrorist groups, have expressed an interest in acquiring nuclear or radiological weapons.

Fortunately, despite press reports claiming numerous instances of nuclear materials trafficking, we have no evidence that any fissile materials have actually been acquired by a terrorist organization. We also have no indication of state-sponsored attempts to arm terrorist organizations with the capability to use any type of nuclear materials in a terrorist attack. That said, there is a high risk that some such transfers could escape detection and we must remain vigilant.

Similarly, we have no evidence that large, organized crime groups with established structures and international connections are—as yet—involved in the smuggling of nuclear materials. It is the potential that such involvement may occur, or may be ongoing—yet undetected—that continues to be a concern.

Suppliers Of WMD Technology

Let us now look at the countries who are the suppliers of WMD-related weapons technology.

Russia

Russian and Chinese assistance to proliferant countries has merited particular attention for several years. Last year, Russia announced new controls on transfers of missile-related technology. There have been some positive signs in Russia's performance, especially in regard to transfers of missile technology to Iran. Still, expertise and materiel from Russia has continued to assist the progress of several states.

China

The China story is a mixed picture. China has taken steps to improve its nonproliferation posture over the last few years through its commitments to multilateral arms control regimes and promulgation of export controls, but it remains a key supplier of WMD-related technologies to developing countries.

North Korea

There is little positive that can be said about North Korea, the third major global proliferator, whose incentive to engage in such behavior increases as its economy continues to decline. Successes in the control of missile technology—for example, through the Missile Technology Control Regime—have created a market for countries like North Korea to exploit illicit avenues for conducting sales activities in this area. Missiles, and related technology and know-how, are North Korean products for

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which there is a real market. North Korea's sales of such products over the years have dramatically heightened the missile capabilities of countries such as Iran and Pakistan.

Syria and Iraq

While Russia, China, and North Korea continue to be the main suppliers of ballistic missiles and related technology, long-standing recipients—such as Iran—might become suppliers in their own right as they develop domestic production capabilities. Other countries that today import missile-related technology, such as Syria and Iraq, also may emerge in the next few years as suppliers.

Over the near term, we expect that most of their exports will be of shorter range ballistic missile-related equipment, components, and materials. But, as their domestic infrastructures and expertise develop, they will be able to offer a broader range of technologies that could include longer-range missiles and related technology.

- Iran in the next few years may be able to supply not only complete Scuds, but also Shahab–3s and related technology, and perhaps even more-advanced technologies if Tehran continues to receive assistance from Russia, China, and North Korea.

Mr. Chairman, the problem may not be limited to missile sales; we also remain very concerned that new or nontraditional nuclear suppliers could emerge from this same pool.

Potential for Surprise

This brings me to a new area of discussion: that more than ever we risk substantial surprise. This is not for a lack of effort on the part of the Intelligence Community; it results from significant effort on the part of proliferators.

There are four main reasons. First and most important, proliferators are showing greater proficiency in the use of denial and deception.

Second, the growing availability of dual-use technologies is making it easier for proliferators to obtain the materials they need.

Third, the potential for surprise is exacerbated by the growing capacity of countries seeking WMD to import talent that can help them make dramatic leaps on things like new chemical and biological agents and delivery systems. In short, they can buy the expertise that confers the advantage of technological surprise.

- Scientists with transferable know-how continue to leave the former Soviet Union, some potentially for destinations of proliferation concern.
- As you know, plugging this "brain drain" and helping provide alternative work for the former Soviet Union's WMD infrastructure and key scientists are key goals of US nonproliferation policy, as well as a variety of US and international cooperation programs with Russia and other former Soviet states.

Finally, the accelerating pace of technological progress makes information and technology easier to obtain and in more advanced forms than when the weapons were initially developed.

We are making progress against these problems, Mr. Chairman, but I must tell you that the hill is getting steeper every year.

TERRORISM

Let me now turn to another threat with worldwide reach—terrorism.

Since July 1998, working with foreign governments worldwide, we have helped to render more than two dozen terrorists to justice. More than half were associates of Usama Bin Ladin's Al-Qa'ida organization. These renditions have shattered terrorist cells and networks, thwarted terrorist plans, and in some cases even prevented attacks from occurring.

Although 1999 did not witness the dramatic terrorist attacks that punctuated 1998, our profile in the world and thus our attraction as a terrorist target will not diminish any time soon.

We are learning more about the perpetrators every day, Mr. Chairman, and I can tell you that they are a diverse lot motivated by many causes.

Usama Bin Ladin is still foremost among these terrorists, because of the immediacy and seriousness of the threat he poses. The connections between Bin Ladin and the threats uncovered in Jordan, Canada and the United States during the holidays are still being investigated, but everything we have learned recently confirms our conviction that he wants to strike further blows against America. Despite these and other well-publicized disruptions, we believe he could still strike without additional warning. Indeed, Usama Bin Ladin's organization and other terrorist groups are placing increased emphasis on developing surrogates to carry out attacks in an

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effort to avoid detection. For example, the Egyptian Islamic Jihad (EIJ) is linked closely to Bin Ladin's organization and has operatives located around the world—including in Europe, Yemen, Pakistan, Lebanon, and Afghanistan. And, there is now an intricate web of alliances among Sunni extremists worldwide, including North Africans, radical Palestinians, Pakistanis, and Central Asians.

I am also very concerned about the continued threat Islamic extremist groups pose to the Middle East Peace Process. The Palestinian rejectionist groups, HAMAS (Islamic Resistance Movement) and PIJ (Palestine Islamic Jihad), as well as Lebanese Hizballah continue to plan attacks against Israel aimed at blocking progress in the negotiations. HAMAS and PIJ have been weakened by Israeli and Palestinian Authority crackdowns, but remain capable of conducting large scale attacks. Recent Israeli arrests of HAMAS terrorist operatives revealed that the group had plans underway for major operations inside Israel.

Some of these terrorist groups are actively sponsored by national governments that harbor great antipathy toward the United States. Although we have seen some dramatic public pressure for liberalization in Iran, which I will address later, and even some public criticism of the security-apparatus, the fact remains we have yet to find evidence that the use of terrorism as a political tool by official Iranian organs has changed since President Khatami took office in August 1997.

Mr. Chairman, we remain concerned that terrorist groups worldwide continue to explore how rapidly evolving and spreading technologies might enhance the lethality of their operations. Although terrorists we've preempted still appear to be relying on conventional weapons, we know that a number of these groups are seeking chemical, biological, radiological, or nuclear (CBRN) agents. We are aware of several instances in which terrorists have contemplated using these materials.

- Among them is Bin Ladin, who has shown a strong interest in chemical weapons. His operatives have trained to conduct attacks with toxic chemicals or biological toxins.
- HAMAS is also pursuing a capability to conduct attacks with toxic chemicals.

Terrorists also are embracing the opportunities offered by recent leaps in information technology. To a greater and greater degree, terrorist groups, including Hizballah, HAMAS, the Abu Nidal organization, and Bin Ladin's al Qa'ida organization are using computerized files, e-mail, and encryption to support their operations.

Mr. Chairman, to sum up this part of my briefing, we have had our share of successes, but I must be frank in saying that this has only succeeded in buying time against an increasingly dangerous threat. The difficulty in destroying this threat lies in the fact that our efforts will not be enough to overcome the fundamental causes of the phenomenon—poverty, alienation, disaffection, and ethnic hatreds deeply rooted in history. In the meantime, constant vigilance and timely intelligence are our best weapons.

REGIONAL ISSUES

At this point, Mr. Chairman, I'd like to leave the transnational issues and turn briefly to some of the regions and critical states in the world.

CHINA

Mr. Chairman, let us begin with China, which has entered the new century as the world's fastest rising power.

The leadership there is continuing its bold, 20-year-old effort to propel the nation's economy into the modern world, shedding the constraints of the old Communist central command system. The economy is the engine by which China seeks world prestige, global economic clout, and the funding for new military strength, thereby redressing what it often proclaims as a hundred years of humiliation at the hands of Western powers. Domestically, it also was the engine that Deng Xiaoping and his successors calculated would enable the Party to deliver on its unspoken social contract with the Chinese people: monopoly of political power in exchange for a strong China with a higher standard of living for its citizens.

But events conspired last year to tarnish Beijing's achievements and to make the leadership generally ill-at-ease:

- China put on an impressive display of military might at its 50th anniversary parade in Beijing, but the leadership today sees a growing technological gap with the West.
- Inside China, the image of domestic tranquillity was tarnished by last April's appearance of the Falungong spiritual movement. Their audacious, surprise demonstration outside the leadership compound called into question the Communist Party's ability to keep all "unapproved" civic organizations at bay.

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- Even the return of Macau in late December—the fall of another symbol of a divided China—was overshadowed by the actions of Taiwan President Lee Tenghui and the continuing controversy over his assertion that his island's relations with the mainland should be conducted under the rubric of "state to state" rather than "one China."

Lee's statement led China to worry that Taiwan's return to Beijing rule is less likely than before and Beijing remains unwilling to renounce the use of force.

As you know, last Saturday [*CHEN SHWAY-BIEN*] Chen Shui-bian was elected President on Taiwan in a closely fought contest. Beijing issued a White Paper a month before the election to press the new President into retreating from Lee's statement and return to a mutually agreeable consensus on one-China. The Chinese also wanted to try to warn him against extending the political distance from reunification. So far Beijing's reaction has been restrained. Chinese leaders have stated since Chen's election that they have a "wait and see" attitude and both sides have traded public statements regarding their own views of the basis for resuming the cross-strait dialogue.

Although Beijing today still lacks the air and sealift capability to successfully invade Taiwan:

- China has been increasing the size and sophistication of its forces arrayed along the Strait, most notably by deploying short-range ballistic missiles.
- China received the first of two modern, Russian-built Sovremennyy destroyers last month. The ship joined the East Sea Fleet, which regularly conducts operations near Taiwan.

In the coming year, we expect to see an uncertain Chinese leadership launching the nation deeper into the uncharted waters of economic reform while trying to retain tight political control. Thus far, Beijing's approach has largely succeeded. But the question remains open whether, in the long run, a market economy and an authoritarian regime can co-exist successfully.

INDIA-PAKISTAN

Mr. Chairman, let us now move from the China-Taiwan rivalry to the deep-seated competition between India and Pakistan. Mr. Chairman, last spring, the two countries narrowly averted a full-scale war in Kashmir, which could have escalated to the nuclear level.

- Since then, changes in government in both countries have added new tensions to the picture. The October coup in Pakistan that brought to power Gen. Musharraf—who served as Army chief during the Kargil conflict with India last summer—has reinforced New Delhi's suspicion about Islamabad's intentions.
- Pakistanis are equally suspicious of India's newly elected coalition government in which Hindu nationalists hold significant sway.

Clearly, the dispute over Kashmir remains a potential flashpoint.

- We are particularly concerned that heavy fighting continued through the winter, unlike in the past.
- Both sides are postured in a way that could lead to more intense engagements later this year.
- Thus, Mr. Chairman, our concern persists that antagonisms in South Asia could still produce a more dangerous conflict on the subcontinent.

RUSSIA

Now moving to Russia. As you know, we are now in the post-Yeltsin era, and difficult choices loom for the new president Russians will choose on Sunday (26 March).

He will face three fundamental questions:

- First, will he keep Russia moving toward further consolidation of its new democracy or will growing public sentiment in favor of a strong hand and a yearning for order tempt him to slow down or even reverse course?
- Second, will he try to build a consensus on quickening the pace of economic reform and expanding efforts to integrate into global markets—some Russian officials favor this—or will he rely on heavy state intervention to advance economic goals?
- Finally, will Moscow give priority to a cooperative relationship with the West or will anti-US sentiments take root, leading to a Russia that is isolated, frustrated, and hostile? This would increase the risk of an unintended confrontation, which would be particularly dangerous as Russia increasingly relies on nu-

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clear weapons for its defense—an emphasis reflected most recently in its new national security concept.

- As these questions indicate, a new Russian President will inherit a country in which much has been accomplished—but in which much still needs to be done to fully transform its economy, ensure that democracy is deeply rooted, and establish a clear future direction for it in the world outside Russia.

Russian polls suggest that Acting President Putin will win the 26 March election; the only possible wrinkle is voter turnout, since a 50% turnout is needed to validate the election. Putin appears tough and pragmatic, but it is far from clear what he would do as president. If he can continue to consolidate elite and popular support, as president he may gain political capital that he could choose to spend on moving Russia further along the path toward economic recovery and democratic stability.

At least two factors will be pivotal in determining Russia's near-term trajectory:

- *The conflict in Chechnya.* Even though public support for the war remains high, a protracted guerrilla war could diminish Putin's popularity over time, and further complicate relations with the US and Europe.
- *The economy.* The devalued ruble, increased world oil prices, and a favorable trade balance fueled by steeply reduced import levels have allowed Moscow to actually show some economic growth in the wake of the August 1998 financial crash. Nonetheless, Russia faces $8 billion in foreign debt coming due this year. Absent a new IMF deal to reschedule, Moscow would have to redirect recent gains from economic growth to pay it down, or run the risk of default.

Over the longer term, the new Russian president must be able to stabilize the political situation sufficiently to address structural problems in the Russian economy. He must also be willing to take on the crime and corruption problem—both of which impede foreign investment.

In the foreign policy arena, US-Russian relations will be tested on a number of fronts. Most immediately, Western criticism of the Chechen war has heightened Russian suspicions about US and Western activity in neighboring areas, be it energy pipeline decisions involving the Caucasus and Central Asia, NATO's continuing role in the Balkans, or NATO's relations with the Baltic states. Moscow's ties to Iran also will continue to complicate US-Russian relations, as will Russian objections to US plans for a National Missile Defense. There are, nonetheless, some issues that could move things in a more positive direction.

- For example, Putin and others have voiced support for finalizing the START II agreement and moving toward further arms cuts in START III—though the Russians will want US reaffirmation of the 1972 ABM treaty in return for start endorsements.
- Similarly, many Russian officials express a desire to more deeply integrate Russia into the world economy. The recent deal with the London Club on Soviet-era debt suggests Putin wants to keep Russia engaged with key international financial institutions.

One of my biggest concerns—regardless of the path that Russia chooses—remains the security of its nuclear weapons and materials. Moscow appears to recognize some of its vulnerabilities; indeed, security seemed to have been tightened somewhat during the Chechen conflict. But economic difficulties and pervasive criminality and corruption throughout Russia potentially weaken the reliability of nuclear personnel.

With regard to its nuclear weapons, Moscow appears to be maintaining adequate security and control, but we remain concerned by reports of lax discipline, labor strikes, poor morale, and criminal activities.

- An unauthorized launch or accidental use of a Russian nuclear weapon is unlikely as long as current technical and procedural safeguards built into the command and control system remain in place.

With regard to its nuclear material, Russia's nuclear material is dispersed among many facilities involved in the nuclear fuel cycle—more than 700 buildings at more than 100 known facilities. Its physical security and personnel reliability vary greatly. Security at weapons production facilities is better than at most research laboratories and buildings at fuel fabrication facilities that have not received physical security upgrades.

- There are few known cases of seizures of weapons-usable nuclear material since 1994. This may be due to several factors: US assistance to improve security at Russian facilities, a possible decrease in smuggling, or smugglers becoming

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more knowledgeable about evading detection. Our analysts assess that undetected smuggling has occurred, although we don't know the extent or magnitude of the undetected thefts.

IRAN

Turning now to Iran—the recent landslide victory for reformers in parliamentary elections, Mr. Chairman, tell us that further Change in Iran is inevitable. The election of President Khatami in 1997 was the first dramatic sign of the popular desire for change in Iran. Khatami has used this mandate to put Iran on a path to a more open society. This path will be volatile at times as the factions struggle to control the pace and direction of political change.

A key indicator that the battle over change is heating up came last July when student protests erupted in 18 Iranian cities for several days. The coming year promises to be just as contentious with a new pro-reform Majles (Parliament) convening in late May or early June.

- The first round of the Majles elections in February gave resounding endorsement to the reformists who gained an absolute majority of the 148 seats in the 290 seat Majles, with 65 more seats to be decided in April runoffs. Many Iranians, particularly the large cohort of restive youth, will demand that the reformers carry out their mandate for change.
- The reformists' success in advancing their agenda will depend on their ability to keep their center-left coalition together and to maintain party discipline in the Majles; historically, Iranian parties have tended to splinter and dissipate their strength.
- The course of political change in Iran will also depend on what lessons the Iranian conservatives take from their electoral defeat. Some claim to have gotten the message that they must change with the times, but the recent assassination attempt on a prominent reformist politician in Tehran suggests some elements are still wedded to the politics of terror.
- We worry that conservatives also might try to reverse their losses by invalidating some election results. In fact, they have already done so in three cities already. The isolated protests that this caused suggests that any further effort to overturn the Majles elections nationwide would be sure to send people into the streets.

With control of the Majles and a mandate for change, the reformists are likely to introduce an ambitious slate of reform legislation. But all legislation must be approved by the conservative-dominated Council of Guardians before it can become law, providing hardliners an opportunity to water down many of the reforms. Supreme Leader Khamenei and key institutions such as the Revolutionary Guard Corps and the large parastatal foundations also are outside the authority of the Majles and in a position to fight a stubborn rearguard against political change.

- Moreover, even as the Iranians digest the results of the Majles elections, the factions will begin preliminary maneuvering for the presidential election scheduled for mid-2001, which is almost certain to keep the domestic political scene unsettled.
- The conservatives will have to be careful, however, because if they overplay their hand they run a risk of radicalizing young Iranians already impatient at the pace of political and social change.

IRAQ

With regard to Iraq, Saddam faced a difficult start in 1999—including the most serious Shia unrest since 1991 and significant economic difficulties.

- The Shia unrest was not confined to the south but also affected some areas of Baghdad itself, presenting Saddam's regime with a major security problem. On the economic side, to rein in inflation, stabilize the dinar, and reduce the budget deficit, Saddam was forced to raise taxes, ease foreign exchange controls, and cut non-wage public spending.

Saddam has, however, shown himself to be politically agile enough to weather these challenges. He brutally suppressed the Shia uprisings of last spring and early summer. The regime is still gaining some revenue from illegal oil sales. Increased access to food and medical supplies through the oil for food program has improved living conditions in Baghdad.

A major worry is Iraqi repair of facilities damaged during Operation Desert Fox that could be associated with WMD programs. Without inspections, it is harder to gauge Saddam's programs, but we assume he continues to attach high priority to

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preserving a WMD infrastructure. And Iraq's conventional military remains one of the largest in the Middle. East, even though it is now less than half the size during the Gulf War.

- He can still hurt coalition forces, but his military options are sharply limited to actions like sporadically challenging no-fly-zone enforcement.

In sum, to the extent that Saddam has had any successes in the last year, they have been largely tactical. In a strategic sense, he is still on a downward path. His economic infrastructure continues to deteriorate, the Kurdish-inhabited northern tier remains outside the grip of his army, and although many governments are sympathetic to the plight of the Iraqi people, few if any are willing to call Saddam an ally.

THE BALKANS

Mr. Chairman, looking briefly at the Balkans—

There are a few signs of positive long-term change are beginning to emerge there as a new, more liberal government takes the reins of power in Croatia. Political alternatives to the dominant ethnic parties in Bosnia also are beginning to develop, capitalizing on the vulnerability of old-line leaders to charges of corruption and economic mismanagement. Despite this progress, there is still a long way to go before the Balkans move beyond the ethnic hatreds and depressed economies that have produced so much turmoil and tragedy. Of the many threats to peace and stability in the year ahead, the greatest remains Slobodan Milosevic—the world's only sitting president indicted for crimes against humanity.

Unfortunately, Mr. Chairman, I must tell you that Milosevic's hold on power has not been seriously shaken in the past few months. He retains control of the security forces, military commands, and an effective media machine. His inner circle remains loyal or at least cowed. The political opposition has not yet developed a strategy to capitalize on public anger with Milosevic.

Milosevic is still struggling, however, with serious economic problems. The Serbian economy is in a virtual state of collapse, and Serbia is now the poorest country in Europe. Inflation and unemployment are rising, and the country is struggling to repair the damage to its infrastructure from NATO air strikes. The average wage is only $48 a month and even these salaries typically are several months in arrears. Basic subsistence is guaranteed only by unofficial economic activity and the traditional lifeline between urban dwellers and their relatives on the farms.

- Milosevic's captive media are trying—with some success—to blame these troubles on the air strikes and on international sanctions. Nonetheless, as time passes, we believe the people will increasingly hold Milosevic responsible. Moreover, a sudden, unforeseen economic catastrophe, such as hyperinflation or a breakdown of the patched-up electric grid, could lead to mass demonstrations that would pose a real threat to him.

Tensions are escalating, meanwhile, between Milosevic and Montenegrin President Djukanovic, who has taken a variety of steps that break ties to the federal government.

Milosevic has used Yugoslav forces to block Djukanovic's actions and to implement a strategy of gradual economic strangulation, cutting off many of Montenegro's trading routes to Serbia and the outside world, with the aim of forcing Djukanovic to back down or take confrontational action that would justify FRY military intervention.

As you know, Mr. Chairman, Milosevic wants to crush Djukanovic because he serves as an important symbol to the democratic opposition in Serbia and to the Serbian people that the regime can be successfully challenged. Djukanovic controls the largest independent media operation in Yugoslavia, which has strongly criticized the Milosevic regime over the past several years for the Kosovo conflict, political repression and official corruption. Both Milosevic and Djukanovic will try to avoid serious confrontation for now, but a final showdown will be difficult to avoid.

KOSOVO

Regarding Kosovo, Mr. Chairman, the international presence has managed to restore a semblance of peace, but it is brittle. The UN Mission in Kosovo and KFOR accomplished much but have been unable to stop daily small-scale attacks, mostly by Kosovar Albanians against ethnic Serbs. This chronic violence has caused most of the remaining 80,000–100,000 Serbs to congregate in enclaves in northern and eastern Kosovo, and they are organizing self-defense forces.

The campaign to disarm and disband the former Kosovo Liberation Army has had success, but both sides continue to cache small arms and other ordnance. There is

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even a chance that fighting between Belgrade's security forces and ethnic Albanians will reignite should Belgrade continue to harass and intimidate the Albanian minority in southern Serbia, and should Kosovo Albanian extremists attempt to launch an insurgency aimed at annexing southern Serbia into a greater Kosovo.

NORTH KOREA

Mr. Chairman, let me now turn to North Korea. North Korea's propaganda declares 1999 the "year of the great turnaround." This is a view not supported by my analysts, however. Indeed, we see a North Korea continuing to suffer from serious economic problems, and we see a population, perhaps now including the elite, that is losing confidence in the regime. Mr. Chairman, sudden, radical, and possibly dangerous change remains a real possibility in North Korea, and that change could come at any time.

The North Korean economy is in dire straits. Industrial operations remain low. The future outlook is clouded by industrial facilities that are nearly beyond repair after years of under investment, spare parts shortages, and poor maintenance.

- This year's harvest is more than 1 million tons short of minimum grain needs. International food aid has again been critical in meeting the population's minimum food needs.
- Trade is also down. Exports to Japan—the North's most important market—fell by 17 percent from $111 million to $92 million. Trade with China—the North's largest source of imports—declined from nearly $200 million to about $160 million, primarily because China delivered less grain.

Kim Chong-il does not appear to have an effective longterm strategy for reversing his country's economic fortunes. Kim's inability to meet the basic needs of his people and his reliance on coercion makes his regime more brittle because even minor instances of defiance have greater potential to snowball into wider anti-regime actions.

- Instead of real reform, North Korea's strategy is to garner as much aid as possible from overseas, and the North has reenergized its global diplomacy to this end. It is negotiating for a high-level visit to reciprocate Dr. Perry's trip to P'yongyang. It has agreed to diplomatic talks with Japan for the first time in several years. It has unprecedented commercial contacts with South Korea, including a tourism deal with a South Korean firm that will provide almost $1 billion over six years.
- But P'yongyang's maneuvering room will be constrained by Kim's perception that openness threatens his control and by the contradictions inherent in his overall strategy—strategy based on hinting at concessions on the very weapons programs that he has increasingly come to depend on for leverage in the international arena.

Squaring these circles will require more diplomatic agility than Kim has yet to demonstrate in either the domestic or international arenas.

COLOMBIA

Mr. Chairman, let me now return to our own hemisphere to discuss one final area—Colombia.

Of President Pastrana's many challenges, one of the most daunting is how to end the decades-old war with the FARC insurgents. There is some good news here. The FARC lacks the military strength and popular support needed to topple the government. And since last year, the Colombian armed forces have begun to improve their performance, making better use of air power to foil large-scale insurgent attacks.

- The bad news is that the hundreds of millions of dollars the FARC earns annually through its involvement in the illicit drug trade and other criminal activity make the group an enduring and potent security threat. It has greatly expanded its control in rural areas in recent years and steadily improved its battlefield performance. In many parts of Colombia the military remains in a defensive posture, as hardline insurgents and illegal paramilitary groups struggle for control of the hinterlands.

Meanwhile, the long-standing pattern in which Colombian guerrillas both talk and fight is continuing.

- The peace process with the FARC—to which the Pastrana government is firmly committed—is proceeding, albeit slowly. The two sides recently agreed on a negotiating agenda, but most observers expect progress to be difficult. The FARC has refused to disarm or halt its attacks while negotiations are underway.

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- Pastrana must also contend with other armed groups, such as the smaller ELN insurgency and illegal paramilitary groups. Each of these insist on a role in any final settlement. A dialogue with the ELN appears to be setting the stage for substantive talks, but the government continues to refuse to negotiate with the paramilitaries.

Colombia is starting to recover from an economic recession—its worst ever—but still suffers from record unemployment and a fiscal deficit that constrains spending on the military and development programs aimed at pacifying the countryside and weaning farmers from coca cultivation. Opinion polls indicate that the Colombian public worries most about the economy and disapproves of the government's austerity program.

CONCLUSION

Mr. Chairman, this has been a long briefing, and I'd like to get to your specific questions On these and other subjects. Before doing so, I would just sum it up this way. The fact that we are arguably the world's most powerful nation does not bestow invulnerability; in fact, it may make us a larger target for those who don't share our interests, values, or beliefs. We must take care to be on guard, watching our every step, and looking far ahead. Let me assure you that our Intelligence Community is well prepared to do that.

Thank you, Mr. Chairman. Now, I'd welcome any questions from you and your colleagues.

Senator LUGAR. Well, thank you very much for that testimony.

Let me suggest to my distinguished ranking member that we have questions maybe for 10 minutes each and if we have more we will proceed.

Director Tenet, you mentioned some of the ups and downs of proliferation in the last 8 years since the end of the Soviet Union. I was particularly interested in your statement that as many as 50 states may have the potential to produce weapons of mass destruction, 10 you are monitoring actively at the agency, but there is no evidence that fissile material has passed into the hands of a terrorist group. You have detected some smuggling that we do not know all the particulars about.

On balance, is the proliferation situation danger on the increase or the decrease in the last 8 years. As we try to take a look at this non-hysterically and sort of clinically, are we in a situation of increasing danger of proliferation difficulty or decreasing, as you see it?

Mr. TENET. Well, I think, Senator, it is fair to say, because of the broader availability of technology and because of the fact that many more countries have developed an interest, I think we have more proliferation concerns than we once had. This is booming business for us. There are many reasons for this, but the fact is is that with technology's availability and with the availability of expertise and then with the availability of growing indigenous production capability, indigenous research capabilities, the accessibility of people who can help develop weapons, chemical and biological weapons, this is in many ways, while we have successes to point to, I think this is a growing problem.

I talked about the growing threat of medium-range ballistic missiles. This is a threat that is here and now and will spawn additional proliferation unless we can think forward to how we can limit what this proliferation behavior looks like in the future. And there are no easy answers on the policy side here.

Senator LUGAR. Well, I agree with your analysis. For many Americans this is counterintuitive. The Cold War ended. The Soviet

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Union declined 8 years ago. Clearly, the level of interest of the American public in these issues, has declined precipitously along with it. We have become preoccupied often with very important domestic issues while all of this is going on out here.

Occasionally, in a hearing of this variety there is sort of a wake-up call that, whether we are interested in it or not as a public, given the number of actors, the detritus left over from the Cold War, and the unreliability of some of the players, we have more problems.

Let me just ask, though, why do we have problems? What are the motivations of either nation states or of particular groups, political, religious, etc. to participate in the proliferation of weapons of mass destruction? And you are suggesting that there are many attempts to make it continue. Why do people continue in this way, given the dangers to them, quite apart from the dangers to those around them?

Mr. TENET. Well, Senator, I will take first crack at it and I will give some of these experts an opportunity. But in many instances it is about legitimacy, political legitimacy. It gives you a seat at the table. It gives you tools that you previously did not have. When you are unfettered from the superpower competition, there is a great equality with which people then develop capability to threaten American interests, American forces, and those of our allies.

The genie got out of the bottle, and the way we move information and technology today, virtually, borders become somewhat irrelevant to the movement of material or ideas or technologies. As a consequence, we live in a world that the speed with which information moves also affords people the opportunity to avail themselves of information that empowers them.

So it is not only nation states that it happens. We have classically always understood how to deal with nation states, with treaties and regimes and sanctions. Now you are talking about single actors, like a fellow like bin Laden, who is immune from the traditional kinds of tools we have at our disposal that we apply to a nation state. I worry about organized crime groups getting involved to be the conduit between one nation and another or one nation and a group.

So as a consequence, I think you have got a much more sophisticated problem on your hands, with motivations that really range from the ability to inflict harm or the ability to have an increased international standing and to make a case for your cause. That legitimacy is not something people should scoff at.

John, do you have a different view?

Mr. MCLAUGHLIN. I would just add to that, Senator. It is probably no accident that we have seen an acceleration in proliferation in the last decade. A lot of nations looked at the Gulf War and realized that they could never take the United States on in a frontal collision in a conventional sense, that they could not prevail. So a lot of the weapons the Director has talked about—chemical, biological, short, medium-range missiles—give countries that cannot take us on directly an asymmetric advantage. That is one thing they are looking for.

The other thing I would add to the list of factors the Director mentioned is a factor of leverage that comes to some of the coun-

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tries that become WMD states and subsequently suppliers. A country like North Korea, for example, does not have many other leverage points to bring to bear in the intelligence community. Once it shows us and the rest of the world that it has long-range missile capabilities, North Korea knows that we pay attention, and that is something that they then use as leverage to bargain with us for other things they want.

Then the final factor I would mention is to a large degree in many cases it is about money. In other words, many states that do not have other sources of revenue—North Korea is one, but there are some developed states that also make a lot of money on this—states that have trouble generating revenue from other sources can generate a lot of revenue here.

Those are some of the motives.

Senator LUGAR. Once again I agree with your analysis. National state recognition, a seat at the table, the idea that you may not have to be a superpower, but you can enter a different club, a different type of negotiation; that you may not want to use these weapons of mass destruction, but the very fact that you have done testing elevates your nation's status.

Or as you suggest, even if you do not have such aspirations as that, leverage. If you are a nation state that feels weakness, then the leverage may come through intimidation, blackmail, but at least it catches people's attention that you may have a missile program and you may extend that to have nuclear warheads or some delivery capacity.

Then, you also suggest that weapons of mass destruction provide individuals, bin Laden or others, with capabilities that elevate them beyond normal levels. Finally, money, and that could be the case with countries that do have these weapons or have materials of weapons of mass destruction and are finding it a lucrative market at a time of near-bankruptcy or fiscal difficulty.

So all of these supplement your first response as to why we have more of a problem, because essentially, following this reasoning, you could get a long list of countries or groups or people all of whom find something interesting in this area, given its extraordinary dangers.

Let me just ask this third question, which may have been answered by the first two. What should be our policy or our set of policies? Is there any opportunity of rollback? In other words, are we fated to have one generation after another of these situations spawning more and more nations, more and more groups, more and more people? Or is there something out there in terms of the international regime, international law, United States foreign policy, that says enough is enough and you begin then to mop up, roll back, get things back into some form that is essentially manageable? Because if so, this is the way we ought to be moving our own policy.

Otherwise, it seems to me we have to think of a whole new set of policies that fit the other situation. What is your view as to whether we have any chance? We did accomplish some rollback, as we cited in the opening statement, in the case of Ukraine, Belarus, and Kazakhstan. But even before that we have had testimony in the open from Brazilians that they decided not to go down that

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route, from Argentines likewise, probably other countries who thought about it at one point, but on balance decided this was not for them.

So what are the prospects for the future?

Mr. TENET. This is the part in the hearing where I get the State Department witnesses to show up, but we will take a crack at it. I think, Senator, in each of these cases I think our engagement is absolutely key. I am going to answer your question with some questions, but why would the Russians believe that a relationship with the Iranians in terms of ballistic missiles is more important than a relationship with the United States where you have an enormous amount of leverage, whether it is at the IMF or whether it is in contractual obligations that we enter into, the industrial partnerships we can pursue?

The question is what is the quality of the engagement, what are the carrots and the sticks? How do we think about each of these instances of proliferation?

In the Russian-Iranian context, people look at it as a transaction. I do not think it is about a transaction. It is about a strategic interest that the Russians have had way before it was the Soviet Union. It is about oil, it is about the way oil flows north and south with regard from Russia to Iran vice east and west.

The question is, if you are not engaged and we do not think about each of these places from the perspective of what we can do to change their behavior, you can do the traditional kinds of things, interdiction, sanctions, emphasis on arms control regimes. All of those are helpful, but in the world we are migrating to my sense is you have to get underneath that behavior. You have to offer a series of initiatives and benefits that make it worth their while to move in another direction.

Now, each of these countries will be somewhat different. Some of the things that John and I talked about are going to be difficult to displace. But it is not an immutable proposition that we cannot do something about this if we can somehow think about using our tools and our aid and our money and our influence in a way that lets people understand that it is not in their interest to see a region blow up and see medium-range missiles become ICBM's and have instability reign.

I do not know what you guys would say.

Mr. LAUDER. I certainly think that, as your question implies and as Director Tenet's answer also makes clear, one of the reasons that the proliferation problem is so difficult as a policy problem, so difficult as an intelligence problem for us, is that it is so broad indeed, it is so diverse, that we are talking about countries spread across the globe, we are talking about a variety of weapons systems, and one size of policy, one size of intelligence attack, does not necessarily fit all of these.

But at the same time, as you implied in your question, Senator, one should not despair of rollback. There have been instances in which states have abandoned programs. Part of the burden that we have in intelligence is to help the policy community to find the motivations of these states, the particular actors that will help lead a state to give up the pursue of weapons of mass destruction, and that is the challenge for us.

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Senator LUGAR. In essence, Director Tenet and Mr. Lauder, your answer is the United States must become involved bilaterally with these countries. That was the case of the rollbacks we have seen to date, and you are suggesting that is we are to replicate these successes we will have to apply leverage, diplomatic and otherwise. We have leverage and if we are serious we must try to roll back with that leverage.

Mr. TENET. We and our allies have leverage.

Senator LUGAR. Yes.

Mr. TENET. We cannot do this alone, but I think collectively there is a lot of leverage that I think can be exploited.

Senator LUGAR. Senator Biden.

Senator BIDEN. Thank you, Mr. Chairman.

Gentlemen, thank you for being here. Mr. Chairman, I would ask unanimous consent that my opening statement be placed in the record at this time.

Senator LUGAR. So ordered.

[The prepared statement of Senator Biden follows:]

PREPARED STATEMENT OF SENATOR JOSEPH R. BIDEN, JR.

Mr. Chairman, I thank you for presiding over this important hearing, the first of four that you will chair over the coming 10 days. We owe a debt of gratitude also to Chairman Helms for arranging these hearings.

Nonproliferation—combating the spread of weapons of mass destruction—is the single most important objective of U.S. foreign policy.

These weapons pose a risk of catastrophic devastation to all humanity. They pose a risk to U.S. forces and to the American people, despite our unrivaled military and economic power. And precisely because we are not safe from weapons of mass destruction, they also pose a threat to America's power in the world.

For over a generation, we have patiently built the framework of world-wide nonproliferation policy.

The Nuclear Non-Proliferation Treaty of 1968, the Biological and Toxic Weapons Convention of 1972 (which builds on the Geneva Protocol of 1925), and the Chemical Weapons Convention of 1993 bind the vast majority of nations not to acquire or use these horrendous weapons.

These formal treaties are buttressed by a vital set of supplier-country export control regimes: the Missile Technology Control Regime; the Australia Group; and the Nuclear Suppliers Group.

Using these treaties, export control regimes, and active diplomacy—which includes pressuring countries, helping them to settle regional disputes, and offering them an American security umbrella—we have achieved some amazing nonproliferation successes:

- Nuclear weapons were removed from Ukraine, Kazakhstan and Belarus;
- Russia, with U.S. and other foreign assistance, destroyed many weapons and secured its fissile material;
- South Africa destroyed its nuclear weapons and joined the Non-Proliferation Treaty;
- South Korea, Taiwan, Argentina and Brazil all dropped their nuclear weapons programs;
- North Korea violated the Non-Proliferation Treaty, but then ended its reprocessing of spent nuclear fuel and, last year, suspended its testing of long-range ballistic missiles; and
- The use of chemical weapons in the Iran-Iraq War (and by Saddam Hussein on his own citizens) led not to a rush by other countries to build such weapons, but rather to the Chemical Weapons Convention and negotiations on a compliance protocol to the Biological Weapons Convention.

Despite these successes, however, almost every day it seems we face new proliferation threats, among them:

- India and Pakistan's nuclear and missile tests;

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- North Korea's testing of a space launch vehicle and sale of No Dong missiles to Iran and Pakistan;
- The spread of missile and nuclear technology to Iran; and
- The lack of inspections in Iraq.

I could go on, but I am sure that the Director of Central Intelligence, George Tenet, will illuminate the threat for us much better than I can.

The United States must take the leadership role to stem proliferation threats. We are the only nation willing and able to do that.

And yet, I posit, Mr. Chairman, that the best and, indeed, the only way to meet that threat successfully is through cooperation—with our allies, and even with those we may not consider allies. We do share a common interest with most nations in this regard.

Let me give three examples:

1. The President's Expanded Threat Reduction Initiative—which includes the rightly famous Nunn-Lugar Program—combats "loose nukes" and develops job opportunities for Russian weapon experts who might otherwise be tempted to sell their skills to unsavory buyers. This program, which greatly reduces the nuclear and biological weapons threat, could not be accomplished without Russian help.

2. The review conference for the Non-Proliferation Treaty will start in four weeks in New York. Five years ago we accomplished the monumental task of extending that treaty—which commits nations not to develop nuclear weapons ever—indefinitely. This was achieved only because a great many nations, friendly and not-so-friendly, coalesced under U.S. leadership for a common interest.

Yes, one or two nations have not abided by this treaty, and three weapons-capable nations refused to sign it. But over 150 countries have accepted it, and their willingness to impose sanctions on a violator was crucial to obtaining the 1994 Nuclear Framework Agreement with North Korea. And

3. Multilateral export controls, to deny rogue states sensitive technologies, would fall apart without U.S. leadership and the full support of our allies.

Nonproliferation is a two-way street. U.S. leadership on nonproliferation also means honoring our international commitments, such as the ABM Treaty and the Non-Proliferation Treaty. Our allies are more likely to work with us when we address difficult problems like North Korea through diplomacy.

What nonproliferation leadership does not mean is abandoning the ABM Treaty, and "going it alone." We simply cannot have a successful nonproliferation policy that way.

The Senate's rejection of the Comprehensive Nuclear Test-Ban Treaty and the determination of some in this body to abrogate the ABM Treaty have created a dangerous perception that the United States will no longer honor its own nonproliferation obligations. Many see us as walking away from Article 6 of the Non-Proliferation Treaty, which requires further progress in nuclear arms control.

One result of that perception is the refusal of some other countries to open negotiations on capping the production of fissile material. Another price will be an acrimonious NPT review conference.

Some experts think the NPT may fall apart—not next month, but in the coming months or years—because of mistrust of the United States. That risk will rise if we abrogate the ABM Treaty and Russia ends the START process, or if China's reaction to missile defense sparks an arms race in South Asia.

In sum, I see nonproliferation as an amazingly successful U.S. policy, but one that may now be at a critical crossroads. That is why I am so grateful to you, Mr. Chairman, and to Chairman Helms for holding these hearings.

To help explain the challenges we face and how we might meet them, we have several distinguished witnesses before us today.

George Tenet, the Director of Central Intelligence, is living proof that Senate staffers can find even harder jobs off the Hill. The U.S. Intelligence Community that Mr. Tenet heads performs a vital service for us all. I hope, Mr. Chairman, that you will make sure it gets all the support it needs to give U.S. policy makers timely information on other countries' capabilities, plans and actions.

Our second panel will feature Bob Joseph, Steve Cambone [cam-BONE] from the National Defense University, and Joe Cirincione [sir-in-see-OH-knee] of the Carnegie Endowment for International Peace.

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Ambassador Joseph is a distinguished former Ambassador to the ABM Treaty's Standing Consultative Commission who testified before this committee last year on ballistic missile defense.

Dr. Cambone is a political scientist who was Director of Strategic Defense Policy in the Defense Department and later was staff director of the Rumsfeld Commission. I enjoyed our exchanges earlier this month at Stanford.

Mr. Cirincione heads the Carnegie Endowment's nonproliferation program. He just finished hosting a 2-day conference that has become the premier event at which the world's experts exchange information and ideas on nonproliferation.

I welcome all our witnesses to this hearing, and I look forward to hearing their testimony. Thank you, Mr. Chairman.

Senator BIDEN. Gentlemen, I am going to depart from the questions I had written for you—I may ask consent to submit them in writing if we do not get back to it—and follow up on what I think is the interesting and instructive way in which the chairman has gotten us into this discussion here.

Basically, what we are talking about, but we are not even saying out loud because we have not articulated it yet, is there are two developing schools of thought. One is saying, ding-dong, the witch is dead, nonproliferation policies and schemes that we have had for the last 50 years do not work, they have failed, and we either have to jettison them completely and move toward a unilateral defensive posture that allows us to counter threats as they arrive by demonstrating that the new efficacy with which weapons can be delivered to our soil can be stopped, either by a bullet hitting a bullet or by increased intelligence capability or by conventional force.

There is another school of thought that says you cannot do that—you must engage the world, you must engage them bilaterally, multilaterally; you have to use all different kinds of weapons in your arsenal that include everything from arms control regimes to leverage financially to conventional threats to intelligence initiatives, as well as defensive measures.

I notice when you were asked by the chairman what were the things, why is this proliferation on the ascendancy—as the chairman said, the American people say, wait a minute, the Soviet Union is gone, that thing we worried about, we do not climb under our desks any more in grade school like we did—you and I are old enough to have done that, and I think Senator Kerry is as well. You do not do that in grade school any more because the threat is not there.

Senator KERRY. No.

Senator BIDEN. He is as old as I am. He does not want to admit it.

You know, we do not do that any more. I feel, quite frankly, less secure about the likelihood of a nuclear weapon or a biological weapon or a chemical weapon being detonated or exploded somewhere in the world today than I did in the year 1978 or 1987.

That does not mean it is not the same devastating consequence for us as if one were detonated—that is the bad news. The good news is it is not likely that we will retaliate with 2,000 ICBM's heading toward Moscow if that happens. It is less likely that happens.

But when you were asked why countries pursue weapons of mass destruction, you gave three answers, and I noticed that one very important one, that seems to generate the—how can I say it—the intensity of those who say the arms control regime has been a fail-

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ure and we should abandon it. The one you did not mention was ideology. You mentioned asymmetric advantage, you mentioned forces us to pay attention, it is about money. But you did not use the one that our friends on the right most often use, that this is an ideological drive for supremacy that people have, whether it is the communist government of North Korea or—and the list can go on.

I noticed, Mr. McLaughlin, you said the asymmetric advantage. I do not know what the heck you mean by that. I do not get the asymmetric advantage argument. For example, in the Gulf—we talk about North Korea and there is a school of thought that says deterrence does not work because you know how those North Koreans are, you know how that leadership is. They are not going to—knowing the certain fact that they know they could be obliterated within 28 minutes, totally completely annihilated, not have a single stick standing on their soil if we conclude that we wish to do that, is of no consequence because we know they are not going to pay attention to us, they know we will not have the will, they know they will be able to leverage us on South Korea, and they will move and we will not respond because we are afraid they will be able to hit Los Angeles or Seattle or wherever.

I find that fascinating because I look at the Gulf and the Gulf War. Let me ask you a question. Did Saddam Hussein have any biological or chemical weapons available to him while we were marching on him?

Mr. TENET. I believe the judgment of the intelligence community at the time was that he did.

Senator BIDEN. He did?

Mr. TENET. And we do not believe he used them.

Senator BIDEN. I wonder why. What about this asymmetric advantage? Why the hell did he not use them? Talk about an irrational guy, we all talk about. Why did he not use them?

Mr. TENET. I think the asymmetric—perhaps in the context of a conventional military conflict when you are looking at us, it may not be as likely as people thought at the time. But let me give you another example.

Senator BIDEN. Sure.

Mr. TENET. We would probably have high confidence in telling you where a medium range ballistic missile was launched from in the next 10 minutes. I would have a lot less confidence telling you how a particular aerosol with a chemical or biological application used in an air filtration system in a hotel somewhere was placed there—

Senator BIDEN. Absolutely.

Mr. TENET [continuing]. —in terms of the traceability of who is responsible for its use. So that asymmetry is in the world that we are going into, where the state actor has competitors who are not state actors or who may not have the kind of direct state sponsorship we once saw in the seventies or eighties. That asymmetry is real, and the asymmetry gets even more real when we are talking about computers hacking.

Senator BIDEN. I got it, okay. So we are not talking about the asymmetry of the state actors having an advantage. I misunderstood you then. That helps me. That clarifies my concern.

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But ironically, what is motivating the essence of our change in policy, I would suggest, Mr. Chairman, is this idea that there are certain significant actors on the international scene that are motivating our reassessment of whether or not we in fact have any regime that makes any sense relative to states, relative to states.

None of the unilateral answers we are coming up with as a potential to thwart state aggression does anything to deal with these asymmetries that we just talked about. It does not have a darn thing to do with whether or not somebody puts a chemical or biological agent in the air ducts of this building and takes out the building.

So one of the things that is helpful, and what I did in my opening statement, Mr. Chairman, and I mean this sincerely, is to thank you and the chairman of the full committee for taking what I know will be under your leadership a serious, thoughtful, dispassionate look at this question that the public at large has not even focused on yet. They have no notion whether or not we are about to abandon a policy of 50 years, start a new policy, amend a policy. They have no notion.

I was at a conference in Palo Alto with a group of—and your folks were represented out there, and one of our witnesses, one of the most respected people in the field—I do not share his view exactly about what we should do. But there were, what, 25, 30 people out there. They were talking about what the public is ready to assume. I was the only politician.

I can tell you, the public has not even thought about this, absolutely has not even thought about that. They are going to be real surprised when they find out we are going to spend 2, 5, 10, 20, 30, 50, $80 billion, $100 billion, whatever the number is, for a National Missile Defense. They are going to wake up and go, huh, for a number of reasons. Not that they disagree with it or agree with it. They do not know.

So what I am trying to get at here is I hope in the process here—for example, you have been asked as an Agency, and I am not asking you to respond in detail unless you want to now, you have been asked as an Agency to tell us what the North Korean threat is, and you have done a marvelous job of it. I compliment you on it. I think it is real, I think it is legitimate.

I have not disagreed with you over the years, in the 10 years I have spent on the Intelligence Committee and then all the times I have had the opportunity to interact with you folks—I do not doubt for a minute your assessment of the threat. But I have a question. Has anybody asked you, tasked you, to tell us what the corresponding threat would be if as a consequence of meeting the North Korean threat we conclude that we have to abandon ABM or other nonproliferation regimes on China?

Do they go from 18 to 800 intercontinental ballistic missiles? Do they go from 18 to 10 and cut them? Does Japan go nuclear if in fact China rapidly increases as a consequence of their concerns, causing an arms race in the region? What does India do? Has anybody tasked you and said, what do you think India is going to do?

Mr. TENET. We are actually in the middle of that discussion right now, Senator.

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Senator BIDEN. I sincerely hope—and I am one who is on this issue from Missouri. I realize the threat, and I realize this is not necessarily about National Missile Defense. But this is part of—at least I am going to ask the next panel whether or not there is a correlation between our nonproliferation objectives and our arms control initiatives.

Can you in fact affect proliferation and abandon arms control regimes that are international in scope or more than bilateral in scope? Can you do that? Because that is what is going to be proffered here. That may be the choice this President or the next President is faced with.

So I am hopeful, and I will have plenty of opportunities over the months to intercede with you fellows and ask you your opinions, and you have always been there whenever any of us have needed it and you have given us straight answers. I am very anxious—I am agnostic right now personally, not that it matters to anybody except me, I am agnostic on the issue of National Missile Defense.

If you tell me we can hit a bullet with a bullet and we can get eight out of ten or nine out of ten incoming missiles with a National Missile Defense that, once we start pouring cement in Alaska, that are going to come in the next 2, 5, or 10 years from North Korea, and nothing else will happen worldwide, we will eliminate those MIRV'ed warheads in the Soviet Union, in Russia, China will stay at 18, and so on and so forth, then fine, I am for it.

But if you come back and tell me, or I sitting as the President of the United States or the President asking my opinion, and you all came back and said, "Well, yeah, we can get those missiles coming out of Korea in the next 5 years, but that means in the next 8 years our best judgment is Japan is going to go nuclear, we are going to have 600 missiles, intercontinental ballistic missiles in China, and there is going to be an arms race in the subcontinent"; I am not so sure that is a good deal for my granddaughters. I am not so sure I have done the right thing.

So I hope you are going to get a chance to do that, and I hope the President will have the benefit of your best assessment of what is likely to happen globally with this issue before we make a final decision on what to do. But again, I will get back to the issue of proliferation and arms control regimes and whether they are related at another round.

I thank you for letting me go on, Mr. Chairman.

Senator LUGAR. Thank you very much, Senator Biden. I think the Senator's questions illustrate the importance of the hearings, and this is, in essence, a very public national conversation among actors in the drama. We have responsibility as Senators. You have clearly responsibilities with the Central Intelligence Agency in the evaluations that you are making. And we are discussing what our agenda should be and what our priorities are, and we are doing so in public with those who have joined us in this hearing.

Senator BIDEN. Mr. Chairman, in a sense for the first time. This is the beginning of a dialogue. I do not know of any policy we have ever been able to sustain that has not been based upon the informed consent of the American people, that we have been able to sustain. I hope this is the beginning of that process.

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Senator LUGAR. And to sustain the dialogue today, Senator Kerry.

Senator KERRY. Well, Mr. Chairman, thank you very much. Thank you for holding this hearing on a very timely and important issue. I appreciate Senator Biden's series of questions. There were a lot of questions and obviously they were unanswered at this moment, but I think it was important to put those questions out there.

Let me add to the dialogue a little bit if I can, and I hope I will have time to ask a couple of questions. But I want to make a few observations. Number one, I agree completely with the need to assess fully the breadth of impact that may occur with this rush to respond to one perceived threat without perhaps thinking through thoroughly how it will affect other real threats that we have lived with for a long period of time.

For instance, if you can develop a ballistic missile defense system that has the capacity to protect you, you have to assume a high hit capacity. And if you establish a high enough hit capacity, interception capacity, you have significantly altered whatever balance any other country currently postures in the world. Albeit we are not in the same posture we were with the former Soviet Union, but there are still tensions and there are still realities of nuclear weapons, and people make their assessments based on their judgments of the current state of deterrence.

That deterrent balance is altered by the deployment of a missile defense system because obviously it affects what people think is their ability to strike back. It is the mutual assured destruction theory that protected us for so many years.

If you cannot knock down enough missiles to have impacted that equation, then the question ought to be properly asked why you are deploying a missile defense in the first place. And we have not asked that question, and we certainly have not found the answer for it.

Secondly, I do not hear a lot of talk about the problem of proliferation, which is usually talked of in strategic nuclear terms, when the United States is indeed one of the greatest proliferators in the world itself with respect to conventional weapons. You cannot have a discussion about proliferation without including conventional as well as nuclear.

The spread of conventional weapons has an impact on people's perceptions and security calculations, and the United States is the world's greatest arms seller. I have been trying to pass a code of conduct for weapons transactions for a number of years. I have some very strong conservative members of the House who, happily, are supportive of this because we have had a habit of selling weapons to authoritarian, human rights violating, non-democratic entities in the world, and those weapons invariably wind up in the hands of one slaughterer or another somewhere on the face of the planet.

So arms sales raise a perception problem with respect to the overall attitude about proliferation.

I would also ask the question—I am not sure there is an answer—to what degree the unspoken fictions of nuclear policy might have had an impact on other countries' decisions, i.e., Israel, South

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Africa, India, and Pakistan, long before India and Pakistan exploded weapons in their tit for tat? Those unspoken realities had a profound impact on other people's perceptions and desires to join the nuclear club, i.e., Iraq, Iran, and others.

Containing conventional proliferation is very hard when our allies are also in a race, for economic reasons, to sell weapons because of its relationship to jobs and to the economy.

Finally, I would say that I have perceived in my travels—I have been a happy participant and a rewarded one in a sense at the World Economic Forum for the last 8 to 10 years, where I find there is a great exchange, some years better than others, with respect to less developed countries. But there is clearly a growing envy in the world, a growing sense of the disproportionate allocation of the benefits of globalization and technology and increasing potential for backlash.

I find that some countries are actually driven in their weapons policies by desires to rectify imbalances that they perceive in the other order of things, and that to a certain degree they just want to get to the table. They want to be taken seriously, they want to be a player. So that also I think is something that has to be taken into account as we talk about proliferation policies, that something more on the economic table might have an impact on some people's attitudes about who benefits and where we are heading in our current paradigm.

So I think there is a lot more to this discussion than just the strategic balance. There are a lot of issues on the table. Other than North Korea, I cannot say that we have been particularly proud ourselves in our nonproliferation efforts in the last years. I just cannot tell you that it has been on our table up here as a major priority, that it has been brought to us as a major priority, that it has been part of the international dialogue in the way that it ought to be.

Maybe that is partly because in the transitional period in Russia there have been so many other crises to face in economic terms and there has just been so much on the table it has been hard to get to, and the politics of Russia and the Duma and the nationalism and other ingredients that were released with the end of the Cold War have stolen some of the ability to have leadership that could make some of these choices in a depoliticized way. That also has impacted the choices available to us, obviously. Yeltsin's weakness, the Duma, the nationalistic potential of certain candidates for president, all of these things play into it.

But I must say that, unless the United States can ratify a treaty itself, show restraint itself, and put this issue more on the international table, I think we are whistling Dixie in terms of any efforts to try to get many people to follow our lead. And I would be interested to have your reaction to what I have said, Mr. Director and ambassadors, if you would respond, to whether or not these other considerations are indeed legitimate, should they be factored in and should we show more leadership ourselves with respect to this issue.

Mr. MCLAUGHLIN. Well, we will stay away from direct policy recommendations, Senator. But I think your comments really underline what for me is the most important aspect of this problem, and

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I think it came out also in the remarks of Senator Biden and Senator Lugar, and that is the sheer complexity of the proliferation problem contrasted with other comparable problems that we wrestle with as an intelligence community and as a Nation.

We put, the Director puts, at the head of his list in his worldwide threat testimony trans-national issues, and when you look at the other ones on that list, things like counter-narcotics and counterterrorism. They are equally serious and equally deadly, but there is a tighter focus to them and a clearer objective that is not obscured by multiple disciplines, and in the case of proliferation we have to look at biological issues, chemical issues, physical science issues.

Look at narcotics by comparison. The war on narcotics starts with the portion of our operation that assesses the narcotics crop worldwide. To start at a comparable place in the proliferation world, we have to assess so many other things, a range of things that is vastly broader, just as a starting point. Then we have to bring together multiple disciplines and the secondary and tertiary consequences of practically everything, as you pointed out, Senator Kerry, are more dramatic than they are in the case of battles against things like counternarcotics or counterterrorism.

So I would just observe that your comments point up the complexity of the problem, the difficulty of formulating a bumper sticker policy on it, and the steep hill we have to climb in moving from analysis to correction of this problem.

Senator KERRY. But let me give a simple example. When China—the MD–11, when China was engaged in the transfer and we knew pretty well it was, we did not really do anything. I mean, we kind of voiced it, but we certainly did not invoke any of the kind of sanctions that we have contemplated for that kind of violation of proliferation.

Many people would argue that is because we were overly concerned with our policy of "engagement."

Mr. MCLAUGHLIN. Bear in mind, in the intelligence business our job is to figure out what is happening.

Senator KERRY. Sure, but you have got to comment on cause and result. Cause and effect is something you have to interpret.

Mr. MCLAUGHLIN. Indeed. In that case our job was to detect the transfer of the M–11's back in the early nineties, and we did that and reported it. Then it becomes a matter of how do you pursue a policy toward China that balances—

Senator KERRY. Maybe I can just ask you factually if the CIA observed any action that I did not?

Mr. MCLAUGHLIN [continuing]. —Well, there is—again, without commenting on policy, there has been a robust counterproliferation dialogue with China over a period of years now, triggered in part by the episode you referred to and by some other episodes that came to light. As a result of that, there has been some improvement in China's proliferation behavior, particularly on the nuclear side, in terms of the technology they transfer to other countries, a marked improvement on the nuclear side, with some footnotes that you might add to that.

They still do proliferate, though, components of missile systems, though they no longer, to the degree we can detect it, proliferate

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whole missile systems, turnkey operations, as they once did. So the picture on China is mixed. They have responded to that dialogue to some degree, but they have not, for example, expressed support for the annex of the MTCR. The annex of the MTCR, which is the major regime that counters the proliferation of missiles, it is in the annex that the real teeth are that operate against transfer of missile technology, and the Chinese have not yet agreed to support that.

So there is work yet to be done in that dialogue with the Chinese, and the dialogue has been slow since some incidents of several months ago.

Senator KERRY. Well, have any of you ever observed in your life experience any weapons system that was deployed that created a technological advantage, that was not subsequently met and matched by a perceived opponent or even by an ally?

Let me answer the question for you. I have done a review. There is not one. And in fact, the United States led the way on every single technological advance in the nuclear race with the exception of Sputnik. We MIRV'ed, we deployed hydrogened weapons and the silent submarine. And we were met each time, step for step.

So the question has to be asked, if you go down this road continually believing there is a technological fix each time, where does it take us? Where has it taken us? What is your sense of that?

Mr. TENET. My sense is, my sense is, Senator, that there may be a mix of those options that you have to employ, because I think there needs to be a carrot and a stick. I do not think each of these—one of the problems I have in judging how people are going to behave is we dangerously mirror image people in terms of the way the Russians and the Americansdevelop weapons systems.

How many ballistic missiles does somebody in North Korea have to develop before they think they have to use them? What is the deterrence thought process that those people go through? How do the Iranians look at how they may use ballistic missiles or what will deter them from further use?

These are very serious questions. So the question ultimately is, it may be some of technology, it may be some of an arms control regime, it may be some of the carrot. It may be all of these things wrapped up in a regime where we are making the either I am going to do this or I am not going to do that.

I think a little bit of the danger is to dismiss one or the other and not understand how they may play, because in each of these places we will have a different sense of interests, a different sense of deterrence, a different sense of why they are going down this path. I think we have to do that calibration a little bit better than we have in terms of it is an either-or proposition, because I do not think it is. I think technology may be very helpful. It may not be the only thing that works, and that is what we have to think through.

But in the missile arena the concern I have is, and it is a serious one, the medium range problem is right here today. It affects us in the Middle East, in Asia, it affects American forces. It will affect future proliferation decisions that countries will work there. So how you protect yourself and at the same time dissuade others from going down the road is a complicated issue.

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Senator KERRY. Well, I understand that, George, and I appreciate it.

Mr. Chairman, I do not want to abuse the time. Let me just finish by saying that we have to apply our common sense and our experience through life to making certain kinds of judgments about threats. We lived for a long time with 10,000 warheads aimed at us and with about an equivalent number aimed at our enemy. We did not use them, either of us, and now we are trying to reduce the number further.

I have never subscribed to the school of thought that we can put the genie back in the bottle and you can reduce our strategic stockpiles to nothing. I do not believe that. You could go back to the way you fought World War One, where men are in trenches and you have got more sophisticated weapons and we are throwing them at each other.

But there has been in this balance, frankly, a safety measure. It is one of the reasons we did not invade North Vietnam. It is one of the reasons we did not have a land war on the Asian continent. It is one of the reasons that there has been restraint.

It seems to me that if Korea has one, two, three ICBM's, are they going to throw them at a country that has 2500, or are they going to deliver anthrax to our reservoirs or to our subway stations, or are they going to bring the weapon in a suitcase? I mean, you know those threats. We have talked about them on the Intelligence Committee.

I am far more concerned, tenfold more concerned, about renegade terrorists and rogue nation wreaking havoc with computer systems and food supplies and water supplies than I am somebody lobbing one missile or two missiles at us, given what the return delivery would be.

So we have got to be more sensible as we think about this and as we approach this, Mr. Chairman. I hope we are going to apply the rigorous test of common sense to the question of expenditure and deployment that we are now facing.

I thank the chair.

Senator LUGAR. Thank you very much, Senator Kerry.

Two quick questions. Do you have any reason to believe that there might be a change in Iranian policy, given the elections and given the Secretary of State's statement? Do any of you have a comment?

Mr. TENET. I think that our analysts would say that the focus of the recent election will almost totally be on domestic policy, what the pace of reform may look like, how Khatamei uses this mandate that he has received electorally and what he needs to do to maintain a constituency that is growing and how fast he implements reform and where he believes he can move quickly. That will be counterbalanced by institutions that the conservatives can still control.

But on the issues that we follow on the security side, we do not see any diminution in the support for terrorism and we certainly have grave concerns about the weapons of mass destruction programs, and I do not think those are issues that the reformist agenda can really take on in the near term.

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Senator LUGAR. The final question is, given the dangers that we have been discussing, why do nation states supply others with either materials or weapons of mass destruction? Do they not understand the risks to themselves or do they believe that they are unlikely to be vulnerable for a variety of reasons?

How would you describe what you perceive to be the motivation of proliferators?

Mr. TENET. Well, sometimes the motivation is the strategic interest of what I can offer, what I can offer someone that allows me to maintain a leverage in a strategic relationship. Sometimes countries do not have the kind of export control laws or capabilities that we might like. Sometimes the companies that are quite active here operate under the purview of governments. Sometimes they do, sometimes they do not.

So for all of the reasons we talked about at the front end, they seek their own legitimacy in these relationships, sometimes consciously, sometimes unconsciously in terms of where their economies take them. But I think there is the power of influence, the power of the transaction and money, and the power of the strategic relationship and the long-term influence it buys you, particularly when it is the only thing you have to give somebody.

I think that that is something we need to focus on in proliferation, to see why that occurs and can you wean somebody away from a relationship and offset the need to sell something with a set of other relationships that become more lucrative over time to your economy and your country.

Senator LUGAR. And that influence would work with a nation state. As you added, Director Tenet, sometimes it may occur because the state is weak to the point it does not know that proliferation is occurring.

Mr. TENET. Right.

Senator LUGAR. In that case, our ability to influence that state, of course, is limited.

Senator Biden, do you have any further questions?

Senator BIDEN. I have one question.

I have one question for any of you who wish to answer it and then one question for Director Tenet specifically. I personally—and we all have our favorites as to what the most dangerous parts of the world are here. But I personally consider South Asia to be the most dangerous place in the nuclear armed world these days.

Director, you told the Armed Services Committee earlier this year that India and Pakistan "have begun to establish a doctrine—the doctrine and tactics to use these weapons." I think that was a quote, at least I am told by my staff that was a quote you used. Would you be able to or willing—I know you are able to. Would you be willing to expand in open session here, if it is appropriate, on that?

Mr. TENET. No, sir.

Senator BIDEN. Well, at some point I think it may be useful for the chairman and I to have an opportunity to speak with you to expand on that, so we have a better sense of what you mean.

Mr. TENET. Yes.

Senator BIDEN. At least so I have. The chairman may already know.

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And my one very serious question for you, Mr. Tenet, is there is some question in California as to whether or not you have misused your office by using agents to advance the Georgetown Hoyas in the NIT tonight. I want it on the record as to whether or not you have used in any way the Agency to determine what the Golden Bears of California are likely to do tonight.

Mr. TENET. The President signed a finding last night, Senator, and the Cal Bears will not be showing up tonight. [Laughter.]

Senator BIDEN. Well, the President being a Georgetown graduate himself, I suspect that may be true.

I do not have any further questions. I am just delighted, having gone to Syracuse, that you are not in the Sweet 16. But at any rate, having said that, I have no further questions, Mr. Chairman.

Senator LUGAR. Well, it is just as well, because we have tried very hard to keep this on proliferation.

Senator BIDEN. Well, we are proliferating too many Georgetown guys, that is the problem.

Mr. TENET. You never know.

Senator LUGAR. We thank the panel. We appreciate very much your testimony, and I would like to call forward now our second panel, which will include Mr. Robert Joseph, Mr. Steve Cambone, Mr. Joseph Cirincione. [Pause.]

Senator LUGAR. Gentlemen, we thank you very much for coming to our hearing today. Let me suggest, if possible, that you summarize your statements. They will be all made part of the record in full. The chair would just observe that we have received word from the floor that a vote and in fact the only roll call vote this afternoon will occur at 4:00 o'clock. So we will get started and then take a short recess while the Senators vote and return to complete the testimony and the questioning.

Mr. Joseph.

STATEMENT OF HON. ROBERT G. JOSEPH, DIRECTOR, CENTER FOR COUNTER PROLIFERATION RESEARCH, NATIONAL DEFENSE UNIVERSITY, WASHINGTON, D.C.

Ambassador JOSEPH. Mr. Chairman, Senator Biden, thank you for the opportunity to testify today. It is an honor for me to have been invited to appear again before this committee. The views I will express are personal and do not necessarily reflect those of the Department of Defense, the National Defense University, or any agency of the U.S. Government.

I do, Senator, as you know, have a prepared statement that I will submit for the record. In it I describe the broad principles that I consider to be essential to guide our policies in meeting the proliferation challenge. In my introductory remarks, I would like to emphasize three somewhat more concrete points.

The first is the need to treat proliferation as a security threat. This may seem obvious, but I believe that it is often forgotten in debates over the merits of specific policy proposals, and it is also quite different from how we have traditionally practiced nonproliferation. In the past we approached proliferation more as a political problem than as a threat to our security. The clear, urgent, and overwhelming threat was of course from the Soviet Union and

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it was against this threat that we concentrated our resources, structured our forces, and designed our deterrent strategy.

In contrast, while the United States did actively seek to dissuade others from acquiring weapons of mass destruction, the security implications of proliferation were generally more removed. For example, the regional rivalries that once encouraged the nuclear weapons aspirations of Argentina and Brazil and South Africa and that still drive those of India and Pakistan were not considered central to our security calculations, and perhaps as a consequence our nonproliferation policy took a different course than our security policy, a course that was based primarily on multilateralism and the building of international norms.

Today it is my assessment that we no longer have the luxury of approaching proliferation as a political problem. We are confronted with a very diverse range of threats, including both states and terrorist groups that tell us that they view the United States as their enemy. We also know that a number of these states and groups are seeking weapons of mass destruction, perhaps to deter us from intervening into their regions, perhaps to employ against our forces or those of our friends and allies, or simply to threaten or even kill our people.

Nuclear, chemical, and biological weapons, as well as increasingly longer range missiles as a means of delivery, are seen by most of our likely adversaries as possessing substantial utility, either for use against their neighbors or as instruments of warfare to overcome the conventional superiority of the United States.

No longer confined to being weapons of last resort, these weapons and particularly, I would argue, biological weapons may very well become weapons of choice in the future. As a result, the contemporary environment is very different from that of the Cold War. It is more complex and I would argue more dangerous. It requires us to think differently about the motives and consequences of proliferation and about the tools to counter it.

This leads to my second point, the need for a comprehensive strategy to deal with the proliferation challenge. There are several components to this strategy, beginning with the need to adapt those tools that have long been part of the effort to prevent proliferation, such as arms control and export controls, to be responsive to the conditions of today.

For example, arms control can be an important tool of U.S. security policy. Treaties like INF and START have enhanced our security. Both were carefully negotiated with great attention to the implications for the deterrent postures of the parties and both establish detailed measures for monitoring compliance.

By contrast, early nonproliferation treaties were comprised of at least three parts idealism for every part realism. They sought to establish norms against the possession and use of WMD without effective verification or enforcement provisions. This was clearly the case for the Nuclear Nonproliferation Treaty as well as the Biological Weapons Convention. The norms identified in both of these treaties and later in the Chemical Weapons Convention have and continue to make an important contribution to nonproliferation. However, these treaties have little impact on those states that do not respect international norms. In fact, for such states these trea-

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ties are often seen in the most cynical of ways, as an opportunity to further their own weapons programs.

This was true for the Soviet Union when it signed the Biological Weapons Convention in the early 1970's and it is also the case today for those countries of greatest concern to us from a security perspective. States like North Korea and Iraq have a demonstrated record of flaunting norms and manipulating verification measures, such as IAEA safeguards, and there is in my view no more bitter irony than to listen to Russian officials tell us that Iran as a member in good standing of the NPT is not only deserving but entitled to the dual use technology that Moscow has contracted to sell it and that we know will be helpful to further Iran's nuclear weapons program.

Because membership in these international conventions bestows legitimacy and, at least for the NPT, access to sensitive materials and technologies, my recommendation for dealing with states such as North Korea, Iraq, and Iran is not to seek their participation in these conventions, but rather to keep them out. Instead of offering concessions for commitments that we know will be violated, we should practice strict containment of these regimes, beginning in our own national nonproliferation and security policies.

We should also seek to convince others to follow this same path. This will be difficult. We will be confronted with hard choices regarding standards of evidence and intelligence sharing and in other cases we will be trying to persuade third countries that may have much different perceptions of and economic incentives for dealing with these rogue states.

We faced many similar challenges in the past when we sought to contain a much larger and more powerful threat. It was not easy. Certainly we did not win in every case. But we persisted and, most important, we led and ultimately we prevailed.

American leadership is equally important today. This is not the first time that within the international community the lure of arms control idealism has prevailed over hard-nosed security judgments. Yet we know from history that we cannot afford to go along with the crowd. Instead, we must chart our course based on a realistic assessment of the threat and the need to counter it with sound security policies.

Looking to the upcoming NPT review conference later this spring, I am confident the United States will come under significant criticism for falling short in meeting its commitment under article 6. Already we have encountered the initiative from Brazil, Mexico, and others pushing what they call the new agenda that seeks the speedy and total elimination of nuclear weapons and to take other measures that would serve to delegitimize nuclear weapons.

These and other proposals, such as adopting a no first use policy, must be resisted. Our nuclear weapons continue to be essential to our deterrent strategy and to the credibility of our security guarantees to others. If the reliability of this deterrent is placed in doubt, whether in the NPT context or through other arms control initiatives such as the Comprehensive Test Ban, the result will likely be further proliferation both by potential adversaries and perhaps even friends.

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It is of course imperative that the United States fulfill its obligations under the NPT and we have done so to date. In terms of article 6, we have an outstanding record in negotiating reductions in strategic forces and in taking unilateral actions to reduce and eliminate theater nuclear weapons. We have no apologies to make.

In addition to refining tools such as arms control and export controls, we need to be very creative in designing new initiatives that can have the greatest impact in denying access to sensitive expertise, materials, and technologies. Perhaps the best example is the cooperative threat reduction program with Russia and with other former Soviet states. The numbers of warheads, silos, launchers, and heavy bombers eliminated or deactivated under this program are impressive and send a very clear message. We can find solutions that contribute both to nonproliferation and directly to our own security. These two goals need not be mutually exclusive.

Finally, as part of our comprehensive strategy we must prepare to deal with the consequences of proliferation from deterrence to defense to consequence management. Here again, our policies must fit the circumstances and conditions of today. Old models of deterrence are not likely to be successful. In a situation involving a rogue state armed with nuclear, chemical, or biological weapons, deterrence will be less stable and more likely to fail than deterrence as we knew it in the Cold War context.

As a consequence, the threat of retaliation that formed the basis of our deterrent policy in the past is not likely to be sufficient. Therefore, it is essential that the United States acquire the capabilities to deny the enemy the benefits of these weapons. These capabilities, including passive and active defenses as well as improved counterforce measures, such as the ability to destroy deep and hardened underground targets and mobile missiles, offer the best chance to strengthen deterrence and provide the best hedge against deterrence failure.

A further dimension of the WMD threat that undercuts deterrence is the growing ability of adversaries to deliver these weapons against the United States homeland. This is most visible with the North Korean long-range missile program, but also includes the potential for unconventional delivery, especially of biological agents.

For rogue states, acquiring the capability to strike our population centers makes essential our development of new defensive capabilities. In this context, I commend the initiatives undertaken by the Senate to ensure that our first responders are trained to deal with chemical and biological incidents and for the passage of the National Missile Defense Act.

I do not want to leave the impression that the threat of punishment is unimportant for deterrence. From our examination at the National Defense University of the real world case of deterring Iraq's use of chemical and biological weapons in Desert Storm and from our extensive experience in gaming, we have concluded that in fact our nuclear weapons are the single most important instrument we have for deterring the use of chemical and biological weapons by rogue states. Conventional superiority, which in certain critical ways can be seen as vulnerable, especially if the enemy uses his weapons of mass destruction capabilities early in a conflict, is not enough. Our conventional and nuclear forces must work

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together to enhance deterrence in a very complex and dangerous environment that requires tailoring our deterrent and defense postures to specific adversaries.

My third point, and I will be very brief, is that all of the components of the strategy that I have outlined should be considered to be complementary. The skill is bringing together all of these instruments in a coherent and mutually reinforcing manner that promotes both nonproliferation and our own national security.

Some have argued that acquiring military capabilities to deter and defend against weapons of mass destruction will undercut nonproliferation, either because it will be viewed as an admission that prevention is doomed to failure or, alternatively, because these capabilities will be seen as provocative and therefore will serve as an encouragement to further proliferation. I reject this argument on two grounds.

First, I believe that if the United States can acquire the military capabilities to deter and defend against the proliferation threat we will undercut the incentives to proliferate in the first instance. Second and equally important, these defensive capabilities will ensure that we have a hedge against deterrence failure. Our military forces and our people need new tools to protect them from new threats, including those of weapons of mass destruction.

In conclusion, preventing proliferation and especially the spread of nuclear weapons has long been a stated goal of U.S. policy, beginning in the months immediately following the conclusion of World War II that ended with the only use of nuclear weapons in history. As the most important leader of the international community, the United States should retain this goal and should work toward its achievement.

But we must do so recognizing the real world conditions that exist and the threats that we face. While we should strive to take advantage of every opportunity to shape these conditions, we must do so understanding the strengths and limitations of all of the tools available to us, from diplomacy to arms control to the application of force.

Thank you for your attention. I look forward to comments and questions.

[The prepared statement of Ambassador Joseph follows:]

PREPARED STATEMENT OF ROBERT G. JOSEPH

Mr. Chairman, distinguished Members, thank you for the opportunity to testify today. It is an honor for me to have been invited to appear again before this Committee.

The views I will express are personal and do not necessarily reflect those of the National Defense University, the Department of Defense or any agency of the Government.

I have been asked to address the question of how to design a sound nonproliferation policy as part of our national security strategy. I believe this to be one of the most important challenges that we face as a nation and am encouraged that this Committee has taken up this critical task. More so than at any time in the past, the spread of weapons of mass destruction—nuclear, chemical and biological—represents a profound and urgent threat at home and abroad.

At least until the end of the Cold War in the early 199Os, we treated proliferation more as a political problem than as a security threat. This was true for countries of concern in South America, South Asia and in Africa. Although this may not have been the best foundation for policy, it was understandable. The clear, urgent and overwhelming threat was the Soviet Union. It was against this threat that we concentrated our resources, structured our forces and designed our deterrent strategy.

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We knew the Soviet threat was real and we were determined in fashioning and implementing sound diplomatic and defense policies and programs in response.

In contrast, while the United States certainly did care about and actively sought to dissuade potential proliferators from acquiring nuclear weapons, the security implications of proliferation were generally more removed and abstract. For example, the regional rivalries that once encouraged the nuclear weapons aspirations of Argentina and Brazil—and that still drive those of India and Pakistan—were not central to our security calculations. Perhaps as a consequence, our nonproliferation policy throughout this period took a different course. Although various tools such as forceful diplomacy and arms exports were used in specific cases, our policy was based primarily on multilateralism and the building of international norms.

Today we no longer have the luxury of approaching proliferation as a political problem. We are confronted with a wide range of threats that include both states and terrorist groups that view the United States as the enemy. They tell us this. We also know from what they are saying and doing that a number of these states and groups are seeking to acquire weapons of mass destruction (WMD), either to deter us from intervening into their regions, or to employ against our forces or those of our friends and allies, or simply to threaten or kill our people.

Nuclear, chemical and biological weapons—as well as increasingly longer-range missiles as a means of delivery—are seen by our most likely adversaries as possessing substantial utility either for use against neighbors or as instruments of asymmetric warfare to overcome the conventional superiority of the United States. No longer confined to being weapons of last resort, these weapons—and particularly chemical and biological weapons—may well become the weapons of choice.

As a result, the contemporary security environment is very different from that of the Cold War. It is more complex and, I would argue, more dangerous. It requires us to think differently about the motives and implications of proliferation and about the tools to counter it. These include diplomacy and arms control, export controls and sanctions, interdiction and, if prevention fails, deterrence and defense. None of these tools is a "silver bullet." All must be brought together into a coherent national strategy.

To design an effective nonproliferation policy in this new security setting, it is useful to start with the fundamentals that can help to define sound policy. Three principles stand out as guides. The first is to establish realistic goals that can contribute, individually and collectively, to our national security. We must set our objectives high and work toward the outcome we would like to achieve—but we must understand that our ability to affect the outcome we desire will be limited.

This is not a call to abandon the goal of stopping, and even reversing, proliferation. In fact, I believe we must re-double our efforts in this regard, especially in those critical areas where we can have the greatest impact in denying access to sensitive technologies, materials and expertise. These include national and international export controls and cooperative threat reduction programs such as with Russia and other former Soviet states. On this point, Mr. Chairman, I agree with your stated position that the first line of defense is preventing proliferation at its source. If we do so with discipline and accountability, we can make a real contribution to our security.

I am much more cautious about the role of arms control in nonproliferation. I believe that arms control can be an important tool of U.S. security policy. Treaties like INF and START have enhanced our security. If it were to be ratified and implemented without changes to its basic provisions, and specifically the ban on land-based MIRVed missiles, START II would also make a substantial contribution. All of these treaties were carefully negotiated with great attention to the implications of their provisions for the defense and deterrent postures of the parties, and, of course, all established detailed measures for monitoring and verifying compliance.

By contrast, early nonproliferation arms control treaties were comprised of at least three parts idealism for every part realism. They sought to establish international norms against the possession and use of nuclear, biological and chemical weapons—without effective verification or enforcement provisions. This was clearly the case for the Nuclear Non-Proliferation Treaty (NPT) and the Biological Weapons Convention (BWC).

The norms identified in both the NPT and BWC, and later in the Chemical Weapons Convention (CWC), have and continue to make an important contribution to the goals of nonproliferation. For most states, membership in these treaty regimes makes proliferation an unacceptable choice. For others, including several that at one time pursued the acquisition of nuclear weapons but later abandoned this pursuit due to changes in their own security calculations, these treaties added a further incentive to change course. In sum, these norms should be maintained and strengthened.

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However, these treaties have little impact on those states that do not respect international norms. In fact, for such states, these treaties are viewed in the most cynical way: as an opportunity to further their weapons programs. This was the case for the Soviet Union when it used the BWC as a cover for an expanded offensive biological weapons program.

Today, for those countries of greatest concern to us from a security perspective—those that our State Department has branded as rogues—this is also clearly the case. States like North Korea and Iraq have a demonstrated record of flaunting norms and manipulating verification measures, such as IABA safeguards. And there is no more bitter irony than to listen to Russian officials tell us that Iran, as a member in good standing of the NPT, is not only deserving but entitled to the dual use technology that Moscow has contracted to sell it, and that we know will be helpful to further Iran's nuclear weapons program.

Because membership in these international conventions bestows legitimacy and, at least for the NPT, access to sensitive materials and technologies, my recommendation for dealing with states such as North Korea, Iraq and Iran is not to seek their participation in these conventions but rather to keep them out. Instead of offering concessions for commitments that we know will be violated, we should practice strict containment of these regimes, beginning in our own national nonproliferation and security policies.

We should also seek to convince others to follow this same path, while recognizing that pursuing such a course will be unpopular and difficult to sustain. We will be confronted with hard choices regarding standards of evidence and intelligence sharing, and in other cases we will be trying to persuade third states that may have much different perceptions of, and economic incentives for dealing with, these rogue states. We faced many of the same challenges in the past when we sought to contain a much larger and more powerful threat. It was not easy and we certainly did not win every challenge. But we persisted and, most important, we led. In the end, we also prevailed.

A corollary to the first principle is to do no harm. In the past, we—the United States and the international community—have been unwilling to confront the limitations of norm building as a basis for policy. The result has been harm to the cause of nonproliferation. Perhaps it is because, at least for some states, arms control has become an end in itself.

Or perhaps it is a reluctance to accept the fact that regimes like those in North Korea and Iraq neither share the same goals as we, nor play by the same rules. Whatever the reason, it seems it is difficult for the international community to chart a course based on a realistic assessment of the threat and the need to counter the threat with sound security policies.

Within the international community the lure of arms control idealism almost inevitably prevails over hard-nosed security judgments. For example, looking to the upcoming NPT Review Conference later this spring, I am confident that the United States will come under significant criticism for falling short in meeting its commitment under Article VI of the NPT to negotiate "effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament." Already we have encountered the initiative from Brazil, Mexico and others pushing what they call the "new agenda" that seeks the "speedy and total elimination" of nuclear weapons, and to take other measures that would serve to de-legitimize nuclear weapons. Such proposals, and they are hardly new, must be resisted and their underlying arguments must be refuted.

It is, of course, imperative that the United States fulfill its obligations under the NPT, as we have done so to date. In terms of Article VI, we have an outstanding record in negotiating reductions in strategic forces and in taking unilateral actions to reduce and eliminate theater nuclear weapons. In fact, even before START II implementation, U.S. deployed strategic warheads have been reduced by about 50 percent. With START II, that number will be reduced by a further 40–50 percent. A START III Treaty at 2,000–2,500 warheads would represent a reduction of about 80 percent from the Cold War arsenal. The United States has also eliminated 80 percent of its theater nuclear stockpile.

Moreover, in the context of the Nunn-Lugar Cooperative Threat Reduction program, we have assisted Russia and others in the destruction and dismantlement of their nuclear forces. The numbers of nuclear weapons eliminated are very impressive: 380 ICBMs and 354 silos; 91 SLBMs and 176 SLBM launchers; and 57 heavy bombers. In all, over 4,900 warheads have been deactivated under the program. The United States has no apologies to make.

Most important, these measures have both served our national security and promoted the goals nonproliferation. They have demonstrated that the relationship between security and nonproliferation objectives can be reinforcing and certainly need

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not be mutually exclusive. In contrast, proposals for elimination or radical reductions in nuclear weapons would undermine our national security and international stability in a way that would likely fuel proliferation.

In this context, we must recognize that our nuclear weapons continue to be essential to our deterrent strategy. The credibility of this deterrent should not be placed in doubt, whether in the context of the NPT Review Conference or through other arms control initiatives. Here, perhaps the prime example is the Comprehensive Test Ban Treaty (CTBT)—a treaty that could call into question the reliability of our nuclear deterrent.

There is no evidence that the Test Ban Treaty will reduce proliferation. None of the so-called "unrecognized" nuclear weapon states—India, Pakistan and Israel—will be convinced by this Treaty to give up their weapons programs. Most important, those countries that are currently seeking nuclear weapons—including Iran and North Korea—will either not sign the Treaty or, more likely, will sign and cheat. These states have demonstrated the value they place in weapons of mass destruction and are not going to give them up because others pledge not to test.

Contrary to its advertised purpose, the CTBT could actually lead to more proliferation not only by our potential adversaries but also by allies and friends who have long relied on the American nuclear umbrella as a cornerstone of their own security policy. In other words, if the Treaty were to lead to uncertainties that called into question the reliability of the U.S. nuclear deterrent, the result could well be further rather than less proliferation.

The United States has for many years relied on nuclear weapons to protect and defend our core security interests. In the past, nuclear weapons were the central element of our deterrent strategy. In today's security setting our nuclear weapons play a less prominent role. But in a world where weapons of mass destruction and long-range missiles are increasingly available to rogue states, they remain an indispensable component of our national security strategy.

By calling into question the credibility of the "extended deterrent" that our nuclear weapons have provided for allies in Europe and Asia, the CTBT could also spur proliferation by those states that have long relied on the U.S. nuclear guarantee. For over half a century, the United States has successfully promoted nonproliferation through the reassurance of allies that their security and ours were inseparable. U.S. nuclear weapons have always been a unique part of this bond. Allies in Europe and Asia continue to benefit from this protection. Should the U.S. nuclear deterrent become unreliable, and should U.S. allies begin to fear for their security having lost faith in the U.S. guarantee, it is likely that some of these states—especially those located in conflict-laden regions—would revisit the question of whether they need their own national deterrent capability.

Maintaining a reliable and credible nuclear deterrent has also contributed to the reassurance of other important friends in regions of vital interest. Countries like Taiwan have to date shown considerable restraint in light of the nuclear, chemical and biological threats in their region. They have done so in large part because they see the United States as committed and capable of coming to their defense. While strong security relations have encouraged these states to abstain from their own nuclear programs, an unreliable U.S. nuclear deterrent might actually encourage nuclear weapons development by these states.

A second principle to guide sound nonproliferation policy is to pursue—with determination and consistency over the long term—meaningful approaches that have the prospect of success in impeding proliferation. Many of the tools that can contribute to nonproliferation have been around for years. National and international export controls and sanctions, for example, were long considered a central part of the West's security strategy.

In the past, the United States and our allies were successful in denying key technologies to the Soviet bloc, such as advanced machine tools and high speed computing capabilities that would have undercut our collective security. This was possible for two main reasons. First, we had a consistent policy on controls and established effective internal and external mechanisms for enforcing the policy. Second, the United States exercised leadership with allies in setting up a standing coordinating agency to monitor transactions and to ensure compliance. This was never easy or popular. But U.S. leadership and the perception of a common threat made it work.

Since the end of the Cold War, there has been neither effective U.S. leadership nor an appreciation of a common threat from proliferation, including by many of our allies. Given the absence of consensus on the threat, there is little agreement on the types and levels of technologies that should be denied. Consequently, export controls have lacked focus and the mechanisms that were in place have been eviscerated.

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Even in our own government, the emphasis on export controls has been significantly diminished as policy has consistently promoted commerce and trade over security considerations. If we are to design a sound nonproliferation policy, we must begin by restoring a proper balance. Only then will we be able to promote meaningful international controls.

Renewing an effective export control regime, one that is responsive to legitimate export needs while denying key technologies to proliferators, will require several actions. First, the Administration and Congress should work to identify the most pressing proliferation issues, in terms of both the target regimes and the technologies of concern. Too broad a definition will likely result in an unworkable system, while too narrow a definition will allow for damaging leakage of technologies.

One of the most difficult aspects of an effective export control policy is to secure the support other nations in a position to provide similar technologies. In part because our current policies are viewed as inconsistent and ineffective, we have achieved little success in influencing others. Once a consistent national policy is established, the Administration should undertake a concerted effort, at the highest levels, to seek support for the policy both at home and abroad.

My expectation is that such an effort could pay significant dividends in slowing and making more costly the weapons programs of proliferators. Yet, leading by example, while essential, will not be sufficient. More direct means, including the application of sanctions, will be required to deal with supplier countries like Russia and China, both of whom have dismal records in assisting nuclear weapon and missile programs of other states.

Next, because of the inevitable competition between the need for enhancing exports to the benefit of U.S. corporations and the need to deny certain goods and technologies to proliferators, the Administration and the Congress should work to establish an effective process for enforcement of the policy. The current system, with split responsibilities and cumbersome procedures for resolving disputes among the agencies involved has proven to be a failure.

Given the inherent conflict of interests among the Department of Defense, the Department of State, and the Department of Commerce, assigning the lead to any one of the Departments is only a formula for continued bickering and delays in administering export control policies. For this and other reasons, it may well be time to consider the recommendations of the Deutch Commission (Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction) to create a National Director for Combating Proliferation and to empower that individual with staff and resources adequate to meet the bureaucratic challenges that have impeded past nonproliferation policy. This may be the only way to ensure that the concerned agencies are able to secure a fair hearing, and that decisions that balance security with trade can be made expeditiously.

A third principle of a sound nonproliferation policy is to prepare to deal with the consequences of proliferation and to treat proliferation for what it is: a central security threat to the United States. If the United States can acquire the military capabilities to deter and defend against the proliferation threat, we will undercut the incentives to proliferate in the first instance. Equally important, these capabilities will ensure that we have a hedge against deterrence failure.

Experience suggests that countries determined to acquire chemical and biological weapons and, as we look to the future, nuclear weapons as well, will ultimately succeed. Given that the states developing and improving such weapons today are our most likely adversaries in the future, we must be ready to deter these states—and especially their use of weapons of mass destruction. If deterrence fails, we must be prepared to fight and win even if these weapons are used against us.

It is in this area of counterproliferation that I have conducted most of my work at the National Defense University. From this research, ranging from bioterrorism and consequence management to doctrine and adversary use concepts, a number of conclusions are evident.

Old models of deterrence are not likely to be successful. In a situation involving a rogue state armed with nuclear, chemical or biological weapons, deterrence will be less stable and more likely to fail than deterrence as we knew it in the East-West context. The conditions that we valued in our deterrent relationship with the Soviet Union—such as mutual understandings, effective communications and symmetrical interest and risks—simply do not pertain with states like North Korea. Moreover, such countries are much more prone to risk taking than was the Soviet leadership.

As a consequence, the threat of retaliation or punishment that formed the basis for our deterrent policy in the Cold War is not likely to be sufficient. Therefore, it is essential that the United States acquire the capabilities to deny an enemy the benefits of these weapons. These capabilities—including passive and active defenses

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as well as improved counterforce means (such as the ability to destroy deep and hardened underground targets and mobile missiles)—offer the best chance to strengthen deterrence, and provide the best hedge against deterrence failure.

A further dimension of the WMD threat that undercuts deterrence is the growing ability of adversaries to deliver these weapons against the United States homeland, including against our cities. This is most visible with the North Korean long-range missile program but also includes the potential for unconventional delivery, especially of biological agents. For rogue states, acquiring the capability to strike our population centers denies us the convenience and simplicity of thinking in terms of fighting a purely theater war, and makes essential our development and deployment of new defensive capabilities. In this context, I commend the initiatives undertaken by the Senate to insure that our first responders are trained to deal with chemical and biological incidents, and for the passage of the National Missile Defense Act.

I do not want to give the impression that the threat of punishment is not unimportant. Although not adequate by itself, such a threat remains essential for deterrence of both initial use and follow-on use of WMD by rogue states. Here, conventional superiority alone cannot provide for a credible deterrent. In fact, despite sustained and determined efforts by some to de-legitimize our nuclear weapons and assertions that their utility ended with the Cold War, our nuclear weapons play a unique and indispensable role in deterring the use of chemical, biological and nuclear weapons in regional contexts. This is in addition to the hedge our nuclear weapons provide against the strategic uncertainties associated with Russia and China—two states that continue to value and modernize their nuclear forces.

From our examination of the real-world case of deterring Iraqi chemical and biological use in Desert Storm, and from our extensive experience in gaming, we have concluded that our nuclear weapons are the single most important instrument we have for deterring the use of chemical and biological weapons against us by rogue states. Conventional superiority, which in certain critical ways is perceived as vulnerable, especially if the enemy uses his WMD capabilities early in a conflict, is not enough. Our conventional and nuclear forces must work together to enhance deterrence in a very complex and dangerous environment.

In conclusion, preventing proliferation—and especially the spread of nuclear weapons—has long been a stated goal of U.S. policy, beginning in the months immediately following the conclusion of World War II and continuing to the present. Every Administration, from President Truman forward, has made nonproliferation a central element of American foreign policy. This was evident in the Baruch proposals and in President Eisenhower's Atoms for Peace initiative. It was also apparent in the negotiation of the Nuclear Non-Proliferation Treaty under President Johnson and in the conventions on prohibiting biological and chemical weapons negotiated under Presidents Nixon and Bush respectively. Presidents Kennedy and Carter were not only eloquent but also passionate in their stated goal of preventing the further spread of nuclear weapons, and President Reagan held the vision of eliminating these weapons altogether.

As the most important leader of the international community, the United States should retain these goals and work toward their achievement. But we must do so recognizing the real world conditions and threats that we face. While we should strive to take advantage of every opportunity to shape these conditions, we must do so understanding both the strengths and limitations of the tools available to us—from diplomacy to the application of force. The skill is bringing together all of these instruments into a coherent and mutually reinforcing policy that promotes nonproliferation and our national security.

Senator LUGAR. Thank you very much, Mr. Joseph. Dr. Cambone.

STATEMENT OF STEPHEN A. CAMBONE, PH.D., DIRECTOR OF RESEARCH, INSTITUTE FOR NATIONAL STRATEGIC STUDIES, NATIONAL DEFENSE UNIVERSITY, WASHINGTON, D.C.

Dr. CAMBONE. Thank you, Senator. It is a pleasure to be here. Senator Biden, it is a pleasure to resume that national conversation that you called for out in Palo Alto.

Let me say as well that these are my personal views and not of the Institute or the Defense University or the Department.

I would like to associate myself with the comments that Ambassador Joseph has made and perhaps focus in on just a couple points and see if I can be responsive to some of the questions

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raised in the first session. With that, let me say that I am going to concentrate first on the state actor issue in this opening statement and we can pick up the non-state actors in the ensuing conversation.

Let me say that, with respect to the state actors, I think we should be treating proliferation as a strategic operation conducted by these state actors. They are conducted with the aim of gaining specific advantage in domestic or regional or global affairs, and in most cases both the suppliers and the buyers are using proliferation to pursue political or military objectives that are inimical to the interests of the United States, to its friends and to its allies.

In so doing, I would argue, they also pose, Senator, a challenge to the international system and its stability, because the stability of that system in fact in the end depends upon the leadership of the United States and the assurances that it and its allies have given to one another that they will in fact deter aggression and maintain international stability. It is against that target that proliferation ultimately is aimed and that it is a process that has been ongoing for some time and indeed precedes our current set of considerations about missile defense and other responsive measures.

If that is right, then our proliferation policy ought to begin, not end but begin, by concentrating on what might be called deterrent operations of one kind or another, and it should frustrate the specific purposes for which these actors who are involved in proliferation are aiming. I think that this contrasts, as a point of departure at least, from current policy, which aims principally at the promotion of universal adherence to broadly directed agreements, with the objective of creating international norms condemning proliferation, which in turn are supported by monitoring regimes and so on.

This approach as a point of departure is insufficient, given the stakes that are involved and the determined character of the regimes that are the targets of our nonproliferation policy. So therefore, Senator, I would argue once again the first line of defense against this proliferation threat has got to be deterrence, modified as appropriate to our current circumstances. That needs in turn to be followed by a second line consisting of tailored measures aimed at disrupting specific proliferation activities, overt or covert as the case may be, and that might respond to specific and particular threats, and those operations should be carried out by coalitions of the willing.

The third line of defense is to rally international opinion in support of those kinds of operations, as well as then to seek in international opinion agreement on other measures that we might take to stem proliferation.

Let me say, though, that it is going to be a hard task, for all the reasons that Mr. Tenet has outlined. I will not go over the ground he did, but I would like to point to one change that is important. That the prior restraints that we saw on proliferation that were imposed by the Cold War have given way to a very much more relaxed strategic environment, where the interests of the major powers are not equally threatened and may even be advanced by proliferation activities.

This conclusion seems reasonable based on the consistent reporting from the intelligence community over the last few years that

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Russia and China are persistent suppliers of technology, materials, and expertise of concern. This is an enormous change, it seems to me, from what we faced during the Cold War.

In light of the realities we face, the current approach to policy, universal adherence, global bans and so forth, is insufficient. The problem we face is not the failure of most states to adhere to their commitments or to find new reasons to ban new classes of weapons. That is not the problem. Instead it is that we are facing strategic operations conducted by some states and entities unconstrained by those norms and hostile to the United States and its allies.

Meeting the challenge does not mean we throw over the successes we have had in our nonproliferation policy, whether we talk about INF, START, comprehensive threat reduction programs and the like. There is no reason to throw those overboard. The permanent extension, the indefinite extension of the NPT in '95 was a notable success. These should not be overthrown. But clearly the evidence before us attests that they are not being effective in meeting the strategic challenge we face, that more is needed.

So let me then, with some trepidation, offer a few points that we might consider in the coming months as we try to reform our nonproliferation policies. First, at the upcoming NPT review conference we really should resist pressures to have the United States and others invest even further in the concepts of universal adherence, global disarmament, and reliance on international inspection regimes. I think we have to instead reiterate that we face a strategic threat and that we need to find a way to enhance our deterrent prospects to meet that threat, to include having credible and capable nuclear forces.

Second, the Export Administration Act, I know, is before the Senate. It is an enormously contentious issue which I dare not red very far into, except to make one suggestion. That is as part of the Act that we establish a database of sales that take place by entities both in the West and to entities in countries of concern, that allows us to track what is being sold and that allows us to manipulate the data in that base in order to be able to give ourselves indicators and warnings of potential behavior that is of concern to us by proliferators.

Third, as we draw down the nuclear offensive forces we clearly have got to restructure them, and I think we should do it with a mind to what our requirements are going to be in a new environment in which not just Russia and China are posing threats to the United States, but in which we face a multiplicity of threats. It may mean that we have to think again about how we are going to arm those strategic offensive forces, to include new designs on nuclear weapons.

I do not know that this last point is true, but I suspect that if it is true we may find ourselves with the requirement to test, and therefore I would suggest that pursuing a Comprehensive Test Ban Treaty at this time really is not in our interest. I would say that offense alone again is not sufficient. We need missile defense of one variety or another. We can take that up in our subsequent conversation.

Finally, the points made by Mr. Tenet I can only reinforce. As you know, Senator, I was the Executive Director for the Rumsfeld

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Commission. That commission did publish an intelligence side letter, which the DCI was very kind to receive. In fact he has gone a long way in implementing many of the recommendations that were part of that intelligence side letter. But the Intelligence Community needs more help and they need it now, and they need it not so much in the area of collection perhaps, but certainly in the area of analysis.

Let me conclude with the following thought and, Senator Biden, this is part of my thought following our earlier conversation. We have to address the international community. There is no way we can do this unilaterally and without regard to their interests. We are a leading state and a democratic state to boot. Therefore the opinions of others matter to us.

But what matters in the end is how they judge the capacity that we show in melding together our military and technical capabilities along with the appropriate diplomatic arts to build coalitions, to isolate bad actors, and in the end develop mechanisms that rehabilitate former adversaries, but still address the underlying causes of instability in the regions in which we are operating.

I would submit that as our current policy exists today we are unable to pass that test. I will offer in conclusion to you one thought. Current policy today gives us very little indication of how we are going to deal with the eventuality that Iran—one day in the next 2, 5, or 10 years—may come into possession of a nuclear weapon. I do not think we know how to proceed from where we are to dealing with that outcome, and it is with that outcome in mind that I think we need to step back and assess our proliferation policies and ask how we will address them in the future.

[The prepared statement of Dr. Cambone follows:]

PREPARED STATEMENT OF DR. STEPHEN A. CAMBONE

[Dr. Cambone is Director of Research for the Institute for National Strategic Studies at the National Defense University, Washington, DC. The views expressed in his testimony are his own and do not necessarily represent those of INSS, NDU or the Department of Defense.]

INTRODUCTION

The United States needs a modern nonproliferation policy. The policy needs to take into account the realities we face today and the consequences we will confront as a result of the proliferation that has occurred over the last decade or so and that will continue to take place in the coming years.

In recent years U.S. policy has come to view proliferation as trade in contraband among states that otherwise are or would be members in good standing of the international community. Instead, our policy should approach proliferation as a strategic operation by which the parties engaged in activities of concern seek to gain specific advantage(s) in domestic, regional or global affairs. Put another way, proliferation is not a serious problem primarily because it represents a failure on the part of modern states to accede to new or abide by their existing international obligations. In fact, many contemporary agreements have near-universal participation and compliance. It is a serious problem because the relatively few states engaged in the practice, both suppliers and buyers, are using proliferation to pursue political or military objectives inimical to the interests of the U.S., its friends and allies. In addition, proliferators pose a threat to the international system. It depends for its stability on the leadership of the U.S., its friends and allies and the assurances they have given each other with respect to crisis management and deterring aggression. By challenging their leadership and calling into question their assurances, proliferators create opportunities they exploit to their advantage.

If this assessment is correct, that a relatively few parties engage in proliferation and do so for straightforward strategic reasons—the consequences of which are quite far reaching—then this suggests the basis of a modern nonproliferation policy. The policy should aim at frustrating the specific purposes for which the relative few ac-

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tors involved practice it. This contrasts with current policy. It aims at the promotion of universal adherence to broadly directed agreements. The objective is to create international norms condemning proliferation, supported by monitoring regimes to detect and discourage proliferation practices. This approach is insufficient given the stakes that are involved and the determined character of the regimes that are the targets of the policy.

Because the practical manifestation of proliferation is military in form even if the ultimate purpose is political—greater influence in domestic, regional or global affairs—the first line of defense against proliferation is deterrence. Further, a second line of defense needs to be devised and implemented consisting of tailored measures aimed at disrupting specific proliferation operations or responding to particular threats, carried out by coalitions of the willing. The third line of defense is rallying international opinion, which has no interest in proliferation, in support of the first two approaches. I will concentrate on the first and touch on the last two in my discussion of near term initiatives.

A modernized policy should also have a broader definition of proliferation than that associated with nuclear weapons. It needs to integrate efforts to control the proliferation of technology, materials and expert assistance to biological and chemical weapons programs as well. And it should integrate efforts to address programs to develop the means for delivering NBC weapons by ballistic missiles. New high technology will need to be addressed as well. One example is advanced computers. Of concern in the past because of their essential role in weapons programs, computers have become weapons of proliferation concern in their own right with the advent of information warfare conducted in cyberspace. Another example is stealth technology. The key point is the integration of these efforts.

To argue that the U.S. needs to revise its nonproliferation policy and the broader arms control policy of which it is a part is not to argue that we lack past and current successes in either area of policy. Cold War-era nonproliferation policy did slow the rate at which nuclear and other technologies of concern found their way into the hands of states hostile to our interests and those of our allies. Nonproliferation policy was instrumental in rolling back the nuclear programs of Brazil, Argentina and South Africa. Nonproliferation policy was also important in discouraging states with the evident capacity of doing so from developing nuclear weapons programs. The indefinite extension of the NPT in 1995 was an important development. In the field of arms control more broadly there have been notable successes. The Intermediate range Nuclear Forces treaty (INF), the two START agreements, the London Protocol to START I, the CFE treaty and the mutual, unilateral reduction in deployed theater nuclear forces by the U.S. and Russia are the most significant.

With these successes noted, it remains the case that the majority of the treaties, conventions, agreements and laws we have in hand were created during the Cold War to addresses its problems. What we need is a fresh look at today's problems and those we know are looming and to devise as appropriate new approaches to address them.

REALITIES TODAY

In the context of a broader definition of proliferation concern, the reality of the problem we face is quite daunting.

The prior constraint on proliferation imposed by the Cold War has given way to a more relaxed strategic environment where the interests of the major powers are not equally threatened and may be advanced by proliferation. Russia, for example, does not express the same concern as the U.S. over the progress of Iran's nuclear programs or its development of ballistic missile capability. China does not seem to share the U.S. concern about the evolution of Pakistan's nuclear and ballistic missile programs. These conclusions seem reasonable based on the consistent reporting of the Intelligence Community over the last few years that Russia and China are persistent suppliers of technology, materials and expertise of concern.

Regional powers have found the global market a boon for the development of nuclear, biological and chemical weapons (NBC) and the means for delivering them by ballistic missiles over longer and longer ranges. In addition to the specialized aid countries like Russia and China have supplied to proliferators, the global market makes available at relatively low cost dual-use assets—personnel, technology and materials—essential for developing NBC weapons and delivery systems. In addition to the major suppliers, whose conduct is impeded if not prevented by agreements such as the London Suppliers Group, MTCR and Australia Group, there has grown up a secondary source of supply provided by the North Korea, Pakistan and others. These secondary suppliers are not affected by the constraints adopted by responsible suppliers. For both primary and secondary suppliers the global market eases the

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ability of governments or entities with an interest in doing so to export or import the specialized equipment and materials essential to the manufacture or assembly of NBC devices and delivery systems.

As far as is known, the mechanisms of the global market have not been used to transfer fissile material—which is used in nuclear weapons. At the same time, we cannot be certain that such transfers have not occurred. The operations by the U.S. and the UK, respectively, to remove at risk material from Kazakhstan and Georgia highlight the potential availability of such material. It is not beyond the realm of possibility that the ongoing trade between North Korea and Pakistan, neither with a surfeit of hard cash, is based on a barter arrangement: ballistic missile technology from North Korea in return for weapons-grade uranium (or even plutonium if recent press reports are correct) from Pakistan.

The ability of the U.S. and other interested governments to gather the intelligence needed to address proliferation concerns is heavily stressed. The number of competing tasks, the complexity of the market environment and the acknowledged capacity of proliferators to deny information about their activities and deceive about their intentions and capabilities makes timely and accurate intelligence collection and analysis difficult.

Consequences of proliferation in the future

A number of emerging powers in addition to the Russian Federation and China will directly threaten the U.S. with NBC weapons delivered over varying ranges by land- or sea-launched systems. Emerging powers will also threaten U.S. allies and friends. These emerging powers are likely to pose threats to one another and in some cases to Russia and China, e.g., Iran and Iraq, India and China, contributing to heightened regional tensions and further complicating efforts to address the consequences of proliferation. Their missile delivery systems and the weapons they carry will vary in sophistication, but all are likely to have profited from proliferation activities by Russia, China, North Korea and Pakistan and are likely, therefore, to pose a technically credible threat.

While we concentrate on the military-technical aspect of proliferation, in the end its strategic-political effects may be more profound. Some of those effects are already evident. Friends and U.S. allies are taking measures to enhance their own security in light of the new threats. Following the flight of North Korea's Taepo Dong I over its territory, Japan announced it would deploy a reconnaissance satellite to monitor regional developments, particularly in North Korea. Concerned about North Korean missiles, South Korea is seeking its own medium range offensive strike capability as a deterrent. Saudi Arabian officials are reported to have visited Pakistani missile facilities, no doubt motivated by developments in Iran and Iraq. Israel is deploying its ARROW theater missile defense and is reported to be exploring submarine launched missile systems as measures to reinforce its deterrent posture.

These developments among U.S. allies and friends will have their own consequences over time, not all of which we can foresee. For the moment, at least, they are taking place within the context of U.S. security commitments. It is not impossible to imagine that some allies and friends, uncertain of U.S. commitments or anxious to insulate themselves from the unpleasant consequences of being implicated in a crisis managed by the U.S., would seek to develop separate or independent approaches to addressing proliferation threats. These approaches could include both military efforts, as in the case of South Korea, or political efforts to fashion regional or global security and proliferation agreements that are not fully in U.S. interests.

FOUNDATION OF A NONPROLIFERATION POLICY

Resist casting nonproliferation as a "norm"

In recent years the international community, whether narrowly focused on nuclear nonproliferation or more broadly on the range of technologies of concern, has characterized its efforts as the creation and enforcement of "norms" of behavior.

It is argued that the members of the various nonproliferation regimes, in acceding to the regime, have declared the action(s) or item(s) subject to control illegal and illegitimate. This is especially evident in the context of the NPT. Its original object was to slow the spread of nuclear capability beyond the five nuclear weapons states acknowledged by the NPT. That purpose has evolved over to time such that today it is seen as the vehicle for the elimination of nuclear weapons. From this perspective proliferation is viewed as the equivalent of trade in contraband, i.e., an illegal act and an affront to the moral sensibilities of the international community.

Curiously, however, the international community has not sought to punish the violator(s), for example by expulsion from the regime and denial of the real benefits associated with membership. Instead, the instinct of the international community

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has been to abolish the trade and work to reform the bad actors, to bring them into conformity with the norms of the community. Regime members fear that expulsion would undermine the universality of the norms and in that way legitimize the illegal behavior. For those proliferators clever enough to have understood this, the abolitionist tendencies of the international nonproliferation community have created an opportunity to extort compensation for their contraband, all the while seeking ways to preserve whatever advantages they may have accrued through the acquisition or sale of the contraband. This, I think, is the tale told in the case of North Korea's nuclear weapons and ballistic missile programs. This is not where we began with Iraq, but recent developments suggest it is the course on which we now find ourselves.

Moreover, the application of the norms is without differentiation with respect to the states to whom they are applied. In the case of nuclear weapons they are said to pose a moral challenge to the international community irrespective of whether they are possessed by the U.S. or North Korea. The aim, as one leading member of the NPT-related NGO community put it, is universal nuclear disarmament, the sooner the better. Leaving aside the suggestion of "moral equivalence" between the U.S. and North Korea, this view undermines the foundation of the regime. That is, it was the nuclear deterrent effect that was provided by the U.S., France and the United Kingdom during the Cold War that made sense of an agreement like the NPT. It remains the case that the assurances of international stability broadly and of direct security commitments in the case of allies and friends of the U.S. that holds the NPT bargain together.

The underlying purpose and object of nonproliferation policy is increasingly obscured by an appeal to the creation and enforcement of international norms. So too have the necessary components of a successful nonproliferation policy, specifically, and arms control policy more broadly. Proliferation is a conscious effort by small number of states and entities to undermine the efficacy of deterrence. The pernicious, if unintended, effect of "norming," particularly in the case of nuclear nonproliferation, is to weaken the deterrent capability that gives those norms the possibility of having practical effect.

In my view the norms associated with nonproliferation policy should be understood as expressions of the higher principles that guide the conduct of international affairs. These are reflected in our own Constitution and laws and reflected in the conduct of our affairs over two hundred years. The same can be said for other Western states.

In making this observation I do not dismiss the commitments the U.S. and others have made in various agreements and treaties. None is more subject to debate in this regard than the obligation it and other nuclear weapon states (NWS) have assumed under Article VI of the NPT:

> . . . to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

This obligation is not a "norm" independent of and superior to those imposed on U.S. policy by our own Constitution and laws. But it does impose on us an obligation to create the conditions and devise the "effective measures" that allow for the goals of Article VI to be approached.

As the earlier discussion indicates, current conditions are not conducive to a nonproliferation and related arms control policy based on the concept of creating and enforcing norms. Far from our expectations that we could build upon the favorable conditions that seemed to have been created by the end of the Cold War, we confront conditions in which large and small states alike find it advantageous to ignore norms and pursue their more immediate national interests.

Hence, in my view creating conditions under which nonproliferation and other arms control agreements might operate successfully in the first order of business. And the creation of those conditions depends now and for the foreseeable future, as it did in the Cold War, upon an effective American deterrent strategy, including but hardly limited to a continuing role for nuclear weapons.

Develop policies that enhance U.S. deterrent potential

U.S. deterrent policy has not been static. With the evolution of the Cold War, and now with the changes in the post-Cold War environment, the U.S. has adjusted both its deterrent forces and policies. With respect to offensive nuclear forces, as noted, negotiated agreements and unilateral actions have reduced the number of deployed weapons. Moreover, the U.S. is prepared to reduce its forces further and to explore reductions beyond levels already identified.

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But in the face of technological advances and the realities outlined above, a deterrence policy based primarily on nuclear weapons is not enough. This is not a new development. Since the late 1950s the U.S. has continually shifted the balance of its deterrent from a primary reliance on nuclear weapons of the "New Look" to the mix of nuclear and conventional forces at the heart of NATO's strategy of "flexible response." The Gulf War taught us that now deterrence also requires conventional forces that are protected against long-range air and missile strikes, rapidly deployable, stealthy in their operation and able to strike with precision against an adversary's "center of gravity" from the outset of a campaign. Kosovo taught us the value of information operations. If these are some of the lessons the U.S. has learned, it is certain that potential adversaries have learned these, and more, as well and are considering how to overcome U.S. capabilities.

Discouraging the acquisition of NBC-related and other advanced technologies by countries of concern is an essential element of a U.S. deterrent strategy. But it is evident that a deterrent based primarily on nuclear weapons is insufficient. The capability of the U.S. to retaliate for nuclear (or chemical or biological) use has not discouraged the acquisition or development of these weapons by North Korea, India, Pakistan and possibly Iran. Clearly more is needed to deter such behavior.

Nonproliferation policy needs to assure the continued development or adaptation of U.S. military capabilities. International and bi-lateral agreements need to provide the U.S., and by extension its allies, with flexibility in such fields as missile defense, cyber operations, intelligence collection and covert operations, advanced conventional munitions and delivery systems stand at the top of the list. And, given the inclination of proliferators to place their factories, depots, headquarters and bases underground, we may need to consider as well whether we have the nuclear weapons we currently deploy are a credible deterrent or if new designs are needed. Put another way, nonproliferation agreements need to be subjected to a net assessment. Given the realities of proliferation, does a proposed agreement provide the U.S., its allies and friends with long-term deterrent advantages over prospective proliferators?

Promote narrower purposes for the nonproliferation regimes and mobilize friends of the regimes in support

It was earlier remarked that U.S. nonproliferation policy should be broadened to include chemical and biological weapons, the means for delivering weapons over long distances and new weapons, such as computers, in addition to the traditional emphasis on nuclear weapons. But while the scope should be broadened, U.S. policy needs a narrower but more attainable objective for its nonproliferation efforts. That purpose is to reduce direct threats to the U.S., its forces and our allies. That policy objective will succeed best when allies and friends share it and contribute to its accomplishment. Like the U.S., they have an interest in discouraging regional powers from acquiring means to gain by force or threats of using force what they cannot acquire through accepted international practices. This narrower focus, rooted in national interest as opposed to abstract norms, does not resolve the difficulties we face today in discouraging proliferation. But it does help strip away the apparent contradictions related to nonproliferation policies.

An example helps to make the point. Judged by their own objectives and criteria, the CTR program with Russia has been far more effective than persuading the Russians to abandon their altogether legal and lucrative trade with Iran in civilian nuclear technology. The CTR is not a matter of norm setting. It is a matter of mutual national interest. For the U.S. it increases confidence that nuclear weapons will not be transferred out of Russia. For Russia it provides much needed assistance for the performance of state functions on which its domestic and international credibility depends. Restricting Russia's nuclear trade with Iran is in American interest. It is not, however, in Russian interest. Moreover, under the NPT regime it is a legal activity. An appeal to Russia based on the norms of the NPT not only poses a false issue—the trade after all is legal—but it obscures the larger point that both Iran and Russia have national interests that are served by the trade. Discovering and understanding that interest, evaluating its implications for the security of the U.S. and its allies and friends and gathering international support in opposition, if that is appropriate, may be more difficult than an appeal to international norms. It is, however, more likely to create a firmer, less equivocal, base in both domestic and international public opinion if action in opposition to Russian and Iranian interests proves necessary.

To test this proposition we might consider how would the U.S. respond if in the next 12–36 months evidence is adduced that Iran, actually or virtually but in violation of its NPT commitments, were in possession of a nuclear device? If the response were driven by a determination to sustain the norms of the NPT regime, we would

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be required to compel Iran's compliance with the NPT as we have with North Korea. But what is the likely success of this approach? Iran is a country with an increasingly popular form of government. It is not an isolated regime. Nor is it a bankrupt country, friendless and isolated in the international system. It has friends in the Muslim and Arab world and it engages the interests of many of our allies. It is a key to stability in the Middle East/Southwest Asia region. If North Korea has been able to trade its illicit activity for compensation, if Iraq has been able to wear down the determination of the international community, what might we expect of Iran? And if, having made a point of demanding Iranian compliance with the norms of the NPT, Iran either retains openly or is widely suspected of retaining covertly a nuclear weapons capability, what standing can be accorded the NPT and its norms? Moreover, having attempted to rally opinion to sustain the NPT, how difficult will it be to rally support for an alternative policy, for example of containment aimed at rollback? If we could not sustain this approach with Iraq, what prospect do we have to sustain it with Iran?

This alternative point of departure could declare Iran's acquisition of a nuclear device a threat to the security of the U.S. and its allies and friends and to international peace and stability. It might be accompanied by an effort to have it expelled from the NPT and other international organizations until Iran permits uninhibited inspections of its facilities. The U.S. could seek to contain Iran and motivate neighboring states to pose a crushing military challenge such that Iran gives up the game and is brought into compliance with its NPT obligations. This is a difficult course, one obviously fraught with dangers and uncertainty.

Another choice would be for the U.S. to seek a rapprochement with Iran as a new player on the regional scene. But this would require a full overhaul of the NPT regime and its accompanying norms. It would require a policy that made sense of the status of Israel as well as Pakistan and, India which did not at the same time give encouragement to others capable of developing nuclear weapons but who have so far not done so.

The point here is not to define policy in response to an event that may not occur. It is to illustrate that our current policy, rooted in the preservation of norms, needs reconsideration in light of recent precedent setting events and the complexity that would surround a sharp challenge to those norms, in this example acquisition by Iran of a nuclear capability. And it is to suggest that a more narrowly focused policy, animated by national interests that can be clearly articulated and that give rise to predictable course(s) of action, may prove better suited to rallying support to meet a security challenge while still preserving the norms of the regime.

NEAR-TERM INITIATIVES

A series of steps over time is needed for building a modern proliferation policy. Following is a set of steps that might be taken in the near term.

NPT REVIEW CONFERENCE

The U.S. should affirm its commitment to the principles and practices of the NPT. The U.S. should affirm that it recognizes and accepts, as one of the declared nuclear weapons states party to the treaty, the special responsibilities it has undertaken to advance the purpose and object of the treaty consistent with its rights as a sovereign state, its rights and responsibilities under the UN Charter, and its solemn obligations to allies.

In plain language this means that the NPT does not supersede other rights and obligations of the U.S. nor does it undermine the legitimacy of nuclear weapons as an element of U.S. security policy.

The U.S. should reiterate its policy, as articulated by Undersecretary of Defense Slocombe, that a commitment to negotiate nuclear disarmament is one made in the context disarmament on a broader, global scale. It should, as a consequence, reject any effort to establish a time-bound schedule for nuclear disarmament.

The U.S. should also reiterate that its obligations on nonproliferation stem from the NPT itself and not from the ancillary documents that have been produced through the Preparatory Committees (PrepComs) and Review Conferences (RevCons). In particular, the Principles and Objectives adopted at the last RevCon imposes no new obligations on the U.S.

The U.S. should resist efforts to upgrade the role of the PrepComs and RevCons to assemblies charged with devising plans for the implementation of disarmament proposals or assessing the compliance of NPT parties with those plans.

The U.S. should reject the premise that the nonproliferation regime now depends for its viability on an interlocking set of treaties and agreements—e.g., ABMT, START, CWC, BWC, CTBT. The exercise by the U.S. of its rights under a treaty,

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e.g., amending or withdrawing from the ABMT, does not relieve it of its obligations under other treaties. More to the point, such an action by the U.S. does not relieve other states of their obligations. Each of these agreements stands on its own legal foundation.

EXPORT AND LICENSING PROCEDURES

It is with considerable trepidation that I raise export and licensing procedures given the active consideration of the Export Administration Act (EAA) by the Senate. It is my view that such procedures are a critical element of our nonproliferation policy. But in the same way that we have to realize that "norms" will not pose a substantial barrier to those who choose to violate them, the same is true of export and licensing procedures.

There are precious few assets needed by proliferators—technology, materials, experts—that cannot be obtained relatively easily in the global market place. (Fissile material for weapons is one asset difficult, though perhaps not impossible to come by.) It is true that not all of those assets will be cutting edge. They don't need to be such to be of use to proliferators. They need only be good enough to get the job done. This is true for computers used in weapon design, commercial mixing bowls used by bakeries that can mix solid fuel for missiles and three axis winding machines best used to make shaft for golf clubs but also adequate to make re-entry vehicle ablative shields.

I would urge that as we revise our export and licensing procedures we do so with an eye to making them useful for two purposes. First, we must assure that the transfer and use of assets known to be essential to proliferation activity of greatest concern are accounted for and controlled. Second, rather than try to control an impossibly long dual-purpose list, we should develop a comprehensive and easily manipulated database of items shipped to countries or actors of concern. The U.S. and other countries must be willing to contribute to the database if it is to be a useful tool. Algorithms could reduce the information and keyword searches developed with reference to projects proliferators are known or are suspected to be working on. Knowing, for example, that Iran has an interest in solid rocket motors would allow analysts to search the database to determine whether it has obtained the winding machines it would need for their manufacture. Then, at least, we would have a better idea of the state of its ambitions and be able to take more focused measures to prohibit the transfer of or interdict shipments we can reasonable associate with its solid rocket motor effort. Third, analysts need to be trained in alternative, creative pathways to proliferation that can circumvent established export controls. Care needs to be taken that a focus on known programs and pathways does not blind them to innovative technical routes.

NON-STATE ACTORS

Proliferation policy needs to take into account non-state actors. This includes suppliers as well as actors who may or may not be acting with the blessing of their government. Some of the efforts directed at state actors can make it more difficult for non-state suppliers to meet demand. Complicit behavior by governments in the conduct of entities ostensibly under the control presents an especially difficult challenge for current policy.

With respect to non-state actors, e.g., terrorists or "liberation groups" that threaten the use of NBC weapons or conduct cyber operations, the need for deterrent and defense measures, to include a role for law enforcement and "consequence management" is critical. As the Deutch Commission on the Organization of the Government for Combating Proliferation argued, the overriding problem may be less available means than a poor government organization for meeting the threat.

INTELLIGENCE COLLECTION AND ANALYSIS

The key to an active proliferation policy is good intelligence. But good intelligence is hard won when it comes to the proliferators of greatest concern. They have learned a great deal about how we collect intelligence and how we analyze it. As a result, they have become better at deception and denial. Advances in technology also make collection more difficult as information is becoming better protected.

But improvements are possible. The Rumsfeld Commission, in its "Intelligence Side Letter" outlined a number of improvements, many of which have been embraced by the intelligence community. More money, less for collection than for the hiring and training of analysts devoted to studying the strategic intentions, military doctrine and technical capabilities of proliferators is needed. Wider ranging cooperation with allied and friendly governments ought to be pursued as well. But in the

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end, given the sensitive nature of intelligence, we will need to rely on our own resources.

BALLISTIC MISSILE DEFENSE

In my judgment defense is essential as a compliment to our offensive forces—conventional and nuclear—in deterring aggression by regional powers against U.S. allies and friends or the U.S. itself. An initial deployment should be competent to defeat the current and anticipated threat against the U.S. and its allies, even if this requires basing elements of an NMD-capable systems abroad. It should also include a research, development and testing regime structured to discourage regional powers from exploiting the global market for technologies to overcome our defense. And, it should give clear indications to potential adversaries of the conduct, e.g., expanded arsenals, threatening deployments, aggressive testing, hostile acts against states in the region, that would cause us to consider expanding our initial deployment.

OFFENSIVE FORCE REDUCTIONS

The U.S. has indicated its willingness to reduce its current nuclear offensive forces to the START III level of 2,000–2,500 deployed warheads. There are calls to reduce the number even lower, to the level of 1,000 or even 500 warheads. Before going beyond the START III level the U.S. needs to review its requirements for offensive forces in a world of multiple nuclear offensive threats.

During the Cold War force sizing and the characteristics of the forces were driven primarily by the Soviet threat. Today Russia still poses a significant threat to the U.S. China is modernizing its offensive forces and will present within the decade a more technically capable and substantially larger threat than it does today. North Korea and Iran lead a group of states that have larger arsenals of short to intermediate range missiles that can deliver NBC weapons to threaten U.S. forward deployed forces and allies. In addition, North Korea and Iran are both likely to pose a direct threat to the U.S. India has the capability to use its space launch vehicles to deliver payloads over ICBM ranges and is developing missiles dedicated to the ICBM mission. We need to consider the role of our reduced nuclear forces in deterring these threats and capabilities.

The credibility of the nuclear deterrent will turn on its evident technical capacity to hold at risk in a timely and responsive fashion those targets that pose the greatest risk to the U.S. and its allies and which are most highly valued by an adversary. In an age in which such targets are more often than not mobile or buried underground, and in which concerns about any nuclear use and collateral damage is high, this puts an enormous strain on the nuclear forces. In my view we need to carefully consider whether the forces we would deploy at reduced aggregate numbers will be structured and equipped to deter effectively in a proliferated world.

CTBT

It is for this reason that I believe the U.S. should not ratify the CTBT. Pending a careful review of our forces, we may discover that we need new designs for our weapons—the delivery vehicle, the warhead or both—to address adequately requirements that are emerging. We need to have high confidence that any system changes that affect warhead performance, modifications to existing weapon designs to create new capabilities or new designs developed to meet new requirements are safe, reliable and, in the minds of an adversary, credible. I do not believe that the scientific community would certify warheads developed under these conditions without testing. A policy that called for a review that could result in the need for new weapon designs and testing would not elicit broad, bi-partisan support here at home and would be met with stiff opposition abroad. This leads back to the special obligation the U.S. carries for enforcing deterrence. Without credible forces deterrence strategic are very risky.

REASSURING ALLIES

A nonproliferation policy that included limited national missile defense and modernized nuclear forces at lower aggregate numbers would need to be explained to our allies. In truth, that is a task in which the Administration is currently engaged, at least as it affects defense and lower offensive forces. But the explanation would need to go beyond the unsatisfying military-technical argument so frequently heard. For in the end while allies expect that we know how to use our military-technical capability to deter and defend, it is on our political-strategic judgment that they rely for their security. Knowing the U.S. can win a war they would rather not see fought

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and over which they may have little control is not a position any self-respecting allied government can sustain.

The judgment they rely on is how best to meld our military-technical capability with the diplomatic arts related to the building of coalitions, the isolating of "bad actors," and the development of mechanisms for rehabilitating former adversaries while addressing the underlying causes of instability. This is a delicate balance that the U.S. has long struck in Europe, the Middle East, South and Southwest Asia and in Northeast Asia.

But as the discussion of Iran and its possible possession of a nuclear weapons suggested, our judgment and resulting actions could be constrained by a nonproliferation policy more devoted to creating and sustaining norms than preserving regional security. A clear and uncompromising commitment to regional security, careful nurturing of our relations with friends in the region, diplomacy with our European allies that anticipates the event and sketches a coordinated response, these are actions more likely to assure allies and blunt any destabilizing consequences of an Iranian nuclear weapon. They are likely to be more reassuring than will proceedings in UN Security Council, IAEA and other places to fashion a response.

ADDRESSING THE "INTERNATIONAL COMMUNITY"

As a great democracy and leader of the international community, the U.S. cannot be disdainful of international opinion. We are obligated to take its criticism of our actions and policies with same seriousness with which criticism is offered. Toward that end, the revision of nonproliferation policy has to be pursued in the open and with consistency among its many components. Unipolar American hegemony is not an ambition shared by many in the U.S. We do ourselves no harm, and may garner goodwill, in seeking to draw as many friends and allies as possible into our nonproliferation effort.

But in the end the U.S. needs to be clear that it intends to treat the consequences as proliferation as a significant strategic challenge. As such its first line of defense is a credible ability to deter the use of NBC weapons and newer, advanced technologies. Treaties, agreements and other instruments of international law are valuable to the extent that they reinforce that credibility. Those instruments can serve as well to reduce deployed forces and to decrease the possibility of conflict through miscalculation. They can even slow and at time help to roll back proliferation. But the test of their value in the end is always the same; in the end, do they enhance the credibility of deterrence under the conditions they are meant to create?

Senator LUGAR. Thank you very much, Dr. Cambone.

At this point we will have a short recess and we will return and continue our dialogue. Pardon us for leaving you right at this moment, but we will come back fresh. Thank you.

[Recess from 4:05 p.m. to 4:27 p.m.]

Senator LUGAR. The hearing is resumed.

We are very pleased that you are here, Mr. Cirincione. We look forward to your testimony. Please proceed.

STATEMENT OF JOSEPH CIRINCIONE, DIRECTOR, NONPROLIFERATION PROJECT, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE, WASHINGTON, D.C.

Mr. CIRINCIONE. Senator Lugar, thank you. It is an honor to testify before this committee. As someone who spent 9 years on committee staff, I understand the relative value of expert testimony, so I will be brief, and perhaps we can have—

Senator LUGAR. Well, not too brief.

Mr. CIRINCIONE [continuing]. —more of a conversation up here.

I guess there are two essential points I would like to make, Senator. The first is that, despite some analysts' feelings that the existing nonproliferation regime, this interlocking network of treaties, organizations, and arrangements, is ill suited to the tasks of the new century, I would say that this regime has withstood quite well the test of history, and it has one overwhelming argument in its favor; it works.

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We have to remember before there was a nonproliferation regime the kind of world the United States feared. President John Kennedy warned us in the beginning of the 1960's that he feared that by the end of that decade 15, 20, or 25 nations could acquire nuclear weapons, not just small nations, not the rogue states of the day, but the large industrial nations. Sweden had a nuclear weapons program, Italy had a nuclear weapons program. We were worried about what path Germany and Japan might take.

Fortunately, with bipartisan cooperation through the 1960's, by the end of the decade only one new nation, China, joined the existing four nuclear weapons states. And in fact, the regime that was then built has successfully, although not completely, contained the spread of nuclear weapons. We run on average about one new nuclear weapons state a decade. That is not a bad historical record. I would rather it was none. I would rather we were reducing this. But on average, the nonproliferation regime has seen only one failure per decade.

Let me remind you of the scene almost 15 years ago when experts and government officials looked then at the proliferation risks posed by the top ten states of concern: India, Israel, South Africa, Pakistan, Argentina, Brazil, Iraq, Libya, South Korea, and Taiwan. Today, 15 years later, three of these—South Africa, Argentina, and Brazil—have abandoned their nuclear weapons programs; two, South Korea and Taiwan, would be a risk only if their regional situation sharply deteriorates; one, Libya, is of moderate concern; one, Iraq, remains of high concern; and three, India, Pakistan, and Israel now have nuclear weapons.

There are other states that bear watching, but over the past 15 years only two new nations of high concern must be added to this list, North Korea and Iran, for a total of seven countries remaining on the active nuclear proliferation watch list.

At this same time, the nonproliferation regime has allowed us to accomplish some impressive achievements. Perhaps the most historically significant is the denuclearization of Ukraine, Belarus, and Kazakhstan after those new nations inherited thousands of nuclear weapons from the Soviet Union in 1991 and the implementation of the Nunn-Lugar-Domenici cooperative threat reduction programs in these states.

I must apologize to you, Senator, for using outdated figures in my prepared testimony. I hope you will allow me to correct the record, because in fact over the past few months—or you could correct it for me—for the modest expenditure of approximately $3 billion, we have actually through the Nunn-Lugar-Domenici programs dismantled well over 4,800 nuclear warheads, eliminated hundreds of nuclear ballistic missiles and ballistic missile silos and nuclear submarine launch tubes, and well over 50 long-range bombers—a truly impressive record from one of the key elements in the nuclear nonproliferation regime.

On other fronts, during the last 20 years the Intermediate Nuclear Force Treaty eliminated an entire class of missiles from the arsenals of the United States and the Soviet Union. UNSCOM inspectors in Iraq uncovered and verified the destruction of far more biological and chemical weapons and facilities than were destroyed by the bombing during the Persian Gulf War in 1991. The Agreed

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Framework with North Korea, for all its problems, is successfully containing, perhaps reversing, the nuclear weapons program that threatened to plunge the Korean peninsula into war in 1994. A recent Council on Foreign Relations task force concluded, "The Agreed Framework stands as the major bulwark against a return to the kind of calamitous military steps the United States was forced to consider in 1994 to stop North Korea's nuclear weapons program."

Meanwhile, South Africa dismantled its arsenal and joined the NPT and the African Nuclear-Free Zone, Algeria flirted with a secret nuclear program but abandoned its ambitions and joined the NPT in 1995, and, as I mentioned, Argentina and Brazil formalized the end of their nuclear programs by acceding to the NPT in 1995 and 1998 respectively.

The regime has sustained some serious setback and defeats. There may be more in the future. Overall, however, the treaty regime has done a remarkable job of checking the unrestricted global proliferation Kennedy feared. One of the primary reasons is that this regime has enjoyed the bipartisan support of both major parties during most of its existence.

In fact, people do not appreciate the powerful role played by Republican presidents in constructing this regime. In my testimony I refer to this as a Republican-built regime. Richard Nixon was not at all naive when he unilaterally ended the United States' biological weapons programs or when he launched the negotiations for the Biological Weapons Convention which banned biological weapons globally without, I might add, a verification regime. He was not naive when he negotiated the SALT I Treaty and the Anti-Ballistic Missile Treaty.

I do not believe President Reagan was naive or idealistic when he negotiated the Intermediate Nuclear Weapons Reduction Treaty eliminating this entire category of missiles. President Reagan, of course, opposed the SALT II Treaty negotiated by his predecessor Jimmy Carter while he was a candidate; but as President he observed those treaty limits and then went out and negotiated one of the most far-reaching arms control pacts in history, the START I Treaty, and allowed his predecessor, President George Bush, to build on that and sign and negotiate the START II Treaty in 1993, which was the most sweeping arms reduction pact in history. President Bush also signed the treaty he had negotiated, the Chemical Weapons Convention, which prohibits chemical weapons worldwide, and he took very far-reaching unilateral steps in 1991 eliminating many of the tactical nuclear weapons that the United States had accumulated and sharply reducing the alert status of many of our nuclear forces.

This is a very impressive record of accomplishment by Republican presidents, in cooperation in many instances with a Democratic Congress. I think that formula has proved historically to be the one that actually has led to the most successes. For whatever reasons, Republican presidents seem to be the ones that are able to implement many of these far-reaching arms control treaties.

Let me just end, sir, by suggesting that it would be a shame if we ignored this Republican legacy in our haste to devise new methods and new policies that may sound good, may sound tough, but

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have very little historical evidence to back them up. I am very leery of any efforts that would burn the bridge while we are still standing on it.

I have to identify myself with the words of President Clinton in remarks just last Thursday to the Carnegie International Nonproliferation Conference. He said, "I believe we must work to broaden and strengthen verifiable arms control agreements. The alternative is a world with no rules, no verification, and no trust at all. It would be foolish to rely on treaties alone to protect our security, but it would also be foolish to throw away the tools that sound treaties do offer—a more predictable security environment, monitoring inspections, the ability to shine a light on threatening behavior and mobilize the entire world against it."

I completely agree. These international norms matter, they work, and they can continue to work as long as we work in a bipartisan fashion to expand and strengthen these regimes.

Thank you, Senator, for allowing me to offer these brief observations.

[The prepared statement of Mr. Cirincione follows:]

PREPARED STATEMENT OF JOSEPH CIRINCIONE

THE NATIONAL SECURITY IMPORTANCE OF THE NONPROLIFERATION REGIME

Thank you for the privilege of testifying before the Committee. My testimony is based on a new book I have just edited, *Repairing the Regime: Preventing the Spread of Weapons of Mass Destruction*. It will be published in late April jointly by the Carnegie Endowment for International Peace and Routledge. It is an honor to discuss these issues with you today.

By way of background, I served for nine years on the professional staff of the House Armed Services Committee and the Government Operations Committee, beginning in 1985. My duties included tracking and analyzing developments in nuclear and ballistic missile programs and nuclear policy issues. I continued this analytical work during four years as a senior associate at the Henry L. Stimson Center in Washington and now for two years in my current position at the Carnegie Endowment.

Overview

The first post-Cold War decade was in many ways a period of progress and global growth. The world's population grew 10 percent to 6 billion people. The American economy enjoyed its longest peacetime expansion ever, with the Dow Jones industrial average rocketing from 2600 to almost 12,000. Many other economies also prospered, as Asian countries expanded, crashed, and rebounded. Not coincidentally, the world's nations now spend 30 to 40 percent less on defense than they did during the Cold War, despite several major regional conflicts. Computers increased exponentially in speed, cell phones multiplied even faster, and the Internet grew from a backup system for nuclear war to an indispensable global network linking students, experts, and nations. It was a remarkable decade for the sciences, particularly astronomy, as space- and ground-based instruments extended our vision closer to the far edges of the universe and the beginning of time.

In one crucial area, though, the past decade failed to live up to expectations. The threat of the mass destruction of human beings by the most heinous weapons ever invented still haunts world capitals and vexes military and political leaderships. During the 1 990s, fears that some group or nation would use internationally banned biological or chemical weapons actually increased. United Nations inspectors after the 1991 Persian Gulf War discovered that Iraq had assembled hundreds of weapons filled with VX and sarin nerve gas and two dozen others with biological agents, including anthrax, botulinum toxin, and aflatoxin. The 1995 sam gas attack on the Tokyo subway by the Japanese cult Aum Shinrikyo led some experts to warn of future "super-terrorism" battles. U.S. Secretary of Defense William Cohen calls it "a grave new world of terrorism—a world in which traditional notions of deterrence and counter-response no longer apply."[1]

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[1] "Prepare for a Grave New World," *Washington Post*, July 26, 1999, p. A19.

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Other experts caution that the media and fictional novels have exaggerated the chemical and biological weapon threats. Few can ignore, however, the brooding presence of the mountain of nuclear weapons and nuclear materials that still fill global arsenals. As the new millennium begins, eight nations possess almost 32,000 nuclear bombs containing 5,000 megatons of destructive energy. The equivalent of about 416,000 Hiroshima-size bombs, this global arsenal is more than sufficient to destroy the world.[2]

With the collapse of the Soviet Union, the danger is no longer a global thermonuclear war. Americans do not fear thousands of Soviet warheads screaming over the Pole; nor do Russians worry about volleys of American warheads pulverizing their nation. However, there remains a very real danger that nuclear, biological or chemical weapons will be used in smaller—but still horrifically deadly—numbers. Whether delivered in the cargo hold of a ship, the belly of an airplane or the tip of a missile, the use of just one modern thermonuclear weapon would be the most catastrophic event in recorded history. A 1-megaton bomb would destroy fifty square miles of an urban area, killing or seriously injuring one to two million people.[3] Even a smaller, more portable device of 100 kilotons (eight times larger than the Hiroshima bomb but small by today's standards) would result in a radiation zone twenty to forty miles long and two to three miles wide in which all exposed persons would receive a lethal dose of radiation within six hours.[4]

It is not difficult to find official expressions of concern about the mounting proliferation problems.

- President Clinton on several occasions has cited "the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons and the means of delivering such weapons."[5]
- Secretary of Defense William Cohen said, "Of the challenges facing the Department of Defense in the future, none is greater or more complex than the threat posed by weapons of mass destruction."[6]
- Secretary of State Madeleine Albright noted, "The proliferation of weapons of mass destruction is the single most pressing threat to our security."[7] She and then-Russian Foreign Minister Yevgeny Primakov agreed at the 1998 ASEAN summit that nonproliferation was the "premier security issue of the post-Cold War period."
- Lieutenent General Patrick Hughes, Director of the Defense Intelligence Agency, concluded bluntly in his annual testimony to Congress, "The proliferation of

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[2]The Royal Swedish Academy of Science in 1982 concluded that a thermonuclear war using approximately 5000 megatons would destroy all major cities of 500,000 population or greater in the United States, Canada, Europe, the U.S.S.R., Japan, China, India, Pakistan, Korea, Vietnam, Australia, South Africa and Cuba. Theoretically, in 1985 the United States and the Soviet Union had the ability to destroy the world three times over with their strategic nuclear weapons and could still do so at least once today. Carl Sagan and others warned that a war involving as low as 100 megatons could trigger a Nuclear Winter. This would involve, say, hitting 100 cities with 1-megaton warheads. This would induce such a drop in global temperatures and reduction of light that the resulting starvation and weather extremes would conceivably reduce the population of the planet to prehistoric levels. By this measure, we had then the ability to destroy the world 148 times in 1985 and 50 times over today.

[3]"The Effects of Nuclear War," Office of Technology Assessment, Congress of the United States, (Washington, D.C., 1979). The Public Broadcasting Service has constructed a website that allows users to plot the effects of a nuclear detonation on their city:
(http://www.pbs.org/wgbh/pages/amex/bomb/sfeature/mapablast.html)

[4]Lachlan Forrow, Bruce G. Blair, Ira Helfand, George Lewis, Theodore Postol, Victor Sidel, Barry S. Levy, Herbert Abrams, Christine Cassel, "Accidental Nuclear War—A Post-Cold War Assessment," *New England Journal of Medicine,* April 30, 1998. The authors conclude: "U.S. and Russian nuclear-weapons systems remain on high alert. This fact, combined with the aging of Russian technical systems, has recently increased the risk of an accidental nuclear attack. As a conservative estimate, an accidental intermediate-sized launch of weapons from a single Russian submarine would result in the deaths of 6,838,000 persons from firestorms in eight U.S. cities. Millions of other people would probably be exposed to potentially lethal radiation from fallout. An agreement to remove all nuclear missiles from high-level alert status and eliminate the capability of a rapid launch would put an end to this threat." *See*:
(http://www.nejm.org/content/1998/0338/0018/1326.asp) or
(http://www.psr.org/consequences.htm).

[5]National Emergency declared by Executive Order 12938 on November 14, 1994, reissued on November 12, 1998 and Letter to the Speaker of the House and President of the Senate, November 12, 1998.

[6]*Defense Reform Initiative Report* (Washington, D.C., Department of Defense: November 1997), p. 19.

[7]Remarks to the NATO-Russia Permanent Joint Council, May 28, 1998.

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nuclear, chemical, and biological weapons, missiles, and other key technologies remains the greatest direct threat to U.S. interests worldwide."[8]

- In January 1992, the member states of the United Nations Security Council declared that the spread of weapons of mass destruction constituted a "threat to international peace and security." Chapter VII of the UN Charter authorizes the Security Council to impose economic sanctions or to use military force to counter such threats.

One might expect that the response would be to redouble efforts to stop the spread of these deadly weapons, including the ratification of treaties and agreements to prevent and reduce the threats. In fact, the reverse is occurring.

The NonProliferation Regime

The first and strongest line of defense against the spread or use of weapons of mass destruction remains the nonproliferation regime—an interlocking network of treaties, agreements, and organizations. Centered around a series of treaties including the nuclear Non-Proliferation Treaty (NPT), the Chemical Weapons Convention, and the Biological Weapons Convention, the regime is buttressed by numerous multilateral and bilateral agreements, norms and arrangements.[9]

The nonproliferation regime has been built over the past fifty years by many nations, but almost always with the leadership of the United States. It has grown most quickly and most surely when both major U.S. political parties shared in the construction. The initiatives of one president or Congress would often be fulfilled by the next, regardless of party affiliation. Over these decades, Republican presidents have often led the efforts, as described below.

Now, a series of crises has shaken confidence in the regime. It urgently needs repair and revitalization but suffers from inattention and the mutual mistrust of many of its members. As we enter the new century, concerns with missile and nuclear programs in North Korea, Iran, and Iraq remain unresolved; the slow-motion arms race in South Asia keeps both nations intent on deploying nuclear weapons; Russia—the world's largest warehouse of nuclear weapons, materials and expertise—spirals in economic decline; China modernizes its nuclear arsenal, Japan partners with the United States in missile defense, and the three nations link with the Koreas, Taiwan, India, and Pakistan to form an Asian nuclear reaction chain that vibrates dangerously with each nation's defense deployments. Meanwhile, international negotiations at the Conference on Disarmament and the Non-Proliferation Treaty review sessions drift inconclusively. The U.S. Senate delivered a stunning rejection of the Comprehensive Test Ban Treaty three years after it was signed; and it appears that President Clinton may complete his eight years in office without signing a single strategic nuclear reductions treaty, as compared with the two his predecessor signed during his four-year term.

My testimony concentrates on nuclear proliferation, but increasingly the once distinct areas of nuclear, chemical, and biological weapons proliferation form an integrated whole. Developments in one area—good or bad—inevitably reverberate throughout the system. As I detail the overall proliferation trends and the state of global efforts to stop the spread of these weapons, it may help illuminate one of central issues now much in debate: Is it military might or "pieces of paper" that best ensure national security?

The Regime Works

The need for military counters to the proliferation of weapons of mass destruction remains a necessary condition of international affairs. Certainly, the threat of devastating retaliation helps deter the use of these weapons. Today, conventional forces alone threaten national destruction on a scale that few leaders would risk. Nations also have a variety of counterforce options deployed and in development to strike mass destruction weapons, launchers, and facilities before they can be used. Finally, should all else fail, a third line of active missile defenses might provide some protection. Missile defenses, however, have a dual nature. While they promise an alluring technological solution to one type of mass destruction delivery system, mere talk of their introduction stimulates the very arsenals they hope to deter. Whatever their shortcomings, military defenses are essential elements of a successful nonproliferation strategy.

Historically, the nonproliferation regime has one great factor in its favor: It works. Not even the most fervent advocate would claim the regime works perfectly,

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[8] Lieutenant General Patrick M. Hughes (USA), Statement for the Record, Senate Select Committee on Intelligence, January 28, 1998.

[9] For a detailed description of the regime, see *Repairing the Regime*, Appendix I, "The International Nonproliferation Regime."

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and there exists a long line of experts ready to discuss in detail the flaws in the regime.

Nonetheless, since its birth in the 1960s, the nonproliferation regime has, if not prevented, at least greatly restricted, the spread of mass destruction weapons. President John F. Kennedy worried in the early 1960s that while only the United States, the Soviet Union, the United Kingdom, and France then possessed nuclear weapons, fifteen or twenty nations could obtain them by the end of the decade. However, with determined bipartisan presidential efforts and global cooperation, only China had joined the ranks of the five recognized nuclear-weapon states by 1970.

Fifteen years ago, experts and governments warily eyed the nuclear proliferation risks posed by the top ten states of concern: India, Israel, South Africa, Pakistan, Argentina, Brazil, Iraq, Libya, South Korea, and Taiwan.[10] Today, three of these (South Africa, Argentina, and Brazil) have abandoned their nuclear-weapon programs, two (South Korea and Taiwan) would be a risk only if their regional situation sharply deteriorates, one (Libya) is of moderate concern, one (Iraq) remains of high concern, and three (India, Pakistan, and Israel) now have nuclear weapons. There are other states that bear watching, but over the past fifteen years only two other nations of high concern must be added to the list: North Korea and Iran, for a total of seven countries remaining on the active nuclear proliferation "watch list."

At the same time, the governments have used the instruments of the regime on a number of fronts with impressive results. Perhaps the most historically significant is the successful denuclearization of Ukraine, Belarus, and Kazakhstan (after those new nations had inherited thousands of nuclear weapons from the dissolution of the Soviet Union in 1991) and the implementation of the Nunn-Lugar-Domenici Cooperative Threat Reduction programs in the states of the former Soviet Union. These programs provide, for example, financial and technical assistance to help the states of the former Soviet Union fulfill their obligations under the first Strategic Arms Reduction Treaty (START I). For the cost of one B–2 bomber ($2.5 billion over the last seven years) these programs have funded the deactivation of 4,838 nuclear warheads and the elimination of 387 nuclear ballistic missiles, 343 ballistic missile silos, 136 nuclear submarine launch tubes, and 49 long-range nuclear bombers in the former Soviet Union.

On other diplomatic fronts, the Intermediate Nuclear Forces Treaty eliminated an entire class of missiles from the arsenals of the United States and the Soviet Union (846 U.S. and 1,846 Soviet missiles, including the modern Pershing II and SS–20 systems). UNSCOM inspectors in Iraq uncovered and verified the destruction of far more biological and chemical weapons and facilities than were destroyed in the massive bombing and ground assaults of the 1991 Persian Gulf War. The Agreed Framework with North Korea, for all its problems, is successfully containing and perhaps reversing a nuclear weapons program that threatened to plunge the Korean peninsula into war in 1994. A Council on Foreign Relations Task Force concluded, "The Agreed Framework stands as the major bulwark against a return to the kind of calamitous military steps the United States was forced to consider in 1994 to stop North Korea's nuclear program."[11]

Meanwhile, South Africa dismantled its arsenal of six clandestine nuclear devices in the early 1990s and joined the NPT and the African Nuclear Free Zone. Algeria flirted with a secret nuclear program but renounced such ambitions and joined the NPT in 1995. Argentina and Brazil formalized the end of their nuclear programs by acceding to the NPT in 1995 and 1998, respectively.

The regime has sustained serious setbacks and defeats; there may very well be more in the near future; and there remains a distinct possibility of a catastrophic collapse of the regime. Overall, however, the treaty regime has done a remarkable job of checking the unrestricted global proliferation Kennedy feared.

A Global Leadership, Now Divided

The regime is a true international effort. Large states and small have all played crucial roles. Ireland, for example, introduced the United Nations resolution in 1961 that began the negotiations for the Non-Proliferation Treaty. South Africa played a key role in the extension and strengthening of the NPT in 1995, and Australia was instrumental in securing the successful negotiation of the Comprehensive Test Ban Treaty in 1996. States capable of making nuclear weapons but who have eschewed

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[10] See, for example, Roger Molander and Robbie Nichols, *Who Will Stop the Bomb?* (New York: Facts on File Publications, 1985); Council on Foreign Relations, *Blocking the Spread of Nuclear Weapons, American and European Perspectives,* (New York: Council on Foreign Relations, 1986); Leonard S. Spector, *Going Nuclear,* (Cambridge, Mass.: Ballinger Publishing Company, 1987).

[11] *U.S. Policy Toward North Korea: A Second Look,* Report of an Independent Task Force Sponsored by the Council on Foreign Relations (Washington, D.C.: Council on Foreign Relations, July 27, 1999).

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their development, such as Canada, Sweden, South Africa, and Brazil, are critical to efforts to forge a new agenda for the regime.

The United States, however, plays a unique role. While some demonize it as the source of many of the regime's problems, the United States remains the one nation in the world with the resources, status, and potential leadership capable of galvanizing international nonproliferation efforts. That leadership role has always been strongest when it has enjoyed the support of both major political parties. The relative inability of the United States to lead now can be traced in large part to the fierce partisan divide that characterizes American politics at the turn of the century.

The proliferation policy debates of the past few years have been heavily influenced by calls from influential members of the U.S. Congress for increases in military spending, for more resolute opposition to arms control treaties, and for the rapid deployment of new weapons systems, particularly missile defenses.

Numerous senators, for example, argued in the days after the South Asian nuclear tests for a program to field a national missile defense system. As Senate Majority Leader Trent Lott said in support of such a program, "Only effective missile defense, not unenforceable arms control treaties, will break the offensive arms race in Asia and provide incentives to address security concerns without a nuclear response."

Hundreds of articles and speeches have cited the South Asian tests and the Korean and Iranian missile launches as proof that future threats are inherently unpredictable, intelligence estimates are consistently unreliable, the proliferation of weapons of mass destruction is fundamentally unstoppable, and, thus, the only truly effective response is reliance on American defense technology. Several expert commissions and congressional investigations have also endorsed this view. The reports of the Rumsfeld Commission on the Ballistic Missile Threat to the United States in 1998 and the Cox Committee on U.S. National Security and the People's Republic of China in 1999 were particularly influential in shaping media and political elite opinion. The impact is global. A regime in need of repair and revitalization remains in a state of suspended anticipation.

A Republican-Built Regime

It was not always this way. The nonproliferation regime has enjoyed bipartisan support in the United States for most of the past fifty years. In fact, a quick historical review indicates that many may have overlooked the important role Republican presidents played in creating and nurturing the regime.

Efforts to contain the spread of weapons of mass destruction began immediately after World War II, spurred by the initiatives of Presidents Truman, Eisenhower, and Kennedy.[12] As part of his efforts, President Dwight D. Eisenhower proposed the creation of the International Atomic Energy Agency (IAEA) to promote the peaceful uses of atomic energy while the world's nuclear powers "began to diminish the potential destructive power of the world's atomic stockpiles."[13]

President Kennedy presented a "Program for General and Complete Disarmament" to the United Nations on September 25, 1961. His ambitious plan included all the elements that negotiators still pursue today: a comprehensive nuclear test ban; a ban on the production of fissile materials for use in weapons (plutonium and highly enriched uranium); the placement of all weapons materials under international safeguards; a ban on the transfer of nuclear weapons, their materials, or their technology; and deep reductions in existing nuclear weapons and their delivery vehicles, with the goal of eventually eliminating them. In his short tenure, President Kennedy was able only to secure the Limited Test Ban Treaty, ending nuclear tests in the atmosphere, underwater, and in outer space.

In 1968, President Lyndon Johnson successfully completed negotiations for the Treaty on the Non-Proliferation of Nuclear Weapons. President Richard Nixon signed the treaty, bringing it into force, at a Rose Garden ceremony on March 5, 1970. "Let us trust that we will look back," he said, "and say that this was one of

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[12] For a more complete history, see Joseph Cirincione, "The Non-Proliferation Treaty and the Nuclear Balance," Current History, May 1995, available at:
(http://www.stimson.org/campaign/currhst.htm)

[13] President Eisenhower warned in a speech to the United Nations on December 8, 1953, "First, the knowledge now possessed by several nations will eventually be shared by others—possibly all others. Second, even a vast superiority in numbers of weapons . . . is no prevention, of itself, against the fearful material damage and toll of human lives that would be inflicted by surprise aggression." Nations naturally had begun building warning and defensive systems against nuclear air attacks. But, he cautioned, "Let no one think that the expenditure of vast sums for weapons and systems of defense can guarantee absolute safety for the cities and citizens of any nation. The awful arithmetic of the atomic bomb does not permit of any such easy solution."

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the first and major steps in that process in which the nations of the world moved from a period of confrontation to a period of negotiation and a period of lasting peace."

President Nixon followed his treaty signing with efforts that successfully established in the early 1970s the Non-Proliferation Treaty Exporters Committee (known as the Zanger Committee) to control the export of nuclear-weapons-related materials and equipment. He negotiated and implemented the Anti-Ballistic Missile Treaty limiting defensive armaments and the companion Strategic Arms Limitation Treaty (SALT) limiting offensive arms, both signed in May 1972.

President Nixon also dramatically announced in November 1969 that the United States would unilaterally and unconditionally renounce biological weapons. He ordered the destruction of all U.S. weapons stockpiles and the conversion of all production facilities for peaceful purposes.[14] At the same time he announced that after forty-four years of U.S. reluctance, he would seek ratification of the 1925 Geneva Protocol prohibiting the use in war of biological and chemical weapons (subsequently ratified under President Gerald Ford on January 22, 1975). The president renounced the first use of lethal or incapacitating chemical agents and weapons, unconditionally renounced all methods of biological warfare, and threw the resources of the United States behind the effort to negotiate a Biological Weapons Convention. The treaty, signed by President Nixon on April 10, 1972, and ratified by the Senate in December 1974, prohibits the development, production, stockpiling, acquisition, and transfer of biological weapons.

As a candidate, Ronald Reagan opposed the SALT II treaty negotiated by President Jimmy Carter, but as president, Reagan observed the treaty's limits for years after assuming office. In his second term, President Reagan negotiated and signed on December 8, 1987, the landmark Intermediate-Range Nuclear Forces Treaty, a process begun by President Jimmy Carter's two-track policy of deployment and negotiation. The treaty required the destruction of all U.S. and Soviet missiles and their launchers with ranges between 500 and 5,500 kilometers (a treaty some argue should be globalized to prohibit all missiles of this range anywhere in the world). As Richard Speier details in chapter 14, President Reagan also began the first effort to control the spread of ballistic missile technology—the Missile Technology Control Regime—in 1987, and he negotiated the first strategic treaty that actually reduced (rather than limited) deployed strategic nuclear forces.

President George Bush signed the Strategic Arms Reduction Treaty in 1991 and kept the momentum going by negotiating and signing in January 1993 the START II treaty, the most sweeping arms reduction pact in history. That same month President Bush also signed the treaty he had negotiated, the Chemical Weapons Convention, prohibiting the development, production, acquisition, stockpiling, transfer, or use of chemical weapons. Of particular significance in this time of negotiations deadlock, President Bush on September 27, 1991, announced that the United States would unilaterally withdraw all of its land- and sea-launched tactical nuclear weapons and would dismantle all of its land- and many of its sea-based systems. The president also announced the unilateral end to the twenty-four-hour alert status of the U.S. bomber force and the de-alerting of a substantial portion of the land-based missile force. (On October 5, 1991, President Mikhail Gorbachev reciprocated with similar tactical withdrawals and ordering the de-alerting of 503 Soviet intercontinental ballistic missiles.)

In his first term, President Clinton seemed to be continuing the momentum established by his predecessors. Secretary of Defense William Perry and Secretary of Energy Hazel O'Leary firmly established and expanded cooperative threat reduction programs with the states of the former Soviet Union and helped convince Ukraine, Belarus, and Kazakhstan to abandon their inherited nuclear weapons and join the NPT regime. President Clinton successfully managed the indefinite extension and strengthening of the NPT in 1995; led efforts to conclude and sign the Comprehensive Test Ban Treaty in 1996; failed in 1996 but came back in 1997 to win Senate

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[14] At the time the United States had a formidable biological weapons capability. The weapon thought most likely to be used was the E133 cluster bomb, holding 536 biological bomblets, each containing 35 milliliters of a liquid suspension of anthrax spores. A small explosive charge would, upon impact, turn the liquid into aerosol to be inhaled by the intended victims. At the time the program was dismantled, the United States held in storage some 40,000 liters of antipersonnel biological warfare agents and some 5,000 kilograms of antiagriculture agents. All were destroyed. The Soviet Union had a similar, if not larger, program. Former first deputy director of Biopreparat Kenneth Alibek testified before the U.S. Senate that the Soviet program employed over 60,000 people and stockpiled hundreds of anthrax weapon formulation and dozens of tons of smallpox and plague. See:
(http://www.fas.org/irp/congress/1998—hr/alibek.htm)

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ratification of the Chemical Weapons Convention; and resisted repeated efforts to repeal the Antiballistic Missile Treaty.

Today, thousands of dedicated civil servants in the United States and around the world toil to implement and strengthen the institutions Republicans and Democrats have built for pragmatic security needs and as a legacy for future generations. The lessons from history are clear; only by working together, in true bipartisan cooperation can Americans preserve this legacy and strengthen these critical elements of our national defense.

As President Clinton told the Carnegie International Non-Proliferation Conference only last Thursday:

> I believe we must work to broaden and strengthen verifiable arms agreements. The alternative is a world with no rules, no verification and no trust at all. It would be foolish to rely on treaties alone to protect our security. But it would also be foolish to throw away the tools that sound treaties do offer: A more predictable security environment, monitoring inspections, the ability to shine a light on threatening behavior and mobilize the entire world against it. [15]

I completely agree.

Thank you for the privilege of offering these few observations to the Committee.

Senator LUGAR. Well, thank you very much, Mr. Cirincione.

Let me just say that I appreciate the history and the bipartisan aspects of this, including the contribution by Republican presidents and the contributions by Democratic presidents. I wish Senator Biden were here. Maybe he will return. But I would just say the two of us visited with Mr. Kosygin in the Kremlin 21 years ago, during this time that he characterized as safer.

We did not feel particularly safe with regard to our country. Our physical security was fine throughout the meeting, but at that time the escape of a Russian ballerina had tied up all the aircraft, so we were not going to go anywhere but Russia until that was relieved.

In another instance, with Senator Sam Nunn, in a bipartisan transition between the Bush Administration and the Clinton Administration we visited with President Yeltsin with regard to our Nunn-Lugar efforts at a time in which President Yeltsin was vocal in his threats to Ukraine to give up their weapons or take the consequences. We traveled to see Ukrainian President Kravchuk and offered U.S. assistance in dismantling the Ukrainian arsenal.

All of this obviously bipartisan. In fact, President Yeltsin, just anecdotally, said he wondered why he had not been called by either President Bush or President Clinton, and we cheerfully pointed out, that he had us, we were prepared to speak for both.

But in any event, this has been an ongoing process in my life and Senator Biden's and certainly former Senator Nunn, who still is active, and others. Your testimony today is very helpful in tracing some of the history of this.

You have pointed out that arms control regimes have enjoyed success in limiting the spread of nuclear weapons. Do you have equal confidence with regard to chemical and biological weapons of mass destruction or with proliferation as it pertains to the Japanese sect or others from time to time who come along?

In other words, to what extent have our arms control or our regimes with regard to nonproliferation had applicability to this? And

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[15] Remarks of President William Clinton to the Carnegie International Non-Proliferation Conference, March 16, 2000, available in full at:
(http://www.ceip.org/programs/npp/conference2000.htm)

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even if one accepts the thought that these regimes are tremendously important and that to burn bridges, as you say, would be reckless and foolish, some supplementary effort will still be required.

Now, it could be multilateral and Senator Biden has spoken to that earlier on and so did Director Tenet. When I asked unilateral, he said, no, multilateral, our allies, other people are important in working this out with us. But I think we are searching in these hearings, as well as maybe other policymakers are, for how do we deal with this extension to other threats that are less visible, where the regimes are clearly more porous in terms of the intent and maybe the motivation.

Do you have any sort of general thoughts about this?

Mr. CIRINCIONE. Yes, sir, I do. I believe the greatest threats we face from weapons of mass destruction in fact come from non-state actors using some of these weapons in relatively small quantities. As Senator Biden was pointing out before, we are not worried about global thermonuclear war any more. We are not talking about the fate of the Earth. But even a single use of one of these weapons would be horrific, and if it was a nuclear weapon it would be the worst catastrophe that we have ever experienced.

That is exactly why the Nunn-Lugar-Domenici Act is so important, because I have to tell you, while I am worried about chemical and biological weapons, I am much more worried about loose nukes in the states of the former Soviet Union. We continually underestimate the threat that exists from that enormous warehouse of nuclear materials, weapons, and scientific capability, and it is all the more urgent to be expanding and accelerating those programs.

At the Carnegie Endowment we are releasing a study next month that calls for a tripling of those programs, done by a gentleman I believe you know, Matthew Bunn at Harvard University. This is generally in line with the views of many proliferation experts: We can do more, faster.

With regards to chemical and biological weapons, it is critically important that there are international norms that say that these weapons are illegal, that you shall not develop, acquire, stockpile, or use these weapons. Without such international norms, what would stop a country from developing and marketing these?

I think most experts would agree that the greatest danger occurs from state development of these weapons. It is still extremely difficult for a sub-national group to actually manufacture these weapons, and the greatest danger is that some existing arsenals will be diverted or conducted in secret and diverted to a sub-national group.

Will people cheat on these conventions? Absolutely. The price of freedom is eternal vigilance. That does not mean we should therefore tear down the convention. People still commit murder; we do not repeal the laws. We work to expand the implementation of laws to prevent people from doing so. That is basically my philosophy on the nonproliferation regime: Expand it, develop new initiatives, new efforts, but do not pretend that we can exist in a world where only the U.S. is setting the rules and everybody else will then fall into line.

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Senator LUGAR. Well now, Mr. Joseph and Dr. Cambone, I hear you saying that the problems with states that do not honor these conventions or violate the norms is so substantial, that we should not honor their promises at all. In other words, if their activities are so bad as to threaten our national security we must not treat them as a normal state. In other words, we must treat them like the pariahs they are.

Dr. Cambone, as I recall, testified that, leaving aside the regimes, the fact is that much more direct measures or at least different measures are going to be required to deal with these specific threats from rogue states and other sources of weapons of mass destruction.

How do you respond to Mr. Cirincione?

Ambassador JOSEPH. Senator, I would first of all reiterate what I said in my introductory remarks, and that is that norms are important. The norms established by the NPT, the BWC, and the CWC do make a real contribution to nonproliferation. Certainly we should not throw them out. I think we should redouble our efforts in terms of strengthening them.

Yet for a number of states—and they do not even have to be rogues—if they see that their security interest demands nuclear weapons, they will pursue them. India, Pakistan, and other states—for example, Israel—acquired nuclear weapons outside the context of these norms. They did not sign the treaties. They pursued nuclear weapons.

Then there are those our State Department is fond of calling the rogues—states such as North Korea and Iran and Iraq—who have proven that they will exploit their membership in the NPT. In Iran's case it is also a member of the CWC. All are members of the BWC. All three are pursuing these weapons.

In fact, it is a perversion of the very high goals of these treaties when one sees these states using their membership as a means of access for the very technology and expertise that will assist in their weapons programs. I think we have to deal with that.

I think that, with regard to a third set of states, there are clear victories that one can point to in the context of the norms. We have talked about Brazil and Argentina, for example, two states that pursued nuclear weapons, that decided, because their security situation had changed, that they no longer required nuclear capability. I believe that norms were one more incentive for them for ruling out these programs.

The same with South Africa. Clearly norms are important for some states, but they are not important for the rogues and they are not important for non-state actors, the terrorists. I think we must not throw away the norms, but we must add new tools to our nonproliferation strategy. We have added the cooperative threat reduction program. That has made a major contribution to nonproliferation.

But we also have to add defensive capabilities in terms of ballistic missile defenses, in terms of passive defenses, in terms of conventional counterforce capabilities, and I would think tailored nuclear capabilities as well, because all of these make a contribution to deterring rogue countries. If we can demonstrate in their minds that these weapons will not have the effects that they believe they

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have, perhaps that will also contribute to nonproliferation. And if not—and my sense is that deterrence is likely to fail against these states—we will have a better hedge against deterrence failure.

I think we need to bring all of these instruments together. We need to demonstrate leadership with allies and with others in the international community, and we need to explain our strategy which consists of all of these various tools.

Senator LUGAR. With the acquiescence of my colleague, may I ask Doctor—

Senator BIDEN. Sure.

Senator LUGAR [continuing]. —Cambone to continue and to amplify on your point that we ought to advise our representatives to this forthcoming nonproliferation conference in ways that you have suggested, namely to resist really more of a regime situation and to think of something else.

Dr. CAMBONE. My concern there, Senator, is endorsing and advancing a course of action which thus far has not yielded the type results that we would prefer suggests that we ought to take a moment and ask ourselves, is that course the proper one and if we stay on this course do we forego other means by which we may in fact deter the kind of behavior we worry about.

For example, a time-bound schedule for further disarmament seems to me to be the farthest thing from the interest of the United States. It is not that we do not take seriously, as Ambassador Joseph said, our article 6 commitments. But if you read it carefully, what those article 6 commitments say is that we need to create the conditions, essential conditions under which we can go forward. I would submit we have not reached the point yet where those conditions have been met and for the moment at least the pursuit of the universal adherence and so forth does not quite get us there.

So what do we need to do? In the first instance, I would argue do no harm to what we have accomplished. I would not argue for dismantling the NPT regime. I would not walk back the decision to improve the IAEA's ability to inspect. Those are not the kinds of measures that we need to take.

Now, in response, members of the review conference will say, "Well, we will repeal those things, because we do not think that you are keeping your commitments in a way that we expect and anticipate," and so we, whether it is Mexico or it is Brazil or it is another country, will say, "Well, we are going to begin to withdraw our own commitments."

This then gets us to the question of what the real norms of international behavior are. It seems to me that the NPT and other nonproliferation agreements, as well as the arms control agreements we have, reflect a higher set of norms of international behavior and of confidence and trust among states. They are not themselves the norms of international behavior.

So it seems to me that a state like Mexico or Argentina or Brazil or any of the other states that would make these kinds of threats do so for the purposes of advancing a particular point, a particular interest, in the review conference, but they do not have an interest any more than we do in seeing these regimes break apart. What they do have an interest in is being certain that their region of the

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world and the global environment as a whole is not destabilized by this activity.

So we then as the leader of these regimes need to find the mechanisms that do two things: effectively deter on the one hand and will gather the kind of acquiescence on the part of the other partners in these regimes to those activities while we are trying still to look toward the ultimate objectives of the treaty. But we have got to do both, and at the moment we are in my view losing the battle on the nonproliferation side such that—and Joe rightly pointed to the states which in the past had potential nuclear capabilities have foregone them. I will submit to you, sir, that not one of them is incapable of returning to that behavior if in fact the international system becomes such that they feel themselves at risk.

It is our place, it seems to me, to assure that that does not take place.

Senator LUGAR. Senator Biden.

Senator BIDEN. Mr. Chairman, I am a little confused about the way we use "deterrence," the word "deterrence," and the way we use the word "norms." I think that Dr. Cambone, as my grandpop would say, your definition of what constitutes an international norm, he would say the horse cannot carry that sleigh. It was never intended to be that norm.

I think you have set the bar so high as to what the norm to be accomplished or set by arms control is so unrealistic that you build in its demise. I think the norm as I understood it as you talk about it, Ambassador Joseph, is more rational and reasonable. It is a norm that operates on the margins. It operates on the margins and does not in fact fundamentally alter what a country believes is national interest to be and its pursuit of that national interest, but if all other things considered it is a close call the norm makes the deal, impacts on the outcome, impacts on the decision that a country makes. Absent the norm, I would argue, certain countries would have made different decisions than they did make.

Believe it or not, this is leading to a question.

The second concern I have is the way you use "deterrence." I think anyone who has not been, as Frank Church used to say—I remember as a young Senator on this committee I asked him something one day, and he said, "You are big on Catholic theology, are you not?"

I said, "Well, yeah, it is kind of an avocation of mine."

He said, "Have you read *Summa Theologica*?"

I said, "Well, as a matter of fact, yes; I am probably one of the few people who ever have that I know."

He said, "Well, remember the debate about how many angels you could fit on the head of a pin?"

And I said, "Yes."

And then, he said, "Well, you will find that most experts who come and testify, they are nuclear theologians." He said that, which gets me to this point about deterrence.

Anybody but those of us who have spent most of our adult lives dealing with this, this issue of nuclear proliferation, nuclear deterrence, *et cetera,* would not understand how we interchangeably use the word "deterrence" there. If the purpose of our nonproliferation

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regime is to deter someone from acquiring a capability to have a weapon of mass destruction, and particularly a nuclear one, that is one type of deterrence.

But we do not mean to, but we interchangeably use the notion of deterrence relating to whether they would use it if they acquired it. I think that they should not—I know you all know the distinction and you all realize there is a distinction, but I do not think we, "we" the guys on this side, me, often enough make clear the distinction to the public.

To conclude that we cannot deter North Korea from acquiring under an arms control regime, from acquiring a missile capability and/or a nuclear or biological or chemical capability under an arms control is not the same as concluding you cannot deter them from using it if they have it. I think it is really important that that distinction be made because it leads us down paths if you conclude they are not susceptible to deterrence in terms of use or if it is the same as the deterrence they flaunt with regard to regimes of nonproliferation, it gets you different places.

So Ambassador Joseph, I was impressed the way you laid it out. I do not have a single disagreement with your characterization of how you would like to—and I mean this sincerely—construct this, the construct in which we should be dealing with weapons of mass destruction. But my problem is how you get from here to there.

For example, we want to maintain the norms in terms of proliferation. We do not want to be perceived as being the former leader of the nonproliferation effort. We do not want to abandon that. Yet at the same time we talk about if we cannot get the Russians to amend ABM we should unilaterally withdraw from ABM. We set a timetable here that if the President cannot, or the next President cannot get it done about 18 months—correct me, Steve, but I think it is 18 months out—the way it is written, he is expected to unilaterally notify that we are out of it.

I know your concerns about CTBT. I think you are dead wrong, you think I am dead wrong, about whether or not reliability—whether anyone out there says, you know, gee whiz, they have got a nuclear stockpile problem, they are not reliable any more. I find that absolutely preposterous. In dealing 28 years with foreign leaders, I find it beyond comprehension that anyone would run the risk of thinking that we would have 6,000 or 3,000 or 1,000 nuclear weapons none of which would be reliable.

Here we are worried about one, for Christ sake. You are talking about $30 billion to deal with one nuclear weapon. And we think that people, our allies, are going to conclude that we are not reliable.

That is a different debate, but unrelated to that debate, whether I am right or you are right about that, it seems to me that the issue of not ratifying the Comprehensive Test Ban Treaty, abandoning the ABM Treaty, and as a consequence of that, not getting a START II or a projected START III agreement—I do not know how other nations out there who are not as sophisticated as we are do not conclude from that, Mr. Ambassador, that we have changed paths, that we have not made the judgment that nonproliferation and establishing a norm of nonproliferation is still our goal.

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So if I could figure out how to get to the mix of offensive and defensive—and I agree with Dr. Cambone that I can see a circumstance under which our ability to intercept or destroy incoming missiles would have a deterrent impact on whether it was worth all the effort to go ahead and build them. I acknowledge that, I acknowledge that.

But I wonder, Mr. Ambassador, how you get from where we are, and you do not want us to leave in a generic sense, that is being the leader of nonproliferation and establishing the norm, and rejecting what the rest of the world either cynically or in fact believes are the rockbeds of that whole regime of nonproliferation.

I am going to say one more thing and then stop and ask any of you to respond to anything I have just said. Sir, first of all, thank you for coming. I appreciate your doing this.

I do not understand how we—how we get to the point—I think you make some very thoughtful suggestions about how institutionally we should alter, if we really care about nonproliferation, alter the mix of the dollars we spend as well as the institutional frameworks we have set up. I do not know quite how the hell, in the midst of this fundamental debate going on here, that is more fundamental and real than I think most of our colleagues even focus on, and that is are we basically going to make the decision to have our strategic doctrine rest upon the primary pillar of not deterrence, but defense, because that is really what this is about, I think, when you strip it all aside.

So I do not know how in the context of that debate among the experts and those of us who have paid a lot of attention in our careers to this issue we ever get to the point of being able to do anything remotely approaching what you are suggesting. I do not mean that as a criticism. I am not sure how to get there.

So here is my question. And by the way, I would like to, Mr. Chairman, ask that Joe's statements relating to his testimony before the Deutch Commission, which I thought was very powerful, be able to be entered into the record rather than take the time now. It relates to this. I do not want to have to go through it.

Senator LUGAR. We will place that in the record.

[The information referred to follows:]

TESTIMONY

BEFORE THE

COMMISSION TO ASSESS THE ORGANIZATION OF THE FEDERAL GOVERNMENT TO COMBAT THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

BY

Joseph Cirincione, Director, Non-Proliferation Project, Carnegie Endowment for International Peace

April 29, 1999, Washington, DC

SUMMARY

The spread of weapons of mass destruction is the single greatest security threat confronting the United States. While official assessments recognize the seriousness of these threats, the federal government has not redirected sufficient organizational and budgetary resources to manage effectively the varied responses to the new dangers. The government needs sustained, senior-level coordination (with commensurate budget authority) devoted to combating proliferation. At a minimum, the Presi-

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dent should appoint a National Coordinator for the Non-Proliferation and Elimination of Weapons of Mass Destruction in Russia to integrate and prioritize all relevant U.S. programs in the states of the former Soviet Union.

THE PROBLEM

Hardly a week passes without a new crisis or concern surfacing about the spread of weapons of mass destruction. Just this month, tests of new, medium-range ballistic missiles by both Pakistan and India increased fears of the eventual deployment of nuclear weapons on the subcontinent. Russia's continuing political and economic decline since the financial shocks of August 1998 threatens to weaken that nation's already tenuous safeguards over its nuclear arsenal and the loyalty of tens of thousands of nuclear scientists. Concerns with missile and nuclear programs in North Korea, Iran and Iraq remain unresolved; international negotiations at the Conference on Disarmament and the Non-Proliferation Treaty review sessions drift inconclusively; and it appears that President Clinton may complete his eight years in office without signing a single strategic nuclear reductions treaty, compared to the two his predecessor signed during his four-year term.

The nonproliferation regime—the interlocking network of treaties, agreements and organizations painstakingly constructed by the United States and its partners over the past 40 years—is badly in need of repair and revitalization.

Optimists often look to the United States to provide leadership in such times. While some demonize our country as the source of many of the regime's problems, the United States remains the one nation in the world with the resources, status and potential leadership capable of galvanizing international nonproliferation efforts.

MATCHING RESOURCES TO THREAT ASSESSMENTS

It is not difficult to find official expression of concern about the mounting proliferation problems.

- President Clinton on several occasions has cited "the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons and the means of delivering such weapons."[1]
- Secretary of Defense William Cohen notes, "Of the challenges facing the Department of Defense in the future, none is greater or more complex than the threat posed by weapons of mass destruction."[2]
- Secretary of State Madeleine Albright noted last year, "The recent nuclear tests in India, and now Pakistan, have reminded us all that the proliferation of weapons of mass destruction is the single most pressing threat to our security." She and then-Russian Foreign Minister Yevgeny Primakov agreed at the ASEAN summit last year, that nonproliferation was the "premier security issue of the post-Cold War period."[3]
- Director of Central Intelligence George Tenet warned in his annual threat assessment testimony, "Societal and economic stress in Russia seems likely to grow, raising even more concerns about the security of nuclear weapons and fissile material . . . We have . . . reports of strikes, lax discipline, and poor morale, and criminal activity at nuclear facilities . . . these are alarm bells that warrant our closest attention and concern."[4]
- Lt. General Patrick Hughes, Director of the Defense Intelligence Agency, concludes bluntly in his annual testimony to Congress, "The proliferation of nuclear, chemical, and biological weapons, missiles, and other key technologies remains the greatest direct threat to US interests worldwide."

These comments reflect the consensus view of the Joint Chiefs of Staff, the intelligence agencies and the expert community. But, however well intentioned these officials are, however clear their warnings, they have been unable to re-orient the government's resources and policies to confront the threats they so correctly identify.

This does not mean that the Administration has not made progress. It has on a number of fronts, and some of it is very impressive. The most historically significant

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[1] National Emergency declared by Executive Order 12938 on November 14, 1994, reissued on November 12, 1998 and Letter to the Speaker of the House and President of the Senate, November 12, 1998.

[2] Defense Reform Initiative Report, November 1997, p. 19

[3] Remarks to the NATO-Russia Permanent Joint Council, May 28, 1998.

[4] Statement of the Director of Central Intelligence George J. Tenet before the Senate Armed Services Committee hearing on Current and Projected National Security Threats, February 2, 1999, p. 1.

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is the successful de-nuclearization of Ukraine, Belarus and Kazakhstan, and the implementation and expansion of the Nunn-Lugar-Domenici program in the states of the former Soviet Union. Both are bi-partisan success stories. The Administration also led the successful extension and strengthening of the Non-Proliferation Treaty in 1995, the successful negotiation and signing of the Comprehensive Test Ban Treaty in 1996, and the ratification of the Chemical Weapons Convention in 1997.

Deputy Secretary of State Strobe Talbott's diplomatic efforts with India and Pakistan also made some progress over the past twelve months. Leaders of both nations agreed to sign the CTBT and opened up cordial bi-lateral talks and exchanges. The recent round of missile tests, however, demonstrates the limited impact of our efforts.

Hundreds of dedicated officials toil daily for these and other programs. Arms control officials genuinely feel that they are doing all that they can under the circumstances and that the system simply cannot absorb any more.

The problem is that these efforts are not commensurate with the threat. Despite the best intentions of many Administration officials and some members of Congress, the work performed, the resources devoted, and the political capital expended are simply not sufficient to deal with the problems we face. Many experts believe, for example, that with improved management, the Nunn-Lugar-Domenici programs could be expanded to two or three times their current size. There is an enormous amount of work remaining to be done in Russia and time may be running out. The Nunn-Lugar-Domenici programs were fully funded by Congress last year at $442 million. By comparison, the Congress added $450 million to the defense budget to purchase eight new C–130J transport planes that none of the military services requested and for which no valid military requirement exists. This is a serious threat/resources mismatch.

With the exception of the special effort made in South Asia, nonproliferation policies in general and Russia policy in particular seems to be proceeding as if nothing unusual happened over the past year. It is difficult to identify a senior official in charge of the Administration's nonproliferation policy, or in charge of our policy towards Russia. Resources have not been significantly increased; personnel have not been augmented; and top-level attention seems to wane soon after a crisis subsides. This is not simply an Administration problem. Congress has blocked several key nonproliferation agreements, such as the Comprehensive Test Ban Treaty, regularly threatens the budgets of others, such as the Agreed Framework with North Korea, and agencies preemptively scale back their budgetary requests anticipating congressional resistance to increased funding.

Imagine, for a moment, that in addition to the Ballistic Missile Defense Organization, we had a Missile Proliferation Prevention Organization with a $4 billion annual budget culled from the departments of Defense, State and Commerce. This organization would have authority over Missile Technology Control Regime negotiations and compliance, intelligence estimates, export controls, sanctions policy, and a veto over trade policies with countries of proliferation concern. This would be a great leap forward in what some consider our most pressing proliferation concern. We could discuss precisely which authorities and tools it would need to curtail missile proliferation. But as soon as one begins designing an organizational scheme such as this, it becomes obvious that it is probably impossible. There would be too many bureaucratic obstacles to overcome, even assuming that Congress would not see this new agency as a threat to favored missile defense programs. The very offices we created to serve our national security during the Cold War would strongly resist any efforts to take away their responsibilities, authorities and budgets.

So, we remain mired in a patchwork approach. Nonproliferation missions are often tacked on to existing positions. In some cases they are up-graded, such as the recent naming of an Assistant Secretary of Energy for Nonproliferation and National Security. In other cases, the missions are actually down-graded or merged into existing bureaucratic structures. For example, the former position of Assistant Secretary of Defense for Counter-Proliferation has become a deputy assistant position in the new Defense Threat Reduction Agency. It is difficult to track what has happened with the merger of the Arms Control and Disarmament Agency into the State Department, but it appears we may now have fewer senior officials working on nonproliferation. The consolidation has also eliminated direct access to the President and the National Security Council for some of government's most dedicated nonproliferation professionals.

The net result is that the number one threat to our national security does not enjoy anywhere near a priority claim on budgets, senior positions or senior-level attention.

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PRESIDENTIAL LEADERSHIP

The nonproliferation agenda will never be able to compete in the government bureaucracy with programs that enjoy considerable industrial or trade interest. Nonproliferation programs do not require substantial government funding for manufacturing products nor generate billions of dollars in trade agreements. Thus, they will never build up large national constituencies to champion their causes. On the contrary, programs critical to stopping the proliferation of nuclear or missile technologies, for example, often stop lucrative trade deals or arms transfers and run counter to the goals of government agencies established to promote commerce or defense alliances.

This is precisely why it is vital that nonproliferation advocacy and coordination take place at the highest possible level, to rise above the competing commercial and special interest agendas. At the presidential level, nonproliferation programs can tap into the substantial support that exists in the public for doing all that we can to stop the spread of these deadly weapons. Public opinion polls confirm that Americans believe the task of reducing the dangers posed by nuclear weapons is an important issue for presidential attention. They believe this is just as important as the domestic issues to which the President has dedicated enormous amounts of time and political capital, such as balancing the federal budget and improving race relations. [5]

RECOMMENDATIONS

To better combat the proliferation of weapons of mass destruction, the federal government should first ensure that there is a senior-level nonproliferation authority in each major department responsible for all of that department's proliferation-related programs and activities.

The President should also appoint a senior administration official to coordinate these departmental activities, with the authority to coordinate budgets. It would be preferable if this individual were in a sub-cabinet position, similar to the former position of the drug czar. It could also be accomplished by elevating the position of the Senior Director for Nonproliferation and Export Controls at the National Security Council to a more senior level, again with significant budget authority.

Short of a government-wide coordination of all nonproliferation and counter-proliferation activities, we should, at a minimum, appoint a National Coordinator for the Non-Proliferation and Elimination of Weapons of Mass Destruction in Russia to integrate and prioritize all relevant U.S. programs in the states of the former Soviet Union.

Russia remains the world's largest warehouse of nuclear weapons, fissile material and expertise. We currently have some thirteen major threat reduction programs dealing with the nuclear and chemical weapons programs in Russia. They are scattered across several agencies and bureaus at the Departments of Defense, Energy, State, Commerce and the Customs Bureau. Often, these separate programs are doing work at the same facility in Russia, but without inter-agency coordination. There should be a coordinator in the Executive Office of the President to track and report on all these activities, to enforce intra-agency cooperation, and to improve and promote these joint efforts.

Short of a national coordinator (or in conjunction with), the Department of Energy could serve a useful function by establishing at one of the national laboratories an analytical unit to monitor all official U.S. cooperative threat reduction activities. This unit would be responsible for gathering and updating information on all U.S. assistance programs, and making this information readily accessible to relevant U.S. officials, laboratory personnel, and contractors.

Central coordination and responsibility may help us improve the ability of the government to respond more rapidly to future nonproliferation crises. It would have permitted us to respond more quickly to the August financial crisis in Russia and its obvious deleterious impact on Russian nuclear safeguards. It should facilitate the quick appointment of special envoys to tackle particular problems—an approach that proved effective in the North Korea crisis of 1994.

There are solutions to these problems, but they are neither simple nor cheap. The next few years may well determine whether the nonproliferation regime can be successfully repaired and revived, or if further shocks overwhelm our collective ability to sustain the security system that the United States helped create and nurture over the past 40 years.

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[5] See, Public Attitudes on Nuclear Weapons: An Opportunity for Leadership, Henry L. Stimson Center, 1998 (on the Internet at: www.stimson.org/policy) and American Public Opinion and U.S. Foreign Policy, 1999 by the Chicago Council on Foreign Relations (summarized in Foreign Policy, Spring 1999, pp. 97–114 and on the Internet at: www.ccfr.org)

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Additional material submitted by Mr. Cirincione has been maintained in the committee's files and is also available on line at:

http://www.ceip.org/programs/npp

Senator BIDEN. Steve, I wonder—it surprised me, you saying that we should deal with the Nonproliferation Treaty in this conference in a way that we do not withdraw from commitments that we have already made. I am wondering, do you oppose the new inspection protocol that the United States signed with the IAEA? Do we want non-nuclear weapons states to sign the so-called 93 plus 2 protocols allowing the IAEA to inspect non-designated sites?

How do these things fit in? On the one hand, I get confused that we do not have enough reliability and we cannot count on their honesty and their deportment and we have to know more. And then when we talk about regimes to enable us to know more, we come back and say: Whoa, whoa, that is going to be too intrusive for us. How do you deal with that, what I think is a conundrum here?

So I have said a lot, I have asked a lot. Maybe I can start with you, Mr. Ambassador. Tell us how the heck we get from here to there to end up with the construct that you envision?

Ambassador JOSEPH. You are giving me the easy question.

I think, Senator, I would agree with you that we need to begin by exercising discipline in our language. We should use words as precisely as we can, and if we cannot be precise at least we can be consistent in our usage.

Let me say in that context that I do not believe that we can effectively deter the acquisition of chemical, biological, or even nuclear weapons by rogue states. I think they are determined to acquire these weapons and they will use whatever means necessary, including arms control, as an avenue to get the technology and expertise to acquire those capabilities.

In some cases we will not even know about it, and that is particularly true, we were told earlier by the DCI, in the context of chemical and biological weapons. There are many willing suppliers, we know that. There are other suppliers, unwitting perhaps, who will provide the technology. And there is, of course, the inevitable progress in indigenous capabilities to develop these weapons systems.

We need to learn the right lessons from the Iraqi programs. I believe we were very surprised at how far along their nuclear weapons program had progressed. We were shocked at how extensive their biological program was. And we know they had a very capable chemical weapons program. One has to assume the same with regard to North Korea. Director Tenet made the same point.

When I talk about deterrence I am talking primarily about deterrence of use. These weapons do represent the best way for these states to overcome our conventional superiority, especially if they are used early in a conflict. If they go toe to toe conventionally, they lose. They know that from Desert Storm. They have to get around that.

In Desert Storm, we were successful in deterring Iraqi use. We have looked at that very closely. Partly it was as a result of the leadership's perspective in Baghdad that we—and perhaps they were mirror imaging—but that we the United States, and they

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probably also had Israel in mind, would respond with nuclear weapons.

Another part of our success, and we know this from what their military leadership has said and what their POW's have said, is that they believed we were better able to operate in a chemical environment. We had better protective equipment. So here you find the synergy of deterrence both by the threat of punishment as well as by the ability to deny the opponent the utility of these weapons. That is what we need to seek to do.

I think we can best do that—and here is where I go back to my first point, that proliferation is no longer a political problem—if we treat proliferation as a security threat. Proliferation is a threat in regions that we have decided are of vital interest to our Nation. We are the ones on the firing line. It is our forces that need to be protected. Whether from short range ballistic missiles or medium range ballistic missiles or long range ballistic missiles—and we see inevitably that march progressing—we need to provide the capabilities to defend against the threat.

It seems to me that we do not have to make a decision whether or not nonproliferation tools are more important than national security tools—I do not think we need to do that. A lot of people like to pose it that way. I truly believe that these capabilities need to be seen in an interlocking way. We need to have a comprehensive strategy.

Senator BIDEN. I agree. There is no disagreement with that. The question is how do you get there? And by the way, I would note parenthetically—this is pure Bidenism here—I think the reason why deterrence failed in the acquisition and our ability to persist in Iraq is a little bit like G.K. Chesterton once allegedly said, "It is not that Christianity has been tried and found wanting; it has been found difficult and left untried."

I would argue that it is not that nonproliferation regimes have been tried and found wanting, as it relates to Iraq. It is that they have been found difficult and left untried, because our allies, our allies, did not stick with us. There is a mechanism by which we could have insisted on dealing with Iraq. If France, if all of Europe, stuck with us notwithstanding the veto by Russia or China in the Security Council, it would be a different world, a different world.

But they did not, and so it is not that the regime, the idea, failed. It is people did not do the deal. They did not stick with the deal. They did not commit to stay the course.

Now, we end up in the same place. The same place is it did not work, I acknowledge that. The same place is it did not work. But I find it interesting that we tend to discuss these things, understandably, as if they existed in a vacuum, as if they existed only in terms of our security interests. Well, there are a lot of other interests that that one security interest that we have are trumped by a larger security interest. The larger security interest is we make judgments on—you know, were you sitting as President and I your Secretary of State, Mr. Ambassador, and you said the French were not going to, I would say: Let us make it real clear to the French; I am willing to run the risk of breaking the bow on this one. I am in less jeopardy if there is not a NATO than I am in jeopardy if there is an Iran with nuclear weapons.

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But we do not make those hard choices. We only view them in terms of solutions, I respectfully suggest, that are not solutions, they are partial solutions. You give me the best system in the world that is a National Missile Defense system and you still do not do anything about what this man talks about. You do not do anything about what is realistically the likelihood of a nuclear weapon, a biological weapon, or a chemical weapon being used against us, and in the process you say, All bets are off, man; Brazil, you are on your own; India, go your route.

And the last thing I will say, and I apologize, Mr. Chairman, for talking more about this, but it is kind of frustrating. It seems to me when we talk about India and Pakistan we are willing to think of nuclear weapons in terms of our ability to have a counter to their use against us. But I cannot imagine somebody 30 years from now not saying, You know, why the hell did not those guys figure this deal out? You got India, who got the living devil kicked out of them by China the last time they had a little dust-up, and you got China sitting there and you got it in a circumstance where India is going to exceed China in population in 10 to 15 years, and you got the Soviet Union that was the nuclear umbrella for India and the counterbalance for India relative to China gone. You got China deciding to play the strategic game relative to their interest in India with Pakistan. And we sat there and what did we do?

We talked about an answer to our security interest in the region being National Missile Defense against China and against North Korea, when in fact maybe somebody should sit and say, Wait a minute, maybe we should have an article 5 arrangement. Bizarre idea, I realize, bizarre idea. It will flaunt every bit of conventional wisdom. Maybe we should have an article 5 relationship with China—I mean with India, saying we will be your umbrella, we will work out a deal with you; you get attacked with nuclear weapons, we respond.

That sure takes the pressure off, if they believed it and if we did it. I realize that is radical. But no one is willing to think outside of the box here. Tell me, how the hell are you going to keep the subcontinent from being armed and dangerous and it is the most likely place there will be an exchange? How do you do that?

Ambassador JOSEPH. That one I cannot answer, Senator. But let me make very clear that I do not believe that a National Missile Defense is sufficient. I believe it is essential, it is an essential capability. It is far from sufficient. We need all the political instruments, and not just in the multilateral arms control context, but also export controls.

As you say, the allies are to blame for the Iraqi programs, yes. But there was a lot of blame to go around. It was not just the allies.

Senator BIDEN. No, not just.

Ambassador JOSEPH. It was not just the allies and Russia, it was not just the allies, Russia, and China. You know, some of that blame—

Senator BIDEN. Comes to us.

Ambassador JOSEPH [continuing]. —it is right here. It is right here.

Senator BIDEN. No, I agree.

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Ambassador JOSEPH. And things have gotten worse since then.

Senator BIDEN. Right.

Ambassador JOSEPH. We have not exercised leadership in the area of export controls. The only way that we held COCOM together—and overall that was rather successful—was with leadership. You ask how do we get there from here? We get there from here by leading and we reject solutions that will undercut both nonproliferation and our national security. And we promote solutions, and that is plural, we promote solutions that will enhance both our national security and the nonproliferation goals that we all share.

Senator BIDEN. Well, I cannot argue with your goals. I just do not know how the devil you get there. But anyway.

Dr. CAMBONE. Senator, if I may, the question asked about how we might keep the subcontinent from being armed and dangerous. It is armed and dangerous. They have already armed themselves and they are dangerous. So we have a new situation we are dealing with. It is not the one that we might have dealt with in 1995 or 1998. So we are confronted, it seems to me, with a new set of circumstances that we have to inquire whether the existing methods of dealing with them are going to be adequate.

You can offer the article 5 commitment to the Indians.

Senator BIDEN. I want to make it clear, I am not suggesting it. I am making a point.

Dr. CAMBONE. I am not suggesting that—I understand that. But it raises, it seems to me, many of the same kinds of issues that you are concerned about in the context of the NMD. It is the same level of strategic implication for the intelligence system in either approach, and the question then becomes—

Senator BIDEN. I would argue it is not, by the way. I would argue it is not. If India is not a major nuclear power, China does not feel the requirement to become a major nuclear power, Japan stays not nuclear, I would argue it is a very different world.

I am not suggesting that that guarantee would guarantee that. But assume that was the outcome.

Dr. CAMBONE. But that is not where we are, Senator.

Senator BIDEN. No, because we have not done anything.

Dr. CAMBONE. But see, I cannot—but where do we start the argument becomes the question. If we were in 1995 or we were at the point prior to the Chinese making their decisions, not on their advanced warheads, but on their current missile programs, then there might have been scope for, I think, the kind of argument you are making. But that is not where we are.

The Indians do have options. The Chinese do have options, as do the Russians. So to make that kind of major commitment should have strategic consequences. I am not arguing that we ought not to explore it, only to suggest that it would indeed have the range of consequences you are raising.

So then we going to the next sort of order, set of questions, which is on the whole, as you net them out, which do we prefer and which do we think, with all the other ancillary agreements that we are talking about here, are the ones that are going to meet the requirement?

Senator BIDEN. Mr. Chairman, may I ask one more question?

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Senator LUGAR. Go ahead.

Senator BIDEN. I appreciate your indulgence here.

I would like to go back to Iraq for a minute. At the time that Saddam Hussein was deciding whether or not to employ a weapon of mass destruction—and correct me if I am wrong, because I may be—I assume that he had to assume that General Powell and President Bush were not going to stop, as we did. And I am not second guessing that judgment. I am not playing a political game. I am not second guessing that judgment. It was a rational decision.

I would assume as he is sitting there in one of his underground bunkers, in one of his palaces or one of his places in Baghdad or in the environs, that he has to make a call. He has got to assume these boys ain't stopping, 500,000 troops are coming, they are beating the living devil out of our folks, they ain't going to stop, they are going to come all the way to Baghdad and they are going to take me down.

Why in that circumstance—I mean, is that a reasonable assumption that someone would have to think sitting there in the bunker? Or do we have any evidence he had intelligence that he knew that we were not going to pursue his forces throughout the country?

Why would he not have used chemical weapons if he is as irrational a guy and as calculating and cares as little about his folks as we all say he does? Why did he not use them?

Mr. CIRINCIONE. If I might just start this briefly, I do not think he did believe that we were going to come all the way to Baghdad and destroy the core instruments of his power. But he knew that if he used chemical or biological weapons we would do so, and that was the threat that President Bush made very clear, that if he used those we would respond with overwhelming and devastating force.

I do not believe, and I think the record bears me out on this, that President Bush intended ever to use a nuclear weapon as part of that overwhelming and devastating force. But we certainly had enough conventional forces in the region to destroy completely the Republican Guard and President Hussein and his family in a major attack on Baghdad. And I think he knew that and therefore he held that back, did not use those weapons, because he wanted to preserve his core assets.

Senator BIDEN. Why do you guys think he did not use it?

Ambassador JOSEPH. Senator, obviously it is very difficult to get into the mind of Saddam Hussein.

Senator BIDEN. I know. But by the way, we are doing it now in North Korea. We are getting in the minds of the leader. We are making judgments. You guys have no problems making judgments about the mind and what is going to happen in North Korea.

Ambassador JOSEPH. Well, I certainly hope I did not give the impression that I can get into the mind of the North Korean leaders, either. I think what we are trying to do is make informed assessments.

Senator BIDEN. Right.

Ambassador JOSEPH. Let me just point out that in the Bush letter, the very famous letter that was left on the table in Geneva, the President said there would be a terrible price, an overwhelming and devastating response, if there was use of chemical or biological

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weapons, comma, if Iraq supported terrorism, comma, or if Iraq torched the Kuwaiti oil fields, period.

Obviously, they did not believe that an overwhelming and terrible price—and I believe that they believed this to mean a nuclear response—they tell us that—was credible in the context of either torching the oil fields or supporting terrorism, because they did both.

I think in terms of chemical weapons, it is also clear from what we know that they made the assessment that they would be at a disadvantage, as I said earlier. We had better chemical defenses than they did. It would not have done them any good.

That leads to the very interesting question, I think, of biological weapons, which would have had a much more devastating impact militarily. I do not know, but perhaps, perhaps, this was Sadam's one last instrument of regime survival if we did continue to go forward. I do not know, but I believe that to be the case.

I also think it is very important to think about what Iraq would have done with biological and chemical weapons if it had even a few nuclear weapons. Clearly, one of the lessons from the Gulf that we often hear—and we hear it—usually in a quote from the Indian army chief of staff is do not go to war with the United States without nuclear weapons. Nuclear weapons could very well—even if there were only a few of them—make it safe for the use of chemical and biological weapons, which is their means for getting at our conventional superiority, their means for ratcheting up the cost to us in the context of their belief that we are very sensitive to taking casualties.

Senator BIDEN. Thank you.

Senator LUGAR. Thank you very much.

Let me just test the panel with one more proposition, which is less cosmic but maybe more topical. The comment has been made that the Cooperative Threat Reduction Act has been extremely important in battling proliferation and in reducing weapons. The Chemical Weapons Convention has been ratified by the United States and by Russia. We are both committed to the destruction of our chemical weapons in a 10-year period of time, and this is creating great exertion in this country to try to do that.

In Russia the problem comes down to the fact that they literally have almost no money with which to do this. At least this is their claim. It is not absolutely zero, but nominal amounts. Under one proposition last year as we had the Nunn-Lugar debate in the House and the Senate, we would have committed some funds to the destruction of 500 metric tons. Now, this is out of an estimated 40,000 metric tons in the seven locations in which we are working with the Russians on security, so that at least we have some confidence, and they do too, that proliferation will not occur from those situations while we figure out what to do with them.

Now, it is an interesting proposition because, leaving aside all the chemical weapons that might be produced elsewhere, there is an inventory there of 40,000 metric tons that is currently safe but may not remain safe, secure, and stable. We really do not know how to prophesy the future. We do know the quantities and we do not know altogether sometimes about the stability even of the chemicals, I suppose.

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So the proposition that we have is should we spend United States taxpayer money to begin destruction of chemical weapons at one site with 500 metric tons. Now, the answer last year was no. Over on the House side as they wrestled with this either in the authorization or the appropriation stage, the argument was, after all, the Russians produced all of this, they sort of made their bed, let them sleep in it or take care of it. Why should we at our expense try to undo something that is this monumental?

Now, on the other side some of us, and I was one of them, argued that admittedly 500 out of 40,000 is a very small amount and you can make the case that this is almost token effort, but it is a beginning, in working through the problem. On the other hand, we do not know how long the window of opportunity in history remains open, nor the disposition of these weapons over the course of time, so that it might be in our interests to begin dismantlement of these dangerous weapons.

This may not be a fair rendition of the arguments, but I ask it anyway because you must have given some thought to this kind of situation and what advice would you give?

Mr. CIRINCIONE. May I start?

Senator LUGAR. Yes.

Mr. CIRINCIONE. My logic is very simple here. I do not believe that Russia is a stable nation. I do not believe that the dissolution of the Soviet Union is yet over. I am concerned about the continuing political disintegration of Russia. Therefore I am interested in destroying or helping the Russians to destroy as many weapons of mass destruction as they still have control of on their territory as possible.

Therefore, last year I strongly urged that we spend that money, that we destroy those weapons, that it may just be the beginning of further assistance to Russia to destroy the weapons. That is a good national security investment as far as I am concerned. It is hard to find a better cost-benefit analysis than destroying weapons on the ground before they have the opportunity to be used against us. It is cheap at the prices we are talking.

Senator LUGAR. Particularly if they are willing to cooperate with us in their destruction.

Mr. CIRINCIONE. Particularly if they are willing to cooperate with us, as they are, and it could lead to even greater cooperation and more rapid destruction of the rest of the arsenal.

Dr. CAMBONE. I suspect, Senator, the other argument you heard is the fungibility of funds. That is, money not spent destroying chemical stocks would be spent doing something else, prosecuting the war in Chechnya for example, and cooperating in the rise of oil prices and all the other kinds of political difficulties that have arisen with the Russians.

So that leads me to ask whether the arrangement comes with some set of political agreements about cooperation, not just on the elimination of 500 metric tons out of 40,000, but are there some broader political commitments that each side makes to the other with respect to a wide variety of issues on which we have differences?

My concern with many of the programs related to disarmament that we have with the Russians is that they themselves have be-

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come a bone of contention between us and them, and the more we lean on them to do things which they may not be willing to do the stiffer we make their opposition on a wide range of other subjects. But I think we have got to work this on two fronts simultaneously. One, we have got to find a way to normalize our relationship with the Russians, and in that context I think the kind of support and assistance that you are talking about makes a great deal of sense.

But when you confront the situation we now find on the highly enriched uranium, where we are paying way above market prices to do a good deed, it is not the question of the money. We have the money to do it and it is a good thing to do. The question is what is the political consequence and how do they think about what their role in this operation is going to be.

So I think it is the broader political commitments we need to assure in order to make the demolition of these systems a multiplier in our relationship and not a drag.

Senator LUGAR. I follow what you are saying. I would say this to be argumentative, that fungibility is always an issue here, but 86 percent of the cooperative threat reduction moneys have been spent with American contractors. So conceivably you still have 14 percent that is open to some question.

Dr. CAMBONE. But the Russians did not have to spend the money to do the job. I am not arguing whether it was a Russian contractor or an American contractor. It was that they did not spend the money doing it.

Senator LUGAR. The very small defense budget could be stretched longer by not having to do it, so you had an obligation there.

Dr. CAMBONE. Right, which is why I asked about the broader political agreements about conduct in a wide range of issues which these agreements it seems to me should cement, rather than being the leading edge of the relationship.

Senator LUGAR. Ideally they should. The difficulty of the issue comes when it is a bridge too far and the regime is unwilling to agree to a broader agenda, which sometimes happens with the Russians.

Dr. CAMBONE. Then it is a matter of judgment.

Senator LUGAR. Do you have a thought, Ambassador?

Ambassador JOSEPH. There are no perfect solutions to very complex problems. My sense is, as I stated in my opening remarks, the money that we have spent on Nunn-Lugar for the dismantlement and elimination of nuclear capabilities of the former Soviet Union has been money well spent. There are some things about the fungibility that are troubling. I have a real problem spending money in one area while the Russians are deploying new mobile missiles, for example. That is something that we need to look at very closely. But again, I think it has been money well spent.

When we start to talk about chemical weapons, it is a very expensive proposition, as you know, sir. We would be just making one first step. It may be politically important, but I think we have got to look at our other priorities. We have a lot of money to spend in other areas of nonproliferation and counterproliferation. Personally, I would rank them higher. I wish we had enough money to do it all. But this is a real world constraint that we are dealing with.

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Senator LUGAR. Well, certainly that was the judgment ultimately in our democracy last year. I just wonder. We have had the thought that the Russian situation might not remain stable. For example, we had the four nuclear power situation because it did not remain stable. So if three other countries bobbed up with significant nuclear weapons—I am not suggesting that Russia partitions itself into seven or something so that each one now has a pretty good stockade, in which they either cooperate with us in their new forms or they do not.

But it is an interesting problem, given simply the size of the stocks, the detritus of the Cold War that we are still wrestling with. So it is a matter of priorities and it is a difficult call, and that is why I asked for your judgment.

Well, I thank each one of you for staying with us even through our recess and our questions. You have contributed a great deal to this whole consideration and it has been a remarkable start for our hearings.

Unless you have further thoughts—

Senator BIDEN. No. Just thank you very much.

Mr. CIRINCIONE. Thank you, Senators. We are at your service.

Senator LUGAR. We are adjourned.

[Whereupon, at 5:32 p.m., the committee was adjourned.]

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INDIA AND PAKISTAN: THE FUTURE OF NONPROLIFERATION POLICY

Thursday, March 23, 2000

U.S. SENATE
COMMITTEE ON FOREIGN RELATIONS
Washington, D.C.

The committee met, pursuant to notice, at 9:30 a.m., in Room SD–419, Dirksen Senate Office Building, Hon. Richard G. Lugar, presiding.

Present: Senators Lugar and Biden.

Senator LUGAR. This hearing of the Senate Committee on Foreign Relations will come to order.

Today, the committee continues its series of hearings on United States and international nonproliferation policy. We turn our attention to South Asia, where tensions between India and Pakistan have reached a high level, and the threat of potentially serious miscalculation by either side has become more likely.

In 1998, the world was shocked by nuclear weapons tests in India and Pakistan. Although these countries were not signatories of the Nuclear Nonproliferation Treaty, these tests clearly represented a devastating setback to international norms and a setback to multilateral efforts to stem the spread of weapons of mass destruction. We must acknowledge that although our effort delayed the nuclear emergence of these nations, we were unable to secure their permanent non-nuclear status.

Despite intensive bilateral and multilateral diplomatic efforts, little progress has been made in restraining a dangerous nuclear weapons and missile buildup in South Asia. Both sides continue to refine their nuclear infrastructure and test longer and more accurate ballistic missiles.

But what went wrong? Was it the policy? Or its implementation? What steps must the United States and the international community now take to adjust nonproliferation policy to recent events on the ground? Furthermore, we need to engage in a forthright discussion on these steps necessary to prevent the crossing of the nuclear threshold by these two countries from escalating into nuclear war.

Officials in both countries are talking more openly about going to war and the possible use of nuclear weapons. Although there is a strong element in posturing, in part to influence United States policy, such postures tend to heighten mistrust and tensions and threaten to become self-fulfilling. While the potential for going nuclear in a conflict may appear less likely than a limited conventional war, the deep-seated mistrusts, deficiencies in information about the activities and intentions of the other side, and the need

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to make decisions quickly under great pressure, can lead to miscalculation, including overreaction.

Perhaps the clearest explanation of United States nonproliferation objectives toward India came in a recent interview with Deputy Secretary of State Strobe Talbott. And I quote from Secretary Talbott:

Our disagreements with India over nuclear weapons have nothing to do with any exotic scenarios of future nuclear conflict between India and the United States, but rather concern over the whole nonproliferation regime. A consensus has emerged over the past 50 years on how best to stop nuclear proliferation, and as a result many countries that might have gone nuclear chose not to do so. It is in the United States' vital interest that we not see a wave of second thoughts by those countries because of the tests of India and Pakistan. That is why we are working closely with India on a structure that respects its valid security concerns, but at the same time makes India part of the solution rather than part of the problem of global nuclear proliferation.

End of quote from Secretary Strobe Talbott.

In hopes of advancing that agenda, the administration has outlined four benchmark issues for discussion and negotiation. First, Indian adherence to the CTBT and a commitment to work toward signing the Treaty. Second, a commitment from India to sign the Fissile Material Cutoff Treaty, which would bar the production of weapons-grade fissile material. Third, the implementation of further safeguards against the transferring of nuclear technology or materials. Lastly, an Indian agreement to forgo converting its nuclear capability into deployed materials. An additionally sensitive issue is how to help safeguard the Indian and Pakistani arsenal to prevent accidental war without handing them a user's manual.

The question that must be answers is whether this is the best course of action, or might another strategy have better prospects for success?

Military confrontations between India and Pakistan have a strong potential to escalate. India's and Pakistan's legacy of mistrust in bilateral dealings makes escalation both more likely and unpredictable. In such a scenario, the risk of nuclear exchange cannot be ruled out.

Some have suggested that U.S. and international diplomatic efforts should be altered from a refusal to acknowledge Indian and Pakistani nuclear status to a policy of minimization. In other words, should our objective be one of rolling back or reversing the nascent nuclear programs of these two countries or should we seek to minimize or circumscribe the possible use of nuclear weapons and thereby reduce the dangerous possibility of nuclear war in South Asia?

Clearly, one does not want to abandon universal adherence to the NPT, but how do we square these efforts with the equally important effort to reduce the chances of nuclear war in South Asia through confidence-building measures? In other words, how do we reduce the possibility of nuclear war in South Asia without forfeiting the recognition of India and Pakistan as nuclear power states? And similarly, how do we ensure that India and Pakistan

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do not become the source of technology and know-how of future nuclear powers?

These are indeed difficult questions. I look forward to hearing from our panel today on their recommendations for future United States and international nonproliferation policies. Our witnesses are Dr. Ron Lehman, Director of the Center for Global Security Research at Lawrence Livermore National Laboratory and former Director of the Arms Control and Disarmament Agency; Dr. Fred Ikle, currently a Distinguished Scholar and Senior Advisor at the Center for Strategic and International Studies, and a former Director of the Arms Control and Disarmament Agency; and Sumit Ganguly, a Professor from Hunter University, who is currently a Visiting Fellow at the Center for International Security and Cooperation at Stanford University.

As he arrives, I will call upon the distinguished ranking member, Senator Biden, for opening comments that he might make. But at this moment, it is a pleasure to have our witnesses before us. We look forward to hearing from you. And I call first upon you, Dr. Lehman.

STATEMENT OF RONALD F. LEHMAN, FORMER DIRECTOR, ARMS CONTROL AND DISARMAMENT AGENCY

Dr. LEHMAN. Thank you very much, Mr. Chairman.

I am very pleased to be here again. And I am particularly pleased to be with this panel. I have two good friends on this panel, both of whom I respect greatly and value their advice and judgment.

I am here in my personal capacity. That is the capacity in which I have been invited. I do have other hats, both professional and pro bono, for the U.S. Government, but I am not here representing any administration past and present, or any other organization. I just want to emphasize that.

I have a prepared statement which I can submit for the record.

Senator LUGAR. It will be published in full. And let me just add that will be true for each of our witnesses today. And we will ask that you summarize or at least highlight those things that are most relevant.

Dr. LEHMAN. We sometimes say that during the Cold War we were totally preoccupied with one issue. And that was the Soviet Union. In fact, it was never that easy. It was always more complex. One of the first delegations I was ever on was in fact a bilateral U.S.-Soviet delegation, but it was on nonproliferation. And in fact, among the issues we discussed at that time were both India and North Korea.

A regime, an effort, perhaps even a comprehensive or almost comprehensive strategy developed in which we used a variety of tools. One was the spreading of international norms through the development of regimes. And indeed, by the end of the Cold War, practically all major states except for a few, were parties to the Nuclear Nonproliferation Treaty. By the time of the 1995 NPT review, essentially the only major states that were not parties were India, Pakistan, Israel, and Cuba.

The other regimes, the Biological Weapons Convention, had a somewhat lesser number of parties and signatories but, by and

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large, most of the non-parties are today Newly Independent States of the former Soviet Union. Most of the significant non-parties to the Chemical Weapons Convention are in the Middle East. We have always had as a part of the U.S. effort this sort of oil slick effort at universalization. Some people think that is the total effort. The problem with that kind of thinking is that it does not accurately reflect U.S. strategic realities. And in fact, it does not reflect the real problems be resolved. A common cookie cutter approach to very different problems can often be very counterproductive.

We had other tools in our toolbox. We had export controls. We had sanctions. We had geopolitical outreach, security guarantees, both positive and negative. But ultimately, the primary way of dealing with nonproliferation was to bring about changes in real security conditions and in the nature of the governments themselves.

We made considerable progress. We even achieved rollback in some cases: several of the republics of the former Soviet Union, South Africa. We had progress even with North Korea. My name is Lehman. When you go to U.N. meetings, you are seated according to your Romanized last name. I was often between the two Koreas, for example, Ambassador Lee from South Korea and a Mr. Li from North Korea. And this resulted in my being in the photograph of the two shaking hands when Pyongyang announced the two Koreas in the U.N. agreement.

Why did North Korea come to that conclusion? Why did North Korea sign the denuclearization agreement that prohibited plutonium separation and uranium enrichment on the whole Korean Peninsula? Why did they agree to an IAEA safeguards agreement? The world was changing, and they thought they needed to act. And indeed, we were encouraging them to think in those terms.

It was a period at the end of the Cold War when we had pursued enhanced proliferation initiatives. We were refining export controls. UNSCOM had imposed unforeseen sanctions upon the Iraqis. Nonproliferation was, in many ways, on a roll.

Even in South Asia, while the Indians still basically kept their fundamental public position, privately they were showing interest in fissile material cutoff, trying to find some alternative path for getting some recognition for their status while staying outside the NPT, which they viewed as a threat to their nuclear options.

I mention this because we had momentum. Much of that momentum has been lost. Why has that momentum been lost? The answer, in part, is that a lot of the same political and technological changes that actually helped us build that momentum also complicated nonproliferation. I have in mind things like the technological revolution in information technology. It helped promote political change, but it also spreads knowledge and technology.

The same with the globalization of technological talent. People are moving around. We hire people. We educate people. Many of them work for us. They promote our nonproliferation goals or, every now and then, work against them—and if you go look at troublesome programs around the world, you discover many of the leaders of these programs are Western educated. It is a dual-edged problem that you have to deal with.

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The question of how do we effectively engage nations such as India on nonproliferation is a tough question. Because there has been this tendency to think that since almost everybody is a part of the nonproliferation regimes, what we have is what I call the asymptotic problem. We are worried about the last few tough cases, what some people call the rogue states. But India is not a rogue state.

In fact, we have sought many times—and I would commend Dr. Ikle for one of his efforts some years ago—we have sought to reach out to the Indians. It has never been easy. I joke sometimes, I have been through many years of India, and they all have one thing in common, they only last 6 months. It has not been an easy relationship for a lot of reasons which I will not go into. But what I do want to say is this.

The Indians can influence the future of proliferation in very important ways. Not because they are a rogue state, but because they are not a rogue state. The very act of deciding in this time frame to go nuclear in a big and overt way sends a frightening signal and sets a precedent for other nations. Why would other nations do this? These issues and these regions are more closely interrelated than people realize.

North Korea already has had an impact on India. Why? Because the Indians complain that the North Koreans are violating the NPT, and we are giving Pyongyang reactors. But India never undertook any obligations, and thus has not violated the NPT; and yet the West will not give India reactors. The Russians say the same thing about interactions with Iran.

I do not want to give legitimacy to their arguments. There are counter arguments. But these things are interrelated. If things get out of control in North Korea, we have other countries in the region—of course, South Korea, but also Taiwan and perhaps Japan. So it is not just a question of small, poor nations being threatened. In fact, many of the nations who rely on the security guarantees of the United States as a main source of their security could revisit the question of nuclear weapons.

So the message I want to leave here is that we need to develop a strategy for the modern age. We need to revisit the export control and sanctions questions. They have been greatly weakened by technological developments and by political change. But, on the other hand, I think both can be reinvigorated in some ways for certain purposes. And I have suggested in the paper how one might start to look at that.

I also want to say that we really need to take a fresh look at what we mean by "constructive engagement." And in that regard, I would like to commend the Nunn-Lugar and Nunn-Lugar-Domenici and the Cooperative Threat Reduction Programs. They have matured greatly. One still has to recognize there are risks associated with these programs. You have to go in it with your eyes opened. But I think we have begun to develop measures of merit and real concrete ways to engage people and shape things.

And I think if people would look at the lessons learned there and apply them more broadly, I think we might have a more effective policy. Let me stop there.

[The prepared statement of Dr. Lehman follows:]

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Prepared Statement of Ronald F. Lehman

Mr. Chairman, Distinguished Members of the Committee on ForeignRelations, I am honored that you have asked me to appear again before this Committee to discuss how we might advance the nonproliferation objectives of the United States. You have asked me to address recent global and regional developments. Certainly, we face new opportunities and new challenges, many of which are not well understood in this age of rapid change and increasing globalization. To insure that we shape developments in the interests of the United States and its allies and friends around the world, we need the broader examination that you have suggested. I will do my best to contribute.

As this Committee knows, I continue to assist the US government in a number of the areas, such as programs for cooperation in Russia, South Asia, and elsewhere. I personally consider these initiatives to be important, but today you have asked for my personal analysis of proliferation trends. Thus, it is important that I make clear that the views I express here are strictly my own. I do not speak for any other person or for any organization, study group, program, or Administration with which I have been or am now associated.

Today I would like to highlight some key proliferation trends, concisely. I understand that there is particular interest in South Asia, the Korean Peninsula, and Russia in this context. Concerning these regional challenges, I would be pleased to take any questions you may have. I recognize that many of the technical details and complexities in regions of proliferation concern are important, and that time will not permit discussion of all of the key issues. If you wish, Mr. Chairman, I can provide, for the record and for the members present now, two papers—one on Korea and the other on South Asia—that could supplement my testimony.

Let me begin by summarizing how we got where we are. As the recruitment of even the smallest micro-states to sign the NPT before the 1995 NPT Extension Conference illustrated, part of our basic nonproliferation strategy has been to seek ever wider international commitments not to acquire WMD, that is, to strengthen certain international norms.

By a large margin, most of the 193 treaty signing nations are a party or signatory to the three major WMD treaties, the NPT, the BWC, and the CWC. India, Pakistan, Israel and Cuba are the only major non-NPT parties. A number of the newly independent states of the former Soviet Union and a few others are non-parties to the BWC; most of the notable non-parties to the CWC are in the Middle East.

Even taking into account illegal covert programs, only a few states are of immediate proliferation concern. The list, however, includes some of the most difficult regimes such as North Korea and Iraq and some of the most dangerous regions such as South Asia and the Middle East.

Most nations have no interest in WMD and no potential for acquiring nuclear weapons except by gift or theft. Indeed, most of these are mini- or micro-states. Many nations have some theoretical capability to develop biological weapons, but the number of potential concern is perhaps in the few tens.

From this perspective, we have long seen nonproliferation as an asymptotic problem, that is a problem of dealing with the last few tough cases.

To prevent the further spread of WMD, parties to the three major WMD treaties typically agreed to measures to prevent the transfer of critical knowledge, technology, and materials to non-parties through export controls, safeguards, sanctions, and the like.

By the end of the Cold War, regimes such as the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group, the IAEA, a modified CoCom, and the UN Arms Register were in place to manage trade in sensitive and some dual use items internationally. The addition of France and China to the NPT seemed to cement solidarity. Some nations including the United States adopted enhanced proliferation export controls requiring greater awareness and responsibility of the business community.

Arms control regimes among the superpowers, in Europe, and globally through the CWC, promulgated very intrusive verification regimes among parties to the relevant treaties, increasing expectations for what arms control could achieve.

The UNSCOM and IAEA inspection regimes and UN Security Council sanction imposed on Iraq suggested strong international commitment to enforce nonproliferation agreements.

The January 1992 UN Security Council statement at the Head of State level that further proliferation would be viewed as a threat to international security was very strong diplomatic language.

The end of the Cold War reduced the ideological fervor of the neutral and nonaligned factions permitting countries such as Argentina and Brazil to move toward

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modern economies and away from "white elephant" nuclear and missile programs. It also produced nuclear rollback in Ukraine, Belarus, and Kazakhstan, and facilitated rollback in South Africa. In South Asia, voices for similar economic reform were growing.

Even North Korea found the need to change its relationship to the world. Pyongyang accepted the two Koreas approach to UN membership, concluded an IAEA Safeguards agreement, and as part of an NPT-plus strategy for that troubled peninsula, signed a denuclearization agreement that would provide for additional bilateral inspections and banned reprocessing and enrichment.

Even as the Cold War was coming to an end, however, countervailing pressures were building that would dissipate this momentum. Some of these forces that would hinder nonproliferation were derived from the same forces that, as we brought the Cold War to an end, had accelerated nonproliferation in the first place. Key among these are:

- the information technology and telecommunications revolution,
- the globalization of the high tech market place,
- the world-wide competition for technological talent,
- the increased priority of economic competitiveness,
- the revisiting of the boundaries of sovereignty and community,
- the diminished sense of military danger,
- the great expectation for universal democracy, human rights, and the rule of law and with them peace enforcement and disarmament,
- the rapid economic growth and energy demands of the largest Asian nations,
- and differing demographics within rich and poor nations.

A look at a few of the general consequences of these shifting forces along with examples of some specific complications, highlights the change in the fortunes of nonproliferation as the United States has pursued it.

The violent breakup of Yugoslavia and subsequent ethnic violence there and elsewhere shook the credibility of important institutions that were expected to form a new security architecture, institutions such as NATO, CSCE, and the EU in Europe, and the UN globally. Over time, sanctions fatigue and the perceived ineffectiveness of punitive strikes in places like Iraq, Afghanistan, and the Sudan and divided views on the wisdom of various humanitarian interventions have created divisions that have resulted in the demise of UNSCOM, once trumpeted as proof that nonproliferation would be enforced.

Failure of countries like Russia to catch the new economic wave, and the failure of countries like China to meet democratic expectations created international tensions that hinder emergence of anticipated strategic partnerships with the US, complicating cooperation on nonproliferation in Korea, South Asia, Iran and the Middle East. US efforts to sustain Chinese support for pressure on North Korea have been complicated variously by human rights, trade, and other strategic issues such as Taiwan. Russia's reaction to the Framework Agreement with North Korea was public anger that the sale the US proposed to a North Korea in violation of the NPT was similar to Russian nuclear reactor sales the US had opposed (1) to North Korea when it was not known to be in violation, (2) to an Iran that permits IAEA inspections, and (3) to an India that is not a party to the NPT.

Nationalistic backlashes, often in response to transnational forces such as the very capitol, technology, labor, and culture flows that were forcing political and economic change and turmoil, hindered nonproliferation cooperation and arms control implementation. This frequently reopened divisions along the lines of economic, political, and security "haves" and "have nots." In developing countries, this is often a generalized anti-Western sentiment even as Western influence grows. In other cases, the resentment is focused clearly at the US, sometimes even within western industrial democracies. Likewise, this coexists with the adoption of significant elements of American culture. In India, for example, hawkish national security positions have increasingly been associated in domestic politics with economic liberalization as the political price for change. In many cases, India has placed itself in the position of not being able to take "yes" for an answer on security issues because of domestic or international politics and the ease with which such spoilers, foreign and domestic, can damage those who compromise on these issues.

Non-competitive state enterprises and underpaid technologists in China and the former Soviet Union and less competitive firms in the West dabble in unsavory, gray, and black market niches for military and dual use sales, further undercutting nonproliferation. The worst cases of this involve the Chinese relationship to the Pakistani nuclear effort, and network of technical cooperation and missile sales such

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as North Korea has with Iran, Pakistan, and others as reported by the Rumsfeld Commission.

The need to be globally competitive and the internationalization of much education and production has placed a premium in business on removing obstacles to the flow of knowledge and technology, best transferred through experts and teams. This has created dynamism in technological change and transfer that has outpaced the ability of traditional governmental bureaucracies to keep pace. Confusion within industry and within government over the real state of the art, true foreign availability, the actual military significance of technology, and how the licensing process should work has created an export control system in which factions prefer to game the system rather than resolve differences on the basis of policy clarity and procedural efficiency. On the international level, this led to the abandonment of CoCom prior to locking in a comparable nonproliferation mandate for its successor.

The foreign policy community, still significantly divided along regional and functional lines, has had even more difficulty optimizing US interests with the introduction of a more complex, less security centered agenda. Identifying commensurate values and even measures of merit when security, economic, human rights, environmental, and other issues must all be weighed together has proven difficult. We don't have a good understanding of the security implications of globalization. North Korea threatened to withdraw from the NPT if it were forced to submit to an IAEA suspect site inspection. Public arguments in the US and in Asia over how to respond varied, often creating dysfunctional logical interactions. Some argued Pyongyang's withdrawal would initiate a flood of withdrawals. Better to have them in the treaty and violating it that endangering it by other means. Others argued that our inability to defend Seoul meant that enforcement of the NPT against a military power was too dangerous, even explicitly stating that we could be tougher if they were weaker. One can imagine how this played. Still others, especially in South Korea, emphasized the fear that a tough stance might cause a North Korean collapse, which, even if not violent, would impose severe reunification costs on the South and upset the economy.

Nation-states are increasingly exploring new balances of centralization and decentralization that have important implications for international relations. The question of whether and to what degree American local governments can enact international sanctions is before the US Supreme Court. Also international, transnational, and sub-national communities, institutions, entities, groups, and organizations are increasingly acting on behalf of, in lieu of, and in opposition to functions and policies of various nation states including in areas related to international security, arms control, and disarmament. Both these governmental and non-governmental developments both assisted and complicated the resolution of international security issues related to nonproliferation. The Ottawa Landmine Convention bypassed the principle of consensus and certain practices of constructive engagement with, among others, the United States. In the case of the United States, the concluding process refused to consider the American request to give the US time to deal with the problem of the North Korean threat acrossthe DMZ. Much of the demand for an immediate, declaratory norm rejecting US security concerns and their nonproliferation implications in Korea and globally was driven by modern, networked transnational activists including numerous non-governmental organizations that, in fact, actually implement or fund important humanitarian de-mining on behalf of or, as necessary, in lieu of governments. Human institutions are still in flux in the face of globalization.

The interaction of constructive engagement and the establishment of norms—whether they involve international security behavior, business best practices, or human decency—has been synergistic in some cases and disruptive in others. In the case of nonproliferation, the expectation that nuclear abolition could be near at hand has led many activists to focus on holding the future of the NPT hostage to dramatic commitments from the P–5. Even though India was not a party to the NPT, the effect of this hostage strategy during the NPT extension conference was to build up expectations among Indian doves that their disarmament demands would be met and among Indian hawks that the NPT, which they see as a threat to India's nuclear options, would be doomed. In fact, most nations favored a permanent extension of the NPT. The tactical gambit of threatening the NPT was thus counterproductive in many ways. The doves were damaged, and the hawks were frightened. The impact continued and continues today as Indian hawks and doves transferred their demands from the background of the NPT Review to the foreground of the CTBT negotiations. Many Indian hawks and doves had long been united in their support for a CTB, because, either substantively or tactically, each saw it as promoting their objectives at the expense of the nuclear weapons states. Their perceived defeat in the NPT extension combined with a view that the CTBT was being forced upon

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India by a circumvention of the consensus rule of the Conference on Disarmament did more than increase political opposition to signing the CTBT. It created an environment more supportive of nuclear testing and deployments. One cannot assert that India never would have tested without these unintended consequences. Domestic politics had been driving India that way more or less for some time. Still, prior to these developments, the logic of restraint carried more weight. As we approach the next NPT Review, we will likely see a new version of the hostage strategy, and we may yet see more unintended consequences.

The themes and examples I have given above describe how things can go wrong because of complexities and uncertainties. The Committee, I know would be more interested in identifying some of the fundamentals that might guide positive actions.

One of the most important fundamentals is to look at security concerns of other nations as objectively as we can. This is not easy nor are generalizations always useful. Still, above I described how nearly all nations are party to the NPT. And that is an important fact, but it is not the only way to look at the problem. If you look at the WMD potential of nations by population, you get a somewhat different picture. Half the world's population already lives in countries that have nuclear weapons. If you add to this group those who live in countries that could develop nuclear weapons or live in alliances with nuclear weapons, the number rises to about two-thirds. If you add in those people living in additional countries suspected of having covert WMD programs, the number may exceed three fourths.

Yet, many of these nations do not seek nuclear weapons and other WMD precisely because they are part of the Western alliance structure that has permitted them to increase their security, freedom, and prosperity beyond anyone's greatest expectations at the end of World War II and the beginning of the Nuclear Age. Half of the world's GNP is in NATO. Three-fourths of the world's GNP is in nations that have defense alliances with the United States. American security commitments are a vital tool for nonproliferation in Europe and in the Asia Pacific region, and elsewhere as well.

Most of the worlds population, indeed, its poorest nations, however, live outside reliable security architectures. And it is in many of these areas where absolute GNP is growing and the knowledge, technology, and materials for WMD already widespread. If we do not find a way to have confidence in their security, additional nations in troubled regions will look to WMD as a part of their security policy. Fortunately, the number may not be great. Unfortunately, the proliferation may not be confined only to those outside the western alliance structure. A failure to deal effectively with the dangers in Northeast Asia, for example, could result in proliferation among America's friends in the region including South Korea, Taiwan, and Japan.

In this age of globalization, we also need to open up our thinking about what is the real post-Cold War threat, balancing both probabilities and consequences. The post-Cold War proliferation threat is not only nuclear. Biological weapons are of increasing concern, and chemical threats remain. Advanced conventional weapons and information warfare capabilities are also proliferating. Although the greatest destructive power remains in the hands of the long-standing nuclear weapons states, the probability of their use of WMD against each other is very low. The greatest probability of WMD use involves other states and increasingly non-state entities such as terrorists.

Even in conventional arms, where American excellence and level of investment outpaces all others, globalization will have important leveling effects. Increasingly, the defense industrial base of the United States will look like the commercial industrial base, which will be a global industrial base, and thus increasingly a global defense industrial base. The United States should be able to maintain a comfortable overall lead for many years to come. Inevitably, however, the US is going to find that, just as is happening in high tech industry, it will not always be the best at everything or under all circumstances. The US military must be particularly alert to scenarios in which US forces may be particularly vulnerable to asymmetric responses and silver bullet technologies at times and places not of its own choosing. This will be particular telling in this age of "Roy Rogers warfare" in which casualties are expected to be small on both sides.

Given this description of the changing strategic environment and its strategic consequences, what is to be done?

Obviously, we need understand the proliferation aspects of globalization better. More efforts need to be made to bring the policy and technology communities together to understand the implications of trends already visible such as the change in human institutions and the interaction of ubiquitous supercomputing and wideband networks. We need to understand what are the dangers and the defenses that biotechnology is bringing. Many issues like this need fresh thinking.

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We also need to revisit our policies and approaches what were once important nonproliferation tools. Consider export controls. Tactics of passive resistance, practiced by both sides, have hurt both nonproliferation advocates and business. Some improvements are possible just with streamlined procedures and new data processing. For some important technologies, the system still can work. For those were it is not working, we need to consider what might work. In some cases, the problem is getting international cooperation. We have succeeded in the past and catalytic events or effective diplomacy may create opportunities again. We also need to revisit the theory of export controls. Leak proof controls were never the case. The idea always was to delay and force a price. In some cases, like North Korea, this was to buy time. In other cases, like Argentina and Brazil, it was to provide incentives to enter the global economy as a full player. In response, the business community argues that economic ties and development can be important nonproliferation factors. Of course, this is true. Indeed, it is fundamental. I would only caution that business as usual is not the same as constructive engagement. We can give someone the rope to hang us. And an epidemic of WMD terrorism or regional disasters is not going to be conducive either to. free trade or the greatest freedoms. We need a better theory of constructive engagement with real measures of merit.

We need also to think fresh thoughts about sanctions, international norms, and their relationship to constructive engagement. Too often today, international norms are simply asserted. Indeed, a particular declaration may be exactly right. The problem is that the better way to enhance security, prosperity, and freedom may be to engage directly those who are the cause of concern and take steps that move in the right direction, creating real conditions for positive change. In this regard, I would recommend taking a fresh look at some of the Nunn-Lugar-Dominici and related Cooperative Threat Reduction programs with Russia and other Newly Independent States. They are maturing, providing some important lessons of do's and don'ts that can inform our thinking on what we mean by real constructive engagement and the development of effective international norms. They are not without real difficulties and risks. One must approach them with your eyes open and your feet squarely on the ground. In the face of much questioning and of considerable skepticism, they have never the less, always had bipartisan support. Today's improved efforts deserve even more consideration, and, I personally believe, greater support.

To achieve a more effective way to turn globalization into a tool of nonproliferation will require a real coming together, not only to create a market place of ideas, but also a means of developing measures of merit for weighing different factors. In the end, the Legislative and Executive Branches will both have to step up to the challenge. Most of the players are in place, I only wish that the voices for a hard-nosed approach to nonproliferation were not quite so overwhelmed by organizations with so many other competing concerns. But then this committee has heard my view before. My concern is that we need to insure that global nonproliferation policy, ours but more likely other nations, does not degenerate into business as usual combined with a neo-Kellogg-Briandism in which the nonproliferation total is disastrously less than the sum of the parts.

Senator LUGAR. Thank you very, very much for that testimony. Dr. Ikle.

STATEMENT OF FRED C. IKLE, FORMER DIRECTOR, ARMS CONTROL AND DISARMAMENT AGENCY

Dr. IKLE. Mr. Chairman, I am honored of course again to appear before your distinguished committee.

And I want to be responsive to the excellent questions you placed in your opening remarks. Nonproliferation is a 55-year-old policy and largely a bipartisan policy and continuous policy of the United States. Yet, we always tend to respond to the most immediate setback of that policy, the next country that becomes a nuclear power: the Soviet Union in 1949, France in the fifties, and most recently India and Pakistan.

I think it is useful as we try to figure out what went wrong (as things did go wrong indeed) and where to go from here, to keep in mind, in a way, our nonproliferation policy has seven distinct elements.

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Does Senator Biden want to speak now?

Senator BIDEN. No. I apologize for being late.

Dr. IKLE. We still have six of these policies in our quiver as arrows to shoot. One we have lost for good. That was the first one, to try to abolish nuclear weapons. That was the purpose of the Baruch-Acheson-Lilienthal plan. That is now irretrievably lost. It was the only time in history when you could have abolished nuclear weapons through the rigorous control of all reactors anywhere in the world. It was technologically possible, which is interesting. It was politically impossible because of Stalin's Soviet Union.

But we have the other six policies still, and we try to work with those. The second one we started right away in 1945—secrecy and export controls. The Soviet Union would have developed nuclear weapons, despite our best effort on those policies, out of its own indigenous scientific and industrial capability. But without the successful espionage and without too much declassification of the Manhattan Project, it probably would have taken them 5 years longer or so.

Then, later on, of course, we collaborated, as we did in the Manhattan Project, with the British on their nuclear program. And while we first kind of opposed the French on their "proliferation," we later on cooperated with them and helped them somewhat with their nuclear program. And meanwhile, the Soviet Union helped the Chinese. So the control against exports and the secrecy has been broken through from day one.

And export control can delay the acquisition of nuclear weapons by other countries. It cannot prevent it in the event of a country that has a medium industrial and scientific capability. The main reason for the difficulty of using secrecy and export controls to prevent proliferation is that peaceful technologies are intertwined with weapons technologies.

This is a fundamental fact we must keep in mind today: the difficulty of separating weapons uses from peaceful uses is the bane of all nonproliferation policy; in the nuclear area, in the chemical area, and especially in the biological area. So when our ebullient promoters of open science and technological aid and technology exports skirmished with our somewhat close mouthed and perhaps somewhat surly guardians of weapon secrets, it is always the latter who lose—the guardians.

Note, for example, it is now U.S. policy (And we are all for it.) to make all new findings of the U.S.-funded genome project instantly available on the Internet. Imagine the uproar in the scientific community, should our government try to keep some of these discoveries secret for security reasons. It would be impossible. And this problem, and it is an important follow-on, cannot be fixed by setting up an international organization that is supposed to promote peaceful uses on the one hand, while guarding weapons technologies on the other.

Such a contradictory mission was the tragic flaw of the well-intended Atoms for Peace Project. Atoms for Peace, by spreading supposedly peaceful reactor technologies to every corner of the globe, also spread the wherewithal and know-how for making nuclear bombs. Atoms for Peace, let us be honest about it, is what helped start India, Iraq and North Korea on their weapons programs.

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We should have learned these lessons by now, but I am afraid we have not. The mistake is being repeated right now by our current reactor project for North Korea, which our allies are financing because we pressured them to do so. And it is not clear to me why the administration assumes that North Korea, which has violated nearly every previous proliferation agreement, as Ambassador Lehman pointed out, will now abide by the inspection provisions for these two new reactors. And as Ambassador Lehman alluded to, these reactors are not much safer than the reactor that Russia is helping Iran to build, and against which we have bitterly complained.

I am afraid the same mistake could be repeated with the proposed verification protocol for the Biological Weapons Convention. Experts are largely agreed that the development of biological weapons agents is almost impossible to verify and, in certain circumstances, totally impossible. Yet this BWC Protocol would set up another international organization, again with the conflicted mandate on the one hand to spread the latest biotechnology to every rogue nation that has signed on, and on the other hand to pretend to verify what cannot be verified.

Now our third policy against weapons proliferation also deals in a sense with export control, but it is far more effective. I think it is one of the most essential nonproliferation policies today. This policy enlists U.S. diplomacy and economic assistance to coax, to urge and to help governments to control the dangerous weapons materials and bombs that they have already accumulated.

Mr. Chairman, you alluded to the question of whether we should help India to control the things that they now have built or are building more effectively. And of course, as you know best, this effort is still particularly important in the vast area of the former Soviet Union, and the effort is known here in this town as the Nunn-Lugar program. I can think of no greater accomplishment in the recent era in behalf of nonproliferation than this program.

And I am aware, Senator Lugar, that you had to use your high prestige and your persuasiveness to persuade a number of your colleagues in your own party, my party, to keep supporting this program. This is of outstanding importance.

The fourth policy against proliferation is the promotion of treaties, which is sort of a favorite sport of the arms control officials today. Now, among law-abiding countries, treaties can help. They can help to keep in place a decision governments made at one point that they do not want to acquire nuclear weapons, and it cements it in. So treaties can be useful.

And also it is worth noting that in the case we are addressing today, India and Pakistan, both of these governments were honest enough not to sign the Nonproliferation Treaty. So they have not violated what they did not sign. By contrast, Iraq and North Korea have signed the Nonproliferation Treaty, undoubtedly with the intent of getting the peaceful assistance that the Treaty promises, and thus the better to make bombs.

And, Mr. Chairman, I fear we have to keep this experience in mind as we evaluate the benefits and the drawbacks of the proposed protocol for the Biological Weapons Convention. What do we do when the treaties have been violated, as distinct from the non-

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violating actions by India and Pakistan? Usually, we turn the other cheek and politely invite the violator to sign another treaty. That happened in 1989, after Saddam Hussein had used poison gas against Iraq's own people and against Iran. We had a large conference, with all the diplomats gathering in Paris. Iraq had violated the 1925 Geneva Protocol, which even Hitler had not violated. Did we condemn Iraq in this conference about chemical weapons? Did we apply punitive sanctions?

No. The diplomats gathered in Paris and resolved, with great resolution, to negotiate another treaty prohibiting chemical weapons again. This time it would be with verification. There was not a single diplomat who had the courage or the decency to stand up and say: "We have seen the photographs of the horribly injured Iranian soldiers and the Kurds, against which you, Iraq, used poison gas. We have verified your violation. We do not need more verification. We need punishment." That did not happen.

And it seems to me the same blithe disregard for enforcement occurred when North Korea violated, as Ambassador Lehman explained in greater detail, the commitments it had made in 1985 and a few years later again. What was the penalty North Korea had to suffer for violating the NPT agreement, violating the agreement to which Ambassador Lehman referred to, of the non-nuclear Korea?

For promising once more, the third or fourth time—I do not know how you count it—not to build nuclear bombs, the North Korean dictatorship received the U.S. commitment to donate the fuel supply, food, plus the two reactors I already mentioned. I do not know what kind of signal that gave to India and Pakistan on this same question.

The fifth policy is persuasion, which can be effective with friends and allies, and also has been effective with some of the Soviet Republics. Taiwan and the Republic of Korea come to mind. Brazil and Argentina we may have been helped along, and also their own diplomacy helped on that. So it is always a mixed picture. Proliferation is not a simple one-strand policy.

And then there is a sixth policy, the imposition of economic sanctions. It is usually not effective, but it may have some benefit. Let me pass over that for the benefit of time.

Let me go last, to the seventh policy to which some of your questions, Senator Lugar, have already referred to: the nonuser of nuclear weapons. That is to say, our reluctance and the reluctance now of other nuclear powers—ours since 1945—not to use nuclear weapons is very, very important, probably the most important strand today of our nonproliferation policy. It started in 1950, as we still had a nuclear monopoly and we almost were driven off the Korean Peninsula. The use of nuclear weapons was briefly considered, as you might recall from the history, but decided against.

We confirmed non use, in a way, in Vietnam, when President Nixon pointed out that the idea of even considering nuclear weapons was an absolutely ridiculous option, even though it was the first war in history we lost. It was confirmed in a way by the Soviet Union, when they lost the war in Afghanistan. They did not even threaten, did not even mention nuclear weapons. We have become

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so used to this restraint that we almost tend to overlook its enormous importance.

Half a century, or more, of non use has helped to keep these weapons in a very separate sphere as a military instrument that appears to be of extremely restricted utility. I think that is one aspect where our further work and discussion with India and Pakistan can really do some good. And you have already alluded to it in your opening remarks.

Now, none of these policies, whether singly or in combination, will prevent the possibility that other countries, a few other countries, might start producing nuclear weapons. North Korea, Pakistan and India are probably not the last countries that have crossed our line. So we must think a bit ahead as to how we want to respond in future instances.

I would say if it is a treaty violation, we should think hard and do something about the penalties. If it is not a treaty violation, we should at least think about the neighboring countries and their security concerns and whether the acquisition of nuclear weapons of one country—say Iraq—will drive another country—say Iran—to follow like Pakistan has followed India.

Or we can do what we did in the Republic of South Korea. We talked them out of their nuclear weapons program, and we reconfirmed our guarantee. And despite what North Korea has done in violating all these nonproliferation treaties, the Republic of Korea has not followed with its own revival of its nuclear programs. But the last thing we should do is to reward the violators of the Nonproliferation Treaty with gifts, as we are doing unfortunately with North Korea.

Thank you, Mr. Chairman.

Senator LUGAR. Thank you very much, Dr. Ikle.

Dr. Ganguly.

STATEMENT OF SUMIT GANGULY, PH.D., VISITING FELLOW, CENTER FOR INTERNATIONAL SECURITY AND COOPERATION, STANFORD UNIVERSITY

Dr. GANGULY. Mr. Chairman, Senator Biden, it is virtually kind of an anthropological ritual for every academic who comes before this committee to say how much of a pleasure it is and how honored he is or she is to be here.

Senator BIDEN. You do not have to.

Dr. GANGULY. Well, in my case, this is deeply felt, Senator Biden, because I have had an abiding interest in these matters of nonproliferation, arms control and regional security in South Asia. So I can honestly state that this is indeed both a rare honor and a particular privilege to be here today.

I shall focus my remarks primarily on South Asia, because my two colleagues have already given you the broader picture, the larger ambit for the purposes of discussion. And I will focus my remarks very narrowly on the nuclear conundrum in South Asia.

As I start, I find myself compelled to make some allusion to the somewhat unseemly debate that President Clinton found himself caught in as a consequence of his remarks to the Indian Parliament and prior remarks about South Asia being the most dangerous place on earth, leading the President of India to make the

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remark that this was an alarmist statement. I do not want to take a position on that particular issue, but I would like to underscore that there is a real danger of war in South Asia, with the accompanying danger of escalation to nuclear war.

Given that the nuclear taboo, as Professor Ikle has outlined, has survived a number of different wars, a number of different challenges, it is in our interest, quite apart from humanitarian concerns, that the taboo not be broken, that the post-Hiroshima nuclear taboo lasts well into this century and beyond.

What are the kinds of things that we can do in terms of trying to accommodate our nonproliferation interests, of pursuing our nonproliferation interests, while recognizing the reality that India and Pakistan crossed the nuclear Rubicon at two points in May 1998? I am going to basically talk about four different approaches.

I will briefly talk about our current approach, which involves continuing a process of rollback, passive acceptance of Indian and Pakistani nuclear programs, large-scale economic incentives sort of in a fashion similar to that we have tried with North Korea to try and get them to give up their programs, and, fourth, I will argue for a policy of active management, which takes components of the other three, but asks for the formulation of a markedly different policy.

To talk about continuing rollback, we can debate the motivations about why India and then, subsequently, Pakistan, in May 1998, chose to carry out nuclear tests. And indeed, there is a rather vigorous debate in the academic and strategic communities about why India tested, whether it was for reasons of prestige, status, its pecking order in the international system, whether it was a perceived security threat from China, the end of the Indo-Soviet alliance. These debates will go on and will get various faculty members tenure in the years ahead.

But let us not be detained by those now. We will leave the questions of motivation aside for the moment. We can always return to this during the question and answer session if anyone is interested.

The fact is both states are firmly committed to their nuclear weapons programs, regardless of their motivations. Secondly, I would argue that the current sanctions regime has only had a marginal effect in retarding the programs of India and Pakistan and, more importantly, Indian and Pakistani behavior. In the case of Pakistan, it has a little more bite, because Pakistan's chronically mismanaged economy, which was also more closely integrated into the global economy, has paid higher costs than the Indian economy. The Indian economy is still very hidebound and, as a consequence, our ability to influence Indian behavior through the use of sanctions remains still quite limited.

Finally, I would argue, which is really an extension of the second point, that there has been very limited progress in terms of meeting our stated benchmarks. About the only area where we have seen any significant movement, and even that remains problematic, is the area of export controls. India always had a fairly good export control regime. It has rebuffed offers from Libya to sell oil at highly concessional rates, large sums of money were dangled by Iran, under the Khomeini regime, to India, and India turned those down.

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The Pakistanis also have a fairly good record in terms of not spreading the technology that they have acquired. But this is one area where I can see some progress being made. But beyond this benchmark, I have to sadly state that we have been woefully unsuccessful in pushing the other four benchmarks.

To turn to passive acceptance, my second option, because clearly I would argue that the first option is not yielding the kinds of results that we would consider to be salutary. Passive acceptance—well, first of all, the biggest problem with passive acceptance of Indian and Pakistani nuclear programs would be there would be an outcry in this country, particularly in this city. There are people who have passionately committed themselves, significant portions of their lives, energy and resources to preventing the further spread of nuclear weapons, to upholding the NPT regime, and I believe it would encounter justifiably domestic opposition.

Secondly, it would be disastrous for the NPT regime. Already Dr. Ikle has talked about this. Dr. Lehman has talked about this, about the dangers of the demonstration effects if India and Pakistan were simply accepted by the sole remaining superpower, since they had crossed the Rubicon, that we simply throw up our hands and say, well, that is just too bad. I think it would have terrible consequences for the NPT regime and corrode the regime in fundamental kinds of ways.

So I think passive acceptance, while it may be something that one should just place on the table, it is not something that one should give more than 5 minutes of talk to.

What about large-scale economic incentives? Huge amounts of money running into billions of dollars, well beyond what we have given North Korea, the promise of reactor technology, the promise of reliable reactors that do not produce a South Asia Chernobyl, because the Indians are still acutely dependent on Soviet-era technology for their reactors and are still in the process of buying reactor technology from the principal successor state Russia.

First of all, I think this large-scale economic incentive program would run again into the same kinds of domestic opposition that I spelled out in my previous scenario. Secondly, the amounts involved would be extraordinarily high. North Korea is a fairly finite problem. Dealing with India, with a population of a billion, the amounts of money that have been transferred to North Korea, similar amounts would really amount to little more than a drop in the bucket in India, and probably not even that.

Furthermore, even if one could somehow cobble together the money and a sufficient amount of money, at least one that we deem sufficient, it is unlikely that India would accept. Because the nuclear program could not be bargained away. There would be questions in parliament, saying that you are selling out the national sort of birthright for a mass of pottage. That would not be acceptable. And Pakistan of course would similarly follow suit. There would be a tremendous domestic outcry, saying that this is not something that we should simply give in to because of economic blandishments.

Which takes me to my fourth option, what I call active management. This does not mean that we become cheerleaders for the Indian and Pakistani nuclear programs. Far from it. But we accept

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the existential reality that they have indeed crossed this Rubicon and they are not likely to be forced back.

This strategy would involve keeping components of our present policy, not completely rolling over on our present policy. Most importantly, it would continue pressure on both India and Pakistan to accede to the Comprehensive Test Ban Treat, not merely sign but actually ratify the Treaty. Secondly, it would also continue the dialogue on the FMC Treaty, the Fissile Material Cutoff Treaty. But it would couple it with certain incentives.

Because, currently, India and Pakistan have little or no incentive to behave differently. So far, we have hectored them, we have cajoled them, we have made condescending remarks about them, and we have threatened them. And we have imposed sanctions. But we really have not offered meaningful incentives to alter behavior.

This would involve, particularly in the case of India—and I think India is the nub of the problem when we are dealing with South Asia—offer India sufficient material incentives, especially in the realm of high-technology exports, in the context that the Indian economy is reforming. And one area where they are acutely deficient are critical areas of high technology which only the United States can provide them. I think of electronics, I think of biotechnology and the like. And I would be happy to elaborate on that during the question and answer period.

But having said all of this, I think we must make commensurate demands on the Indians and the Pakistanis. And one issue that is frequently neglected in the nonproliferation discussions with India and Pakistan, except in passing—and it is because of the very complexity of the issue that people elide over it—and that is the question of Kashmir. You cannot make significant progress on nonproliferation unless you forthrightly address the question of Kashmir. We have to push both India and Pakistan on initiatives on Kashmir that the current stalemate is a dangerous situation and it could flare up into conventional war and, God forbid, nuclear war.

To this end, I suggest three distinct strategies under the aegis of pushing India and Pakistan to take initiatives. Number one, India has to accept the fact that it has corroded Kashmir's autonomy in the worst kind of way. It has broken a number of promises with the Kashmiri people, from 1953 onwards. And it needs to restore the fractured rule of law in Kashmir, to grant Kashmir the autonomy it possessed until 1952—to use a phrase from the Vietnam era—to win the hearts and mind of the Kashmiris once again. And I do not see any evidence of that strategy currently.

By the same token, we need to pressure Pakistan, and it needs to be made very clear to General Musharraf or any of his successors that support for terrorism, whether it is in Afghanistan or in Kashmir or elsewhere is simply intolerable. We have to be categorical and unequivocal about this.

Thirdly, I suggest, in a departure from present American policy, we push to make what is called the line of control the *de jure* international border. Initially, this is going to encounter opposition both in India and Pakistan, but for all practical purposes, that border has held, the 1999 Kargil conflict notwithstanding. And I believe it is in our interests to push the two countries to accepting that as

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an international border, as long as the other two clauses that I have spelled out are also given certain attention.

Senator BIDEN. Professor, excuse me. What was the first point? You said the second was being categorical about terrorism with Pakistan. What was your first point with respect to India? I apologize. I turned to ask a question.

Dr. GANGULY. That is fine, Senator Biden. The first is restore Kashmir's autonomy. Kashmir allowed itself to join the Indian union under certain constitutional provisions that protected its autonomy. The Indian state has systematically stripped Kashmir of its autonomy, which is why we need to go back to 1952.

I am drawing to a close. I promise not to be a garrulous academic. These gentleman wear other hats, so they have to be more succinct.

The last two points in this context. And I well realize that what I am saying is heresy, but academics are allowed the luxury of heresy. That is one of the joys of academic freedom.

Senator BIDEN. Not unless you want to be in the Supreme Court.

Dr. GANGULY. We should consider providing permissive action links to India and Pakistan. We should promote regional arms control. And these efforts at regional arms control must involve China, even if we have to drag them in kicking and screaming. Because they really do not want to be caught in the subcontinental jar. We have to push for doctrinal clarity. And here we actually have an advantage. If one looks at the Indian strategic doctrine with some care, you will notice that it is like people like Professor Ikle's work which has been shamelessly plagiarized, along with Bernard Brodie, along with Albert Woholstetter, and many of the other stellar American strategists of the 1950's and 1960's and beyond.

Finally, we must also push India and Pakistan in the context of an arms control regime to exercise restraint on missile deployments, on not mating nuclear weapons with missiles, pushing for a range of confidence-building measures which currently exist but are only employed in the breach at the present time, to start making the existing confidence-building measures regime work and also towards making it more robust.

Let me end on this note. Thank you very much.

[The prepared statement of Dr. Ganguly follows:]

PREPARED STATEMENT OF DR. SUMIT GANGULY

Mr. Chairman, distinguished Members, thank you for inviting me here today. As an academic with an abiding interest in questions of nonproliferation, arms control and regional security in South Asia, I consider this opportunity to testify before the Senate Foreign Relations Committee as both a rare honor and a particular privilege.

I. THE LIMITS OF THE PRESENT POLICY: STICKS DON'T WORK

As Deputy Secretary of State Strobe Talbott has publicly noted, our current policy, which aims to roll back the Indian and Pakistani nuclear weapons and ballistic missile programs is making no headway. Though both sides have refrained from further testing of nuclear weapons since May 1998, they have shown little willingness to substantially meet the five U.S. benchmarks: a reduction in Indo-Pakistani bilateral tensions, Indian and Pakistani accession to the Comprehensive Test Ban Treaty (CTBT), a moratorium on the further production of fissile material, restraint on the

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development of ballistic missile capabilities, and a strengthening of export control regimes. [1]

The American-led sanctions have had inconsistent effects on India and Pakistan. They have brought Pakistan's chronically mismanaged economy to the brink of disaster. [2] And they have hobbled the growth of some of India's high-technology sectors. On the other hand, India's economic growth is still chugging along at about 6 percent annually. Beyond exacting economic costs, however, the sanctions regime has had little discernible effect on Indian and Pakistani behavior. Pakistan's continued fecklessness was evidenced by its infiltration in Kashmir last summer. India's initial inability to stop that infiltration has led it to significantly increase its defense budget for the coming year. [3] More to the point, since the nuclear tests and the concomitant imposition of sanctions, India has started to forge a nuclear doctrine and has tested the intermediate-range Agni II missile. Pakistan, for its part, has actually created a Nuclear Command Authority and has flight-tested an improved version of its intermediate-range missile, the *Ghauri*. [4]

II. SOUTH ASIA AFTER THE NUCLEAR TESTS

Other developments in Indo-Pakistani relations since the nuclear tests have raised misgivings about the stability and security of the region. In May-June 1999, the nuclear-capable forces of India and Pakistan fought a bitter, sanguinary and costly battle at Kargil, Dras and Batalik, along the Line of Control (LoC), the de facto international border in the long-disputed state of Jammu and Kashmir. Other developments and events in the region have also contributed to increasing tensions. In October of 1999, an increasingly beleaguered democratic regime in Pakistan was overthrown in a military coup led by the mastermind of the unwise Kargil infiltration. Finally, in late December of last year, Islamist rebels connected to the insurgency in Kashmir hijacked an Indian Airlines flight from Kathmandu, Nepal, eventually winding up in Kandahar, Afghanistan. Indian spokespersons accused Pakistan of having masterminded the hijacking. Pakistani officials steadfastly denied any such connection. Nonetheless, the insurgency has been brought to the west's front door.

The tensions in South Asia are too great and too immediate, now that both sides are nuclear powers, for the U.S. to ignore them or to think that simple sanctions will induce the two sides to address the real dangers of nuclear weapons.

III. OPTIONS, STRATEGIES AND SCENARIOS

There are four principal strategies that the United States could pursue to tackle the proliferation problem in South Asia: continuing rollback, large-scale economic inducements, passive acceptance, and active management.

Continuing Rollback

It is most unlikely that the present policy will meet with any greater success in the wake of the President's visit to the region. The reasons are not far to seek. Both Indian and Pakistani elites have pursued nuclear weapons because of perceived national security vulnerabilities and not, as is popularly argued, in a search for prestige or status, nor solely to gain domestic.support. Pakistan embarked upon its nuclear weapons program as early as 1972, in a direct response to its disastrous defeat at the hands of Indian forces in the 1971 war that led to the creation of Bangladesh. The Indian program can be traced back to the late 1960s when India refused to accede to the Nuclear Nonproliferation Treaty (NPT), fearing, among other matters, the potential threat from a nuclear-armed China, with which it had fought a border war in 1962. [5] In the intervening years, these programs have successfully weathered political upheavals, changes of regime, technological embargoes, and economic sanctions. Both sides have refused since 1998 to even countenance giving up their nuclear options. In the Indian case, Chinese saber-rattling over Taiwan has also reinforced deep-seated misgivings about future Chinese malfeasance against India. Such

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[1] 1.Dinshaw Mistry, "Diplomacy, Sanctions, and the U.S. Nonproliferation Dialogue with India and Pakistan," *Asian Survey*, Volume XXXIX, Number 5, September/October 1999, pp.753–771.

[2] Sumit Ganguly, "Pakistan's Chronic Coups," *Foreign Affairs*, March/April 2000, Volume 79, Number 2, pp. 2–7.

[3] *Jane's Defence Weekly*, "India's biggest ever increase in defence spending," available at: http://www.janes.com/defence/editors/india—defence.html

[4] *CNN.com*, "Scientists warn of advancements in Pakistani nuclear program," available at: http://cnn.com/2000/ASIANOW/south/03/15/pakistan.nukes.01/index.html

[5] For an analysis of the origins of the Indian nuclear weapons program see: Sumit Ganguly, "India's Pathway to Pokhran II: The Prospects and Sources of New Delhi's Nuclear Weapons Program," *International Security*, Volume 23, Number 4, 1999, pp. 148–177.

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fears stem in part from China's continuing claim to some 90,000 square kilometers of Indian-administered territory along the Himalayan border. Consequently, it is most unlikely that further American economic pressures and political hectoring will lead to the abandonment of nuclear weapons.

Passive Acceptance

If the strategy of "rollback" is unlikely to work, should the United States simply pursue a policy of acquiescence: neither actively restraining the programs nor encouraging them in any fashion? The advantages of this strategy are that it would end an ongoing contentious exchange with India and Pakistan and would enable the United States to devote greater attention to other, more compelling foreign and security policy issues.

This strategy, however, would not be acceptable for a number of reasons. Domestically, it would face understandable and significant opposition from the nonproliferation community. Externally, it would undermine the carefully constructed and American-led nonproliferation regime. Perhaps most dangerous, other incipient proliferators would derive comfort from the passive American stance. Consequently, this option is politically and strategically untenable.

Large-Scale Economic Incentives

A third option would be for the United States to provide significant economic and military assistance to both India and Pakistan in return for abandonment of their nuclear and ballistic missile programs. The likely success of this strategy is exceedingly small. To begin with, this plan will face enormous domestic opposition, especially, I suspect, from Congress. The amounts of aid necessary would be enormous given the economic needs of both states. Military assistance would also be problematic, as neither state can afford to purchase most American weaponry. Even if they were able to acquire weaponry from the United States on concessional terms with long-term loans, other problems would remain. Both sides would insist on continuing their arms race, producing a further political and diplomatic deadlock. This strategy has the potential to make the United States an unwitting partner in a new South Asian conventional arms race. Worse still, substantial Indian conventional military modernization could also provoke Chinese security concerns.

A Preferred Policy: Active Management

A new United States policy that would learn from history and acknowledge both sides' necessary positions would entail coming to terms with the reality of nuclear weapons and ballistic missile programs on the subcontinent without entirely abandoning current American efforts to contain proliferation. To this end, the United States should continue to urge India and Pakistan to accede to the Comprehensive Test Ban Treaty. In this regard, the Senate's ratification of the treaty would significantly enhance the ability of American interlocutors as they seek Indian and Pakistani accession to the treaty. The goal of obtaining Indian and Pakistani signatures on the CTBT must realistically be tied to some viable incentives, however. Toward this end, the United States should offer to lift a swath of sanctions against both countries as a *quid pro quo* for their adherence to the CTBT's expectations.

Simultaneously, the United States should continue the negotiations seeking an end to the production of further fissile material. Achieving this objective will prove demanding. India will insist on "grandfathering" its stockpile while Pakistan will insist upon a fuller accounting, given India's substantial lead. Nevertheless, this hurdle should not prove to be insurmountable.

Despite these elements of continuity, a new policy will entail some fundamental changes in American perspectives: It is certainly not in America's interest to see an unbridled nuclear arms race (some would say "crawl") on the subcontinent. A nuclear exchange between India and Pakistan would amount to an unparalleled human catastrophe. It would also dramatically undermine the post-Hiroshima nuclear taboo with far-reaching consequences for the international system. Consequently, it makes more sense to confront the existential reality of their respective programs and find measures to stabilize and contain them.

STEPS TOWARDS A SOLUTION

What are some possible measures that India and Pakistan could be urged to undertake? A number of confidence-building and risk reduction measures are apparent. First, the two sides could develop more robust "hotlines" linking not only their respective Directors-General of Military Operations (DGMOs) but also their prime ministers and utilize them at appropriate moments. They could also strengthen and dutifully implement a panoply of existing confidence-building measures at the conventional level. For example, they could reaffirm and expand the list of nuclear fa-

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cilities which both sides, under an earlier agreement, are enjoined from attacking. They could provide advance warning of all missile tests and avoid test trajectories that could be misconstrued as threatening. In effect, neither side would conduct test flights in the direction of each other's countries. The United States or other of its nuclear-armed allies could selectively offer both states permissive action links (PALs). These devices involve electronic codes and mechanisms which prevent the unauthorized use of nuclear weapons. The diffusion of such technology could be coupled with a willingness on the part of both India and Pakistan to demonstrate greater transparency about the size and deployments of their nuclear forces to the United States.

American attempts to limit the growth of India's nuclear weapons and ballistic missiles must be sensitive to Indian concerns about the People's Republic of China. To this end, the United States must make clear to the PRC that coercive attempts to change the status quo along the Sino-Indian border would provoke a strong American response. Furthermore, instead of simply sanctioning India and Pakistan under the existing terms of the Missile Technology Control Regime (MTCR), it may prove more fruitful to draw these two states into the regime. Bringing them into the regime could actually enhance the U.S. goal of strengthening India and Pakistan's existing export control regimes on sensitive ballistic missile technologies. Such a move would not be construed as a dilution of the American commitment to the regime. And it could have the salutary effect of limiting Chinese violations of the existing regime through increased transparency.

Finally, despite the terrible setback caused by the Kargil crisis of May–June 1999, the United States must urge India and Pakistan to break the Kashmir deadlock. The spiraling of the Indian and Pakistani weapons programs cannot be arrested without forthrightly addressing the Kashmir problem. Since the outbreak of an ethno-religious insurgency there in December 1989, this putatively "low intensity" conflict has consumed more lives than all the Indo-Pakistani wars and crises combined.[6] Breaking the deadlock will require an imaginative and bold shift in American strategy.

India, the status quo power, can be easily persuaded to convert the Line of Control (LoC), the *defacto* international border, into a *dejure* international border. Pakistan will no doubt protest this decision. Yet Islamabad should realize that despite four wars (1947–48, 1965, 1971 and 1999), several attempts at bilateral negotiations and endless rounds of multilateral negotiations Pakistan has made no progress toward the goal of seizing Kashmir. As India's conventional military capabilities continue to grow, Pakistan's ability to seize the territory through the use of force will become little but a cherished memory.

To gain Pakistan's acquiescence to the LoC change, and to gain the support of the Kashmiri populace, India will also have to make substantial changes in its Kashmir policy. It will have to legally foreswear in perpetuity all claims to the original state borders, i.e. to the portion of Kashmir held by Pakistan, as well as the portion ceded by Pakistan to China. Simultaneously, it must restore the corroded autonomy of the state in the Indian Union, forthrightly address problems of human rights violations, reduce its military presence in the state, repair its crumbling infrastructure and secure employment for large sections of Kashmir's disaffected youth.

Forging this new policy will not be easy. Indeed it is likely to be sharply criticized from many quarters. However, it is more than apparent that the present efforts to contain the nuclear genie in South Asia have yielded little.

[Additional material submitted by Dr. Ganguly has been maintained in the committee's files.][7]

Senator LUGAR. Thank you very much for that testimony.

Let me just say at the outset that we are going to continue with questions. Senator Biden and I will initiate questions. And hopefully you will have answers. At about 10 minutes to 11:00, I will ask to be excused. In my other role as chairman of the Agriculture Committee, we are managing the crop insurance bill on the floor. And peripherally, at 11:00, that debate will commence and we will

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[6] For a perceptive analysis of the Kashmir crisis see Jonah Blank, "Kashmir: Fundamentalism Takes Root," *Foreign Affairs*, Volume 78, Number 6, November–December 1999, pp. 36–53.

[7] Two articles were submitted: (1) "Pakistan's Never-Ending Story: Why the October Coup Was No Surprise," *Foreign Affairs*, March/April, 2000, Volume 79, Number 2; (2) "India's Pathway to Pokhran II: The Prospects and Sources of New Delhi's Nuclear Weapons Program," *International Security*, Volume 23, Number 4, Spring 1999, pp. 148–177.

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have a vote probably about 11:05 or 11:10. At which point I will ask the distinguished ranking member to chair the committee so that we can continue right on until he finally needs to leave for those votes.

Let me just ask, first of all, Dr. Ikle, in giving these seven principles which have guided our nonproliferation policy, as you pointed out, for over a half a century, you came to the point, leaving aside the South Asia business today, of Iraq and their use of clearly a poison gas, at a conference in Paris in which all of the delegates pointedly tried to ignore the evidence or any censure of Iraq. That is probably not unusual in international diplomacy.

You cited again North Korea, in which there probably, and sometimes pointedly, have been egregious breaches, but the world has essentially proceeded with a strategy of economic aid to the North Koreans, plus, as you say, a reactor that has some potential for difficulty. What does it take, in terms of this international regime, to bring about, as you suggested, punishment for Iraq? Let us say at that conference that the United States delegate has stood up, or somebody else, and said: You are guilty, clearly guilty. Therefore, the question before this conference is what penalty should be exacted. Or how do we stop this egregious violation?

Obviously this implies potential military conflict. It implies probably somebody having the strength, if we are not to go into, as you point out, useless economic sanctions, other sanctions might be military sanctions, the use of force. And most nations, to say the least, have shied away from that with regard to Iraq and certainly with North Korea.

I just pose the question as a student of this now for almost this 50-year period of the policy, who does the work? In other words, who provides the muscle or the credibility? I ask that very seriously, because we are heading down a path in which some of our testimony the other day implied that treaties alone are tremendously important, but probably not operative. You are making that point in a very dramatic way today with regard to the whole question.

And let us take the case of South Asia now that is immediately before us. Despite all of the ministrations that we may attempt—and Dr. Ganguly's policies all might be attempted—but for some reasons of the politics, internal, of those countries, they step over the line, a crude weapon is dropped from an aircraft or some delivery of this variety, what do we do? And who does it? Can you help us out? And maybe others of you have thoughts.

Dr. IKLE. You are clearly raising the correct and hard questions. It is much easier and nicer to have a treaty signing ceremony and clink the champagne glasses than to plan on sanctions, particularly military actions. I think we have to begin by changing the attitudes and the expectations, that we are less jubilant about another treaty being signed that is toothless and may even serve as a whitewash for violations, as has happened in the past, but prepare ourselves more to go for treaties where we have thought about the response if it is clearly violated.

There are other international norms whose violation meets with a response of sanctions. The apartheid policy of South Africa comes to mind. Strong economic sanctions which, for that open, trading

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country, were painful, and surely, I would think, contributed to the change in the South African policies.

The economic sanctions against Libya, and the aircraft sanctions may have had some impact on changing Qaddafi's mind on making at least partial accommodation on the sabotage against the Pan Am aircraft. So while sanctions are not a decisive powerful tool, they do have some effect. Yet, we see even extended military action, like the air campaign against Kosovo, has not yet removed the Milosevic regime.

None of these answers are simple. But I think we ought to tilt our attitude to be less receptive of treaties which are simply a symbolic action to be celebrated when you sign them and to be forgotten when they are violated, and turn more to serious agreements, where we have thought at the beginning and, if possible, written into the treaty, the response to violation.

We have United Nations provisions for sanctions which we might link together more effectively with future arms control treaties. And I would think this very committee would want to look at future treaties more from the point of view of what you do when the violation does occur. Having made that clear, you may help deter it.

But then also we have to keep in a separate box of problems the states that have, with an honest policy, not agreed to our treaties, like India and Pakistan. They have said: you let China become a nuclear power; you helped the French and the British; we are a large country; we have our own reasons; and so on. So there you have to use other incentives. And as the Professor pointed out, I think there are subtle and helpful steps that can be taken in those situations.

Senator LUGAR. I would just make the point, for definition, the sanctions you spoke of, of course, were multinational as opposed to unilateral.

Dr. IKLE. Right.

Senator LUGAR. So for the sake of this theoretical problem of this Paris conference, let us say the United States delegate had stood up and said we ought to do something about that, hopefully others would have agreed. Now, if they do not, then we have problems. Which we have with the Glenn amendments with regard to Pakistan and India. Very rapidly we were unravelling the amendment on the floor of the Senate within days after the test happened, largely because the rest of the world did not observe the Glenn amendment. So that problem is there.

Dr. Ganguly, do you have a comment on this question?

Dr. GANGULY. To the extent that the NPT is a norm and sets up certain kinds of expectations, even though India and Pakistan, which, as Dr. Ikle has pointed out, were not signatories to the NPT and thereby they did not technically breach the treaty agreement, nevertheless there was a sense that the world was going in a particular direction and India and Pakistan took a different direction.

Having said that, it is not that India and Pakistan are completely insensitive to international opinion. Shortly after the Indian nuclear test, if I recall correctly, it was on the 30th of May when the Prime Minister of India, Mr. Vajpayee, put before the Indian Parliament a draft document, spelling out the rationale for the test.

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And in that, he mentioned three distinct things, which clearly show a sensitivity to current prevailing international opinion: a test moratorium, no first use, no transfer of technology. And this is in a public document tabled before Parliament. And I do not think this was accidental. This was clearly with an eye towards the international community, saying that we can be a responsible state.

Pakistan, because of much internal political turmoil, including the coup, has not come out with a similar document. But one certainly can make certain inferences from their behavior. They certainly have not talked about spreading their nuclear technology, despite dire economic need. They have backed away from a no first use policy because of India's overwhelming conventional superiority. And certainly they have not made any efforts to test a second time, and have said that they too will follow the Indian test moratorium.

So the central point I am trying to make is that these countries are not insensitive. These are not North Koreas. They are sensitive to the climate of international public opinion, even if they may not be adherents to a particular treaty or set of treaties.

Senator LUGAR. Senator Biden.

Senator BIDEN. Mr. Chairman, I would like unanimous consent that my opening statement be placed in the record.

Senator LUGAR. It shall be placed in the record.

[The prepared statement of Senator Biden follows:]

PREPARED STATEMENT OF SENATOR JOSEPH R. BIDEN, JR.

Mr. Chairman, I thank you for calling this hearing, the second in a series on nonproliferation. Tuesday's hearing was an important first step in examining the underpinnings of U.S. nonproliferation policy. Today we will focus on India, Pakistan, and North Korea—very dangerous places in the world today.

Tackling the Korean peninsula and South Asia in one hearing is a tall order, but both these two regions face the twin dangers of nuclear weapons and long-range ballistic missiles.

Just 10 years ago, our dominating nuclear concern was the Soviet Union and its massive arsenal. We are working to pare down that arsenal and to contain its potential for proliferation. Ron Lehman is serving his country well in his work on that—both as chair of the advisory board for the International Science and Technology Centers program, and within the last few weeks, as the U.S. representative helping Russia to plan the accelerated downsizing of one of its major nuclear weapons facilities.

In the last decade, the world has grown considerably more complex. Today we also worry about a short fused, nuclear armed South Asia. As recently as six years ago, the U.S. and North Korea were heading down a path toward war over the very issue we are here to discuss today.

Facing these prospects—a nuclear exchange in South Asia, or a conflict with North Korea—we have to take proliferation pretty seriously.

And we have. Without the Agreed Framework and the efforts of Bill Perry, North Korea could have acquired enough bomb material for a dozen or more weapons and could have flight-tested a possible ICBM. Now we must maintain our resolve for the next steps—halting any further missile tests and the spread of missile technology from North Korea.

South Asia is at an important crossroads. In just the past nine months, India and Pakistan have openly threatened each other with nuclear attack on at least two occasions—and these were not idle threats for nations that have gone to war three times since their independence.

The U.S. has experience and expertise with reducing nuclear tensions. We learned the hard way over 50 years of nuclear checkmate. Perhaps we could bring that accumulated knowledge to bear in South Asia. It may be time to look at that option.

That option, however, is just one of many. Our three distinguished witnesses are here today to help illuminate both the grave challenges we face and how we can limit the impact of the nuclear and missile proliferation that has occurred.

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I welcome them to this hearing, and I thank you, Mr. Chairman, for arranging their testimony.

Senator BIDEN. Again, thank you for holding these hearings. I cannot think of anything that we could or should be doing that is more important than trying to figure out how to move beyond where we are. It is a trite expression, but this is an increasingly dangerous world, as ironic as it seems to most Americans, and my constituents, when I say that. They look at it and think, well, no, things are obviously much better.

I feel less certain today about the prospect of—and I do not put it as a high probability—that a nuclear weapon will be used as a weapon of terror, accidentally, or as a consequence of something happening in Kashmir than I did in the midst of the Cold War. I have not been doing this as long as you have, Dr. Ikle, but Ron and I have been hanging around about the same amount of time. So I cannot thank you enough for doing this.

I have a number of prepared questions, that our staffs dutifully write for us. But, Dr. Ikle, I was struck by your very instructive rendition of the major elements of our nonproliferation policy, how they would work and what worked and what did not work. One of the things that you said struck a chord with me. It crystallized a thought that I have been grappling with; and that is when you talked about what has worked and what has not worked in nonproliferation policy. You said it pretty clearly: With our friends, what has worked are security guarantees. The bottom line is it has not even been economic incentives alone. It has been basically guarantees. Japan, fully capable of being a nuclear power overnight; it is guarantees. Germany, fully capable of being a nuclear power, guarantees.

Now, I have no answer to the question I am about to ask. Truly I am agnostic on this. I think I have mentioned this to you before, Ron. If you go back, Dr. Ganguly, and talk about what motivated India to move when they did with their most recent test, one of the many factors that are mentioned, whether it is the primary or secondary or even a factor, is China. And some have suggested, although you did not mention it, the lack of their guarantor being available, the former Soviet Union.

Now, I am not suggesting it is that simple. We have not had a hostile relationship with India, but we have had a strained relationship with India for a long time. It is counterintuitive that the world's largest democracy and the United States would have a strained relationship. If you asked the average grade school or high school child studying world events, and you said this is the largest democracy, what do you think their relationship with the United States is? The instinct would be to say, oh, it is good.

We have clearly had a relationship with Pakistan for some time that has been more commodious than the one with India. And I do not know that we have ever thought about it, and you may be able to tell me, Doctor, because you are the institutional memory on this whole area, whether we have ever contemplated some sort of guarantee, some security commitment to India that would be credible, whether we would provide one or not. Has that ever been discussed?

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Has that ever been debated? Because it has not been debated here. And it may be just a crazy idea. Talk to me about it. I am one of your students now. You are back in class. Tell me about that. I mean this sincerely. Tell me about how we would approach that notion and if we ever have.

Dr. IKLE. You are on a key right question. The Chinese were a perceived or actual threat to India. They fought a war on the Himalayan border. The disappearance of the Soviet Union as a guarantor removed a deterrent to an attack on India when the Soviet Union might do things against China. And the question whether we could have stepped into that guarantee, or quasi-guarantee (the alliance with the Soviet Union) after the collapse of the Soviet Union in 1991, I think was never addressed.

That is a recent period. I cannot give you the historic memory that you credit me with on the earlier diplomatic considerations and maybe internal Presidential discussions here in the fifties and sixties about a guarantee to India. As I recall, we always felt that the closeness and friendship treaty and so on, the quasi-alliance with the Soviet Union, was quite dominant, particularly in the sixties and seventies.

I do remember, in the eighties, we tried to have a closer relationship with India. As Under Secretary in the Pentagon, I went to India in the mid-eighties to arrange some of the technology transfers on aircraft design and to see whether we could work more closely together. I was invited to Bangalore, but not to the city where the MiG's are being built, which I cannot remember. And they promised to separate the tech transfer that we gave from the tech transfer that the Soviet Union gave. So there was a transition period there.

I think, from hindsight, maybe more could have been done in that great period of turmoil in 1989, 1991, saying—we were in discussions with the Russians; we were quite open then with Gorbachev, moving over to the Yeltsin regime—that an attack on India would be a major concern of the major powers, and particularly the United States, and so on, and given India a legitimate feeling that the threat from the Chinese nuclear weapons program is not something that they had to carry on their own shoulders entirely alone.

And that gets into, if I may take one more minute, into a larger question, which troubles me a great deal. What if the terrible thing should happen and there should be nuclear use in India, Pakistan, Iran, Iraq, what have you, Korea, where we do not have an immediate—Korea is not a good example—where we do not have an immediate alliance commitment? What will be the United States response? What should be the response? The world will change overnight.

Senator BIDEN. Absolutely.

Dr. IKLE. And how we pick up after that catastrophe and whether we can prevent it from becoming a 1914 on the one hand, or an opening to proliferation all over the world on the other, is a critical question. Maybe we could think about it more and therefore be better prepared should it ever happen.

Senator BIDEN. In light of the fact that you are going to be leaving, why do not you take the rest of the time. Because I will have 10 to 20 minutes when you are gone.

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Senator LUGAR. Thank you. I appreciate that. I will just ask this question.

President Clinton has been visiting India. And as I recall, at least the press accounts, of the Indian President, or maybe others, have indicated that his attempt to mediate the Kashmir dispute would not be welcomed. That is a problem. If not President Clinton, who? The thought that you presented, Dr. Ganguly, is that clearly we ought to be vitally interested in this question, even to the point of signifying that the boundary, as you have suggested, be set.

But, once again, by whom? Who does the heavy lifting in this situation? If not the President of the United States or our country, how do we put this thing together? This is more than just an academic question, because we are all talking about the fact that somehow or other, for a variety of motivations which sort of seep out in some of our conversation, India and Pakistan decided to test nuclear weapons. This shocked the world because we had had a long stretch in which people and countries did not do this.

So now we face the increasing problem that, having tested, despite protestations, there are apparently elements in both India and Pakistan who are not averse to considering the use of these weapons, regardless of whether they are well-tested or developed. And as we have all said, if someone does use one of these weapons, the world changes dramatically and we enter a new phase in world history.

How is this mediation or successful or constructive intervention by the rest of the world to occur? Now let me just add one more point about material incentives, including technology, which may be a good idea. We talked a little bit earlier, I think Dr. Ikle did and maybe others of you, that in the Atoms for Peace Program, we transferred a lot of technology.

But, ultimately, this may have contributed to part of the problem we now have in some cases. And so technology of this sort has not only dual uses, but multiple uses. And we are having a big debate in this country about export controls. How much computer technology or whatever else we have, is it useful to trade, given all that we know in the world?

So from your scholarship, can you give us any idea as to how any nation, or a group of nations, might make a constructive contribution given the rebuff at least our President I think has interpreted to have received as he tried to do this?

Dr. GANGULY. Let me turn to the question of technology transfer and export controls first, and then I will turn to the question of mediation fairly quickly. Taking, for example, a country like India, export controls on technology actually have perverse effects. Because what it does is it pushes the very large Indian scientific establishment to say, fine, we will manufacture these things on our own. It may retard the growth of our programs but, in the end, the program is going to be ours, warts and all. We will not be dependent on the international community and the United States.

So we may be able to defer a problem but, in effect, what we are doing is forcing them to develop this technology. Now, this would not be the case for less technologically developed states. We tend to forget, given our images of India as a land of vast poverty, snake charmers and elephants, that there is a parallel reality in India

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and one of extraordinary technological complexity and technological progress.

A significant portion of our scientists are really of Indian origin today. And we tend to somehow elide over that. So there are limits to how much we can do with technology controls for a country like India.

For a less technologically advanced country, it would work much better. And I would not be in favor of completely sort of dumping the regime, whether it is for India or for other countries. In the Indian case, I am making only a calibrated cases that in certain distinct areas we loosen the kinds of controls that exist.

To turn to the question of mediation, one should perhaps avoid the term "mediation," because that has taken on, that has accreted a certain sensitivity in India because of the experience during the Cold War. At least both my colleagues alluded to how India, particularly after 1971, was aligned with the Soviet Union while notionally maintaining a nonaligned posture.

And because of that, we—and I am losing the thread of my argument. Let me retract here. On mediation, there is this sense that the United States was not really an honest broker in the Cold War. And the United States cannot be fully trusted to be an honest broker at the end of the Cold War. And this is largely the legacy of the Cold War mentality, which permeated New Delhi. It is time for India to jettison this mentality, but it does not go away easily. Because it has sort of really entered the warp and woof of Indian political life.

We should not use the word "mediation." But what we should do is to talk separately to people in Islamabad and to talk to people in New Delhi. We should eschew any form of grandstanding. We should quietly offer our services without making loud public statements, saying why do not we take all of you to Oslo or some other Scandinavian capital.

Avoid that form of grandstanding altogether. But quietly, very directly, in a systematic fashion across party lines, we talk to them about the dangers and about the importance of lowering the temperature in Kashmir and calibrating it to particular things that they should do. Because this is not simply an India-Pakistan problem. Because if this thing flares up—this thing, I mean Kashmir—and if we do see the use of nuclear weapcns, we are breaching a fundamental worldwide taboo.

Senator LUGAR. Dr. Lehman, do you have a thought about what we do in India?

Dr. LEHMAN. I have a lot of them. I do not know how valid they are. My views of South Asia change over time. Because the more I learn, the more I decide that I do not really understand enough yet.

My view of our relationship with India is that it has always been worse than the objective conditions warrant, and for reasons that are not very good on both sides. My opinion of our relationship with Pakistan is that it has always been better than the objective conditions warrant, and for reasons that are good on both sides.

Take the Kashmir case that you have raised. Actually, from an Indian perspective, the situation in Kashmir is much better than it has been in the past. I can remember times when Indian officials

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would talk about having to take final solutions because they lost the war for the hearts and minds of the people of Kashmir, and this was going to mean the end of the Commonwealth. And that meant that they were going to have to take out the Pakistanis. That was years ago, but that is not the way they talk today.

I wish I could say the way they talk today is encouraging. It is not. But it is at least better than it was. I am more worried right now about the Pakistani situation. I was there about 4 years ago, right after Nawaz Sharif was elected the last time. And I talked to a lot of Pakistanis, including Pakistani businessmen. It was kind of a strange, upbeat conversation, like it is our last chance, but at least we have one. By the next year, they were really down in the dumps. And by a year later, it was desperate. And by 6 months after that, well, you have seen it.

I know we used to joke that India was the country of the future. And then some people said, and it always will be, and Pakistan is the non-country of the future. And then someone would say, but it always will be. It is serious. Indeed, a lot of the leverage I think that the Pakistanis think they have on us right now is their desperate situation. They just think that we will not leverage them too much, because, frankly, we will turn Pakistan over, as they say, to the "Afghanis."

I think that it is a very dangerous situation. I think that both the Indians and the Pakistanis in the past have been overly self-confident. They, especially the older generation, love to talk about how they all went to school together. "We know each other real well." Then, how come they have so many wars? By our standards, I do not think they understand each other well.

What does that say about how we, the U.S., which is the heart of your question, deal with that? I think Sumit got it right. I do not think standing there lecturing is going to help much. If you lecture the Chinese in public, they stew in private. But if you lecture the Indians in public, they stew in public and they really make it miserable.

I think what you have got to do is, in essence, change the objective conditions. And by that I mean, in essence, you have got to create the conditions where the Kashmir situation is not worth going to war over.

Now, in part, that means of course reform, as Sumit has talked about, in Kashmir. And to some degree, the Indians make some progress, then they back off, and I think they are going to have to do a lot more. But, in the end, when the Indians are more focused on economics, more focused on other national demands, Kashmir will not be as symbolic as it has been in recent years.

How you do that on the Pakistani side is a lot more difficult. But I think, in time, it could be done. But this ship will not turn around in any grand compromise, through any positive management or engagement. It is going to take a long time. And what we have got to do is kind of keep them off the shoals as best we can, help as best we can, while we try to really change the questions the parties ask.

I think words have impacts. Most of the words that we speak in this region I think do harm. Especially many of the arms control proposals. We sometimes ask them to answer the questions right

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when they cannot give us yes for an answer. This is a region of spoilers, domestically, and in the region. Almost any time anything positive happens, somebody decides they have to spoil it.

I think we have to be very careful. And that is why I think we focus low key, change the conditions. I could go on. I will stop there.

Senator LUGAR. Well, let me just ask one quick follow-up. And it is asked in the same spirit that Senator Biden was asking for instruction with proposals from outside the box. What would happen if somehow the international community decided to have a presence in Pakistan? For example, we have a lot of people in Kosovo now. And one reason is to prevent war, so that the Balkans do not go back into conflict. And here we have, and clearly in Kashmir, the possibility of not only conventional conflict, but nuclear war.

Now, if this is that dangerous of a situation, and I think that it is, our intelligence people in their open testimony, when asked about the probability of war this year, list that right up near number one. So if that is the case, despite the fact that the Pakistanis and the Indians, combined, might say, well, we do not want the international community in Kashmir, we do not want reformers, economists, social scientists, all the people that might make some difference in the quality of life for these people.

If we were to go out on the floor of the Senate right now, and Senator Biden and I were to suggest a mission of the United States to Kashmir to save the world from nuclear war, a lot of people would say, that is a bridge too far. It is an interesting idea, but there have been no hearings. The administration has not been heard, and all the rest of it. None of you have been heard, but now I ask you to be heard. What do you think about that?

Dr. IKLE. We have an international force that people have almost forgotten in the Sinai. There is one in Lebanon and one in Cyprus. And conceivably, with the agreement of the two sovereign countries, India and Pakistan, you could have a sizable United Nations-sponsored contingent somewhere in Kashmir, particularly for the reaffirmation of the current dividing line the Professor recommended as a thing to focus on. So in that context, probably more with the United Nations' blessing than a direct U.S. unilateral action, that is conceivable.

Apart from that, of course, as you know much better than I, Senator Lugar, we have extensive business and AID presence, or had an AID presence, in both countries. And they are not pariah states like North Korea. In that context, it is also worth recalling that, in 1950, when Kim-il-Sung started the attack on South Korea, there were United Nations observers on the demarcation line, or the dividing line, who confirmed in fact the attack from the North.

Dr. LEHMAN. Mr. Chairman, police officers will be the first to tell you that they do not like to get into the middle of domestic disputes, and there is a real danger there. But I think Senator Biden hit the nail right on the head when he talked about security and the positive security aspects of that. As Dr. Ikle indicated, actually even after Bandung, we had explorations with India. We still thought of ourselves as a part of the same world. We all I think

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know the history of how things got off track, and we all understand the difficulties of getting them back on.

In fact, at the time of the signing of the NPT, it was the Soviet position that pushed negative security assurances, no first use and all that stuff. It was actually the U.S. position that real security was all about the positive security assurance side, "who stands up for us when it really matters." The problem was that it just happened to coincide with the end of the Vietnam War. And I think we all know the history of the Senate debates over what kind of commitment should the Nation be making? Where do we put our kids in harm's way? But that was then and this is now, and we already are much more involved than we have ever been before.

Now, what does it mean for a place that you, and I think correctly, have said is very dangerous? Well, once before, when they had a war that led to the partition of Pakistan, the Indians were outraged that we sent an aircraft carrier to the Indian Ocean. And the Pakistanis were outraged that we did not use it. You have got that problem.

But let me offer an interim step that I have been advocating for some years. It takes some development time, but suppose you had sort of a super JSTARS and a super AWACS. You could go into a region that is pretty dangerous and yet have your forces safe. And you could say, either publicly or privately as the scenario calls for, (A) nobody is going to surprise anybody; and (B) we know how to attribute and there will be consequences.

Now, how much leverage do we get from something like that? I do not know. But at least something. But every time you go out there, you are taking a risk. And I think you have to have the capability to go with that as well.

Senator BIDEN. Professor?

Dr. GANGULY. Very quickly, a couple of different things to follow up on what these two gentlemen have said. There is a United Nations observer group for India and Pakistan currently in place, but its mandate is exceedingly limited. Its mandate is limited to monitoring cease-fire violations, compiling information on cease-fire violations, and making this clear.

And there is an interesting twist over here. Joseph Korbel, our Secretary of State's father, was one of the United Nations Administrators of Kashmir and wrote a book which still holds up today, amazingly enough, called *Danger in Kashmir*, where much of the history of UNMOIP as it is referred to, the United Nations Observer Force in India and Pakistan, is detailed.

The problem of expanding that force largely lies in New Delhi. Because New Delhi perceives that many of the United Nations resolutions tilted much too unfairly in favor of Pakistan and never categorically condemned Pakistan's initial aggression in Kashmir. Whether or not that perception is correct is another matter. But the fact is that perception does exist and perceptions do matter in international relations.

And if I may take 30 seconds to go back to a question that you asked somewhat earlier. There was actually an Indian quest for a nuclear guarantee. And this is now much of the public record. It took place between 1966 and 1967, just before the onset of the Nuclear Nonproliferation Treaty of 1968. India sent one of its most

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brilliant and able civil servants, subsequently an Ambassador to the United States, a man called L.K. Jha, to the major Western capitals and to the Soviet Union, seeking a security guarantee. But eventually, nothing transpired. And the Soviets, interestingly enough, were the most intransigent.

Senator BIDEN. There are a lot of things I want to touch on, but let me if I may, in the few minutes that remain—and we will not keep you very much longer, because there is going to be a vote. By the way, I sit on the Judiciary Committee, and one of the things we just have been dealing with is the visas, called H1–B visas, and the high-tech community in America tells us they are, at a minimum, 395,000 high-tech technicians short. The argument goes that could be as high as a million. That is in America.

They are short a half a million jobs on average that Americans cannot fill, that we are not in a position to be able to fill. And so we are filling them with foreigners, who are given a temporary opportunity to work in the United States. And as you point out, Doctor, the vast majority of them are Indians. And so one of the ways to deal with the transfer of technology maybe is to give everyone citizenship. I do not know. It may be, instead of turning them from visas, maybe—I am going to get in trouble for having said that. And I do not mean that disrespectfully.

But the point is there is a change and maturation in my views about the subcontinent here in ways that I have never, quite frankly, focused on it before. I thought I was informed. And for the last 3 years, I realized how much I am the rule and not the exception here on Capitol Hill. We tend to focus when there is a problem.

But certain things seems to be emerging, certain strands that seem to be emerging. One is engage, regardless of how we do it. And second, it is going to be a long process. There is no short-term solution. It seems to me the experts, not only you three, but people including my staff, who have written about this subject, as well as people outside I have tapped for help are coming to similar conclusions.

One, nothing is going to happen real soon of any dramatic consequence. Two, there is no substitute for engaging; there is a difference in definition of what constitutes engaging. Three, Ron, Doctor Ikle, said that it does not make a lot of sense to make our pronouncements publicly. The best chance of moving the ball down the field at all here is to the extent that we do not do this in a public chastising mode. And four, we have got to think outside the box here. There has got to be something different than what we have been doing.

We run up against, Dr. Ikle, your point that we cannot be perceived as rewarding, even though there is no violation of an existing treaty—they did not sign on, so they did not violate—but we cannot be perceived as rewarding their activities on the nuclear front. So it gets to be a little difficult. Which leads me to this question.

One of the points raised by Dr. Ganguly is that we should think about, if I understood you, the possibility of—all bells have rung. That happens so seldom, I think that means it is a prelude to going out of session. So you guys may be in deep trouble. [Laughter.]

Dr. LEHMAN. It could be Kashmir.

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Senator BIDEN. That is a good point.

But take the notion of regional arms control. Now, you did not sketch out what that would undertake, but let me just say one thing and ask a question. Unlike North Korea, all three of you have pointed out that neither India nor Pakistan is a, quote, pariah state. They are not in that same category. They have, by and large, with some notable exceptions, as Dr. Ikle pointed out, not totally flaunted the international norms that other of our friends and allies have subscribed to with regard to the transfer of technology, export, or proliferating themselves to other countries. There are exceptions, I might add.

Does that mean that their mutual assertions, made some months ago, that they would sign—and I do not know whether they ever said ratify—the Comprehensive Test Ban Treaty have value? And I know your view on the Comprehensive Test Ban Treaty. I am not trying to get us into a side debate about the merits of the Test Ban Treaty.

But is there a value, and are they countries that we believe, were they to sign on to the CTBT, which basically says no more tests, would we have reason to put them in the category of being something other than photo op signatories? In other words, could we, based on their past conduct and treatment of treaties, would there be reason for us to believe that they would likely adhere to that treaty?

I realize that is a very generic and broad question, but you understand what I am driving at here. In other words, if we are going to have anything that remotely approaches a rapprochement between them and that somehow even brings in China somewhere along the deal, which I think you were implying, Doctor Ikle, are they parties relative not to one another but relative to the world norms that the treaty they would sign subscribes?

Dr. IKLE. I would think the answer is yes. I would think their subscription to a treaty of this kind would be much more meaningful than if it came from Pyongyang. In fact, there, I would expect the opposite. In my view, if the North Koreans do not lie, it is an accident.

But without getting into this in detail, we probably could make more out of their statement that they will abide by the moratorium. I do not see why we do not take this half loaf if it is a half loaf, and that is a separate issue. I think a moratorium is better than a treaty for a number of reasons, where I agree with Senator Lugar's statement on that issue.

But in this particular case, let us build up on the moratorium. That is, essentially we are getting what we want.

Dr. LEHMAN. For years, Indian opinion leaders said they wanted a CTB, that it was in India's interest. I think that if it is, that is fine, let India sign it. I think the more we ask them to sign it, the more the price Indian political leadership has to pay to sign it goes up. So what that means is the number they will deploy, the conditions under which they will operate will all be less desirable for us than they might have been otherwise.

So I would urge, if they want to sign it, that is good. Let them. I will not go off on the issue of what does it mean, but let me say, on the whole question of regional arms control, I would urge a

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similar caution. There was a period not too long ago when it suddenly became a fad among South Asian-ologists to go run to the Indians and ask, well, okay, what is your number? How many do you need to have?

And the effect was to drive the number out of sight. Even the Indians saw they could not afford it, and finally they shut everybody up. I think our policy ought to be, first, do no harm. See if you can find a way to engage them in which they actually start to think through what is really in their interest.

And let me give you an example, although I am a bit reluctant to say it in public, except that I did that once before and it went okay. So I will do it. Some years ago, I was meeting with the Indians for a long period of time with some very good and influential and smart officials and non-officials. And it is a conversation I followed for a number of years.

We began talking about what, in essence, was the fissile material cutoff. And it was very interesting, because the Indians were beginning to come to the conclusion that this was a winner for them. And one could see how, if you worked it carefully, it would be a winner for us, a winner for them. You play it low key and it works. You had to work some issues, but most of those were falling into place.

What is happening now on the fissile material cutoff? It has gotten thrown into the CD, where it is on a slow track, because everybody is mao-maoing it with all kinds of rhetoric. And basically, the Pakistanis want to stall for reasons that are not good, and the Indians are stalling not for the military reasons that the Pakistanis are stalling, I believe, but they are stalling because of the domestic political heat they will take if they sign something that is objectively in their own interest without extracting all kinds of abstract commitments.

If there is some way to get India and Pakistan to go back and take a look at what is really in their interest, we should pursue it. And let me explain in a slightly different context, let me explain what I mean. North Korea should be about as hard as it is to do, but we got the Soviets to get the North Koreans to sign the NPT. We eventually got the Chinese to help us get the North Koreans to do an IAEA safeguards agreement. We eventually got the Chinese and the Russians to help us get the North Koreans to do the denuclearization agreement that everybody has now forgotten.

My point is that when you get people quietly working the objective conditions, you can do things.

Senator BIDEN. I agree.

Dr. LEHMAN. The more we get out there and say, how much do we have to pay to get you to give us a no first use pledge, when they are the ones that are always saying, well, we have given you a no first use pledge. Why do I want to pay for that? Because I do not believe in it anyway.

I was in conferences many times—sometimes with the Pakistanis, who really do not want to ever give a "No First Use" pledge for reasons we all understand—with the Indians privately, but also with the Chinese with the Indians, and also with all of them together. And usually if you have the Pakistanis, the Indians and the

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Chinese all together, they all beat up on the U.S. for not giving no first use pledges.

But if you go to the Indians and say, well, wait a minute, the Chinese have given you a no first use pledge already. What do they do? Well, they fall into several categories. One is, well, they are the Chinese, you cannot believe them. Or, well, you know the Chinese, they are just using that as a cover for not doing any other arms control because they say, if they give you a no first use pledge, that is the same as not having made weapons at all.

Then some of them will say, that, actually, what the Chinese really say if you push them is that they will not use it unless there is an attack on their soil. And since we, India, have disputed territory, the pledge really does not apply to us, although they will not say that anymore.

Then you go to the Indians and say, okay, the Pakistanis agree that the Indian no first use pledge is good, is it worth something? They say no.

So, I am not so sure I understand why we want to make No First Use, etc. a centerpiece. And I certainly do not want to pay for it. It is not that we have to pay so much, although the price may be too much. It is they have to pay, including domestically in ways that are in no one's interest.

Senator BIDEN. I understand. I think you are making a very good point. I am not talking about radical solutions, thinking outside the box, but just sort of getting off the track. There has got to be a way to, in a sense, reshape the table here. There has got to be something that allows people, the representatives of these countries, to do what is intuitively the right thing for them to do in their naked self-interest, but they are unable to do because of the political interests that they face.

My mom has an expression. She is an Irish woman. Her name is Finnegan. And since the time you were a kid, you do something against your own interest and you know it, she would say, Joey, do not bite your nose off to spite your face. And what you see a lot of is a lot of folks biting their nose off to spite their face here. They end up doing things that are counterintuitive. But when you step back and look at the political reality and the domestic situation, you say, I can understand how they got to that negative position.

And, by the way, I might add, I am not that pessimistic. And I realize, in the interest of time, I have got 5–7 minutes left and I am jumping ahead, but I know you have always been available and I know I am going to get to follow up on this when I say it. I am not as pessimistic about the prospect of China playing a more positive role with regard to North Korea than they have already played, because, again, it is in their interest. And sometimes we have got to get the interest. And that is a hard place to get to.

But, Professor, you wanted to say something. I am sorry. I went on, in response to what Ron was talking about. You were about to say something.

Dr. IKLE. I am ready to say something on getting out of the box or expanding the envelope, your point, Senator. One area I would like us to explore quietly with military officials or retired military, going to Pakistan and India, is building more on the no hasty, no

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rapid use, no unintended escalation, no first use complex. We have sinned in that area in the fifties, and sixties still, in having really a rather accident-prone posture to deter the formidable Soviet Union with nuclear weapons all over the landscape in Europe, many ready to be used quickly under controls we would not be happy with today, and so on and so forth.

While we obviously would like far fewer weapons in India and certainly in Pakistan, even those few weapons, or particularly those few weapons, ought not to be in a position of hasty use. And there are things we can talk to them about. There are things we can do where technology transfer would not be totally out of the box. We have considered that in connection with other countries, as well, and have done it with some countries.

That gives us a further probability that they will not be used. And that is essentially what proliferation is all about.

Senator BIDEN. I will let you close, Doctor.

Dr. GANGULY. Thank you, Senator Biden.

I guess I have a mild disagreement with my good friend and colleague, Dr. Lehman. I do believe it is not simply a matter of appeasing domestic constituencies. I think there are real threats: the Chinese sale of ring magnets to Pakistan, the Chinese sale of M–11 missiles to Pakistan, all of which have been documented in the Washington Post. Pakistan, in the 1980's, virtually became a surrogate for China in South Asia.

Unless we can get a grip on Chinese involvement in Pakistan, not Korean involvement in Pakistan, we are not simply talking about appeasing domestic constituencies. There are real threats that the Indians face. And they are not going to stand by and watch a steady accretion of Pakistan's nuclear and ballistic missile arsenals and not respond.

I agree that these domestic constituencies that Ambassador Lehman alludes to do exist. But that is only part of the story. And the feckless behavior of the Chinese in this region in many ways contributed to India's anxieties, particularly the loss of the Soviet security guarantee in 1991.

Senator BIDEN. I would think that it sometimes takes policy of big nations time to catch up to changed circumstances. And I kind of thought what Ambassador Lehman was saying was that the bottom line is to try to get each of these countries to look at their self-interest. And that what may have been perceived to be from Beijing in their self-interest—I mean if you are teaching, as you all do and have, a group of undergraduate students about this, and you said, look, you are sitting in Beijing and you are starting from scratch, how could it really be in your interest to move India into a position where it becomes a greater nuclear power? Why would that work?

If you conclude that what you are doing in Pakistan in fact is what is propelling, at least in part, India's nuclear program, then it may be time to reconsider whether you are in fact doing that. Notwithstanding the fact that may seem logical to us, the only thing I do think I have a handle on that may be from a different perspective than you do is I find that political leaders in all systems are fundamentally the same in the way they approach problems.

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Some are brighter. Some are more informed. Some require or are forced to have input from citizens, and others are not. But the bottom line of it is it takes a while for the caboose to catch up to the train here. And if I sound strange here, it is because the caboose is usually hooked. But here is a situation where we are still trying to figure out how to deal with the fact that there is no Wall, the fact that Russia is not the Soviet Union. It is a different set of problems.

I guess it is an occupational requirement, but I am optimistic, if we can deal with it. And I would like to ask to be able to at least pick up the phone and call you individually—confidence building measures. Because one of the things, Doctor, that it seems to me implied in what you said was, whether or not it relates to the rubric of all the things that fall under no first use is that kind of, in my view, falls under the rubric of confidence building measures.

I know it is not literally that but, somehow to gradually build in the combination of confidence building measures and increased security guarantees, whether that is—the wrong word, "guarantee"—sense of security, that they are not sitting out there on the end of the Indian Ocean and nobody is paying attention. And, Mr. Ambassador, what I wanted to talk to you about is you are doing some really important work, shifting from Asia to Russia, on working with the Russian officials to accelerate the downsizing of their nuclear weapons centers.

I want to at some time to convince—it will not be hard—the chairman to get you back to talk to us, even if it is just in our offices. My sense is that we could and we should greatly increase the help to Russia to find nonmilitary jobs in their excess weapons experts. They tell me I have got 1 minute to vote, but I would like to talk to you about that at some point. And I appreciate what you are doing.

Dr. LEHMAN. I am at your disposal, and I am very supportive. I think those programs have really matured and come along. We have learned some things that we do not want to do. We have also learned some things that really are helpful.

Senator BIDEN. It would be instructive to us if we knew if any of it has any legislative consequence in terms of what we should be authoring.

I cannot tell you how much I appreciate you, all three, being here. And I also, Dr. Ikle, can tell you that I cannot think of anybody we could have here that could give us more insight into this. I mean this sincerely. We have been on opposite sides of issues and the same side of some issues. But I have great respect for you and I truly appreciate you continuing to do this.

And, Doctor, the bad news for you is, you were such a good witness, I am confident you will be invited back. That is the bad news.

Dr. GANGULY. I would consider it a pleasure.

Senator BIDEN. Thank you very much, gentlemen. I am sorry to run off and do this, but you guys are used to this.

We are adjourned.

[Whereupon, at 11:20 a.m., the hearing was adjourned.]

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IRAN AND IRAQ: THE FUTURE OF NONPROLIFERATION POLICY

Tuesday, March 28, 2000

U.S. SENATE
COMMITTEE ON FOREIGN RELATIONS
Washington, D.C.

The committee met, pursuant to notice, at 3:09 p.m., in Room SD–419, Dirksen Senate Office Building, the Hon. Richard Lugar presiding.

Present: Senators Lugar and Biden.

Senator LUGAR. This hearing of the Senate Committee on Foreign Relations is called to order.

Today the committee continues its series of hearings on United States' international nonproliferation policy. We turn our attention to the Middle East where the actions of Iran and Iraq continue to confound nonproliferation efforts.

In our first hearing, the director of Central Intelligence, George Tenet, testified that "over the next 15 years our cities will face ballistic missile threats from North Korea, probably Iran and possibly Iraq."

In fact, Director Tenet suggested that most analysts believe that Iran could test an ICBM capable of delivering a light payload to the United States in the next few years.

Furthermore, he pointed out that the likelihood that Iraq has continued its missile development leads the Intelligence Committee to the conclusion that they could develop an intercontinental ballistic missile in the decade. Director Tenet's testimony provides an ominous introduction to what many consider are the most perplexing proliferation challenges the international community faces.

The tension and hostility present throughout much of the Middle East is fertile ground for programs to develop weapons of mass destruction [WMD] and the means to deliver them. The United States and the international community have undertaken a number of different programs and polices to roll back, reverse or otherwise circumscribe proliferation in the Middle East.

Unfortunately, to date few of these efforts have proven successful. Both Iran and Iraq are clearly attempting to continue to expand their weapons of mass destruction capabilities. Although these programs clearly violate international norms and, in some cases, international agreements, the world seems to have lost interest. International resolve is faltering with efforts to ensure and to verify that Iraq dismantles its weapons of mass destruction and missiles programs.

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Indeed, the degradation of UNSCOM sends a signal that transgressors can outlast international resolve. And similarly, although recent political developments appear promising, Iran continues to attempt to acquire long-range missile capabilities and an indigenous nuclear weapons capability in support of terrorism.

The fear most often expressed is not only that these countries may utilize weapons of mass destruction again, and possibly against Americans, but that other states in the region could become disillusioned with the international community's limited capability and uneven political will to enforce international norms.

If disillusionment leads to yet another increase in weapons of mass destruction development, the possibility of WMD use in the Middle East will rise exponentially.

The purpose of today's hearings is to identify where U.S. and international nonproliferation programs have succeeded and where they have broken down.

Where did our efforts succeed? And where did they fail? And does the fault lie in the policy or in the implementation? Or did the international community simply lose the will to continue doing the difficult work necessary to eliminate the threat of weapons of mass destruction? In short, does nonproliferation policy have a future in these countries?

With the possibility that Iraq has utilized the absence of international inspectors to begin rebuilding its arsenal, how must our policies and efforts be altered to reflect this possibility and to remove these potential threats? Perhaps most important, how do we invigorate international will to restart international inspections and maintain multilateral sanctions until Saddam Hussein complies with the agreements?

Military force has been viewed up until this time as a response of last resort in Iraq. But with the collapse of UNSCOM and the apparent lack of international will to maintain multilateral sanctions, should military force now be considered as a weapon of first resort in response to further evidence of WMD production in Iraq? We are constantly confronted with the growing risk of surprise in proliferation matters. In fact, Director Tenet suggested "that more than ever we risk substantial surprise."

The Rumsfeld Commission rightly reminded us of the importance of addressing the implication of what we do not know in our analysis and policy. One potential vehicle for surprise was reported in the *New York Times* last week. The article suggested that Iraq may be conducting WMD and missile research through surrogates. Specifically, Sudan was cited as the home of the missile research center provided by North Korea and financed by Iraq.

My personal opinion is that Saddam Hussein will continue to threaten the world with weapons of mass destruction and to spread instability through military force. And I am convinced that the only way to eliminate the threat Iraq poses to the Middle East and the United States is to encourage new leadership in Bagdad.

Iran is an equally frustrating topic. U.S. and international nonproliferation policies have not proven successful in deterring or stopping WMD development. On a multilateral level, enforcement of nonproliferation policies toward Iran has proven very difficult.

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Foreign suppliers continue to provide Iran with WMD technology and know-how.

These developments require careful consideration of several important questions. Has American and international diplomatic response to Iranian proliferation activities been adequate? What additional steps must be taken in the future?

And can international efforts be enhanced to respond to the Iranian WMD programs, or have such international covenants and policies lost their moral persuasion because of impractical and incredible requirements or standards of evidence?

Are improved western relations with Iran a substitute for a hard-nosed nonproliferation policy, or is modest success in one a prerequisite for the other? Currently in both the case of Iran and Iraq, the status quo is unacceptable. We must analyze how our current policies should be altered to reflect the current situation and what new policies should be employed in the future.

It is my pleasure to welcome a most distinguished panel through our hearing. Witnesses will include Ambassador Rolf Ekeus, former executive chairman, United States Special Commission on Iraq, and currently the Ambassador of Sweden to the United States; the Honorable Richard Butler, former executive chairman, United Nations Special Commission on Iraq, and currently diplomat in residence at the Council on Foreign Relations; and Dr. Anthony Cordesman, senior fellow for Strategic Assessment and co-director of the Middle East Program at the Center for Strategic and International Studies.

We are grateful that our witnesses have agreed to testify on these most important subjects. But before calling upon them, I ask my colleague, Senator Biden, for his opening statement.

Senator BIDEN. Thank you, Mr. Chairman. In the interest of time, I would ask unanimous consent my statement be placed in the record.

Senator LUGAR. It will be placed in the record in full.

Senator BIDEN. Mr. Chairman, we have three incredibly distinguished witnesses, who I suspect are going to be able to shed more light on the questions you raised and the choices we have than any other three people we could assemble. I am unabashed fan of Mr. Butler, and I have great respect for the other two witnesses. And I hope they will be, and I expect they will be, frank with us.

It seems to me that almost any regime that relates to nonproliferation requires consent of the international community, whether or not it is the United Nations or just western nations, if we concluded, as we did in Bosnia, that we should move and act, and in Kosovo.

It seems to me, to state the obvious, that does not exist either in Europe with France or in Russia or China. And so how do we move to a place where we can affect what seem to be inevitable outcomes if we just sit by? And I hope we will be open and frank about what the options of a President are, what the options of a country are at this point. And I look forward to their testimony.

[The prepared statement of Senator Biden follows:]

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PREPARED STATEMENT OF SENATOR JOSEPH R. BIDEN, JR.

Mr. Chairman, thank you for arranging this important hearing on nonproliferation in Iraq and Iran and permitting us to hear the testimony of the very distinguished witnesses before us today.

It has been nearly a decade since Saddam Hussein illegally invaded Kuwait. Ironically, that invasion exposed the full extent of Iraq's horrifying biological, nuclear and chemical warfare programs to the world.

The Gulf War also led to the establishment of UNSCOM. Despite constant harassment, obfuscation and intimidation, UNSCOM did its job—with determination and some heroism—of rooting out and destroying Iraq's terror weapons. But that job is still unfinished, and may even have grown larger in the past year and a half since UNSCOM inspectors were forced out of Iraq.

Saddam still remains in Bagdad, and dealing with his relentless pursuit of weapons of mass destruction remains one of our most pressing foreign policy tasks. The world has witnessed what his regime does when left unchecked.

It is now our policy to seek a change in Iraq's regime, but that is easier said than done. On-the-ground inspections and our willingness to use force have been our best weapons against re-establishment of Saddam's weapons programs.

UNMOVIC [un-mo-vick], the successor to UNSCOM, has yet to conduct an inspection. In my view, the only way to get Saddam to accept Security Council Resolution 1284 is through continued economic sanctions.

Sanctions are not responsible for hurting the Iraqi people, the current Iraqi regime is. Saddam has made a clear choice between weaponry and his citizenry—and he has chosen weaponry. Tons of food sit rotting in warehouses in Iraq, while the regime stages photo-ops of starving children. This is a crime.

It would also be a crime to let Saddam Hussein off the hook of sanctions before all his hidden arms programs are exposed and destroyed. If UNMOVIC inspectors ever do get into Iraq, it will be vital for them to show the same determination and professionalism that made UNSCOM such a model.

When it comes to eliminating Iraq's weapons of mass destruction, there are no finer servants of humanity than Ambassadors Rolf Ekeus and Richard Butler. I look forward to their addressing these pressing issues.

Turning to Iran, the Administration has taken a bold but cautious step in lifting imports on selected items, such as carpets, caviar and nuts. Sanctions lifting is a goodwill gesture towards the Iranian people, who have made remarkable progress toward democracy and reform as demonstrated in their February elections.

The response to the U.S. action from Iran's religious leaders has not been encouraging, but we must look to Iran over the next months to see if our overture bears fruit.

Our resolve has not softened one bit in regard to Iran's pursuit of weapons of mass destruction. Indeed, two weeks ago the President signed the Iran Non-Proliferation Act, which had passed the Senate by a vote of 97–0, to help prevent sensitive technologies from reaching the Iranian government.

Dr. Tony Cordesman is well known for his encyclopedic expertise on weapons of mass destruction in both Iran and Iraq. I look forward to hearing his ideas, even if that means accepting the fact that there is no "silver bullet" to solve our problems.

The issue of nonproliferation in Iraq and Iran are complex and interrelated. It is a pleasure to be assisted by such august witnesses, and I thank you, Mr. Chairman, for arranging their testimony.

Senator LUGAR. Well, thank you very much, Senator Biden. I share all the sentiments of the Senator, that we are indebted to all three of you for your service to the world, as well as to the countries that you have served and the witness that you offer here to our country today.

I would like to call upon you in the order that I introduced you, and that would be Ambassador Ekeus, Ambassador Butler and Dr. Cordesman.

Ambassador Ekeus.

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STATEMENT OF HIS EXCELLENCY ROLF EKEUS, FORMER EXECUTIVE CHAIRMAN, UNITED NATIONS SPECIAL COMMISSION ON IRAQ (UNSCOM), AMBASSADOR OF SWEDEN

Ambassador EKEUS. I have heard you and Senator Biden about the elimination of weapons of mass destruction in Iraq and the questions of how the system could work, how one could control such capabilities, how one should act on this problem, and what are the lessons.

And I start with that, as I use my experience as chairman of the UNSCOM from 1991 to 1997, summer of 1997. What is special for UNSCOM? And I say up front that I think it was a success. It was the uniqueness in its approach and its capacity and effectiveness.

What made the system work? I think it was a multilayered approach. And I emphasize that because the UNSCOM system was different from all known arms control arrangements, whether bilateral, unilateral or multilateral. It was based upon both inspections of declared facilities, and of undeclared facilities.

In that respect there is a difference with the safeguard system adopted by IAEA. However, there are some modest additional possibilities in recent protocols with regard to undeclared facilities.

In addition to those two types of inspections, there is no-notice inspection. That means that inspections were carried out without any notice, not one hour, not half an hour. When we talk about safeguard inspections or when we talk about chemical weapons inspections under the Chemical Weapons Convention, we talk about solid pre-notice for any inspection.

But in the case of UNSCOM, it was no notice. It was not only a matter of inspection of facilities, hardware, machines and machine tool and material, it was also control of personnel, individuals. It was a matter of identifying responsible people, cross-examine them, investigate pattern of organization, organizational structures in order to comprehend the inside the weapons production activities.

In addition, the UNSCOM was using imagery. The major support provided by the United States was the operation of the U–2 high altitude reconnaissance plane with the high quality imagery it provided to the planners and the leadership of UNSCOM.

This imagery was amplified through helicopter-based operations. At first the German Government provided helicopters, and later the Chilean Government. The helicopters were operated by courageous, high quality personnel. They constituted a platform for close range photographic imagery, which could amplify and clarify issues which looked suspect on the U–2 picture.

Even more so these helicopters could land close to a suspect facility, and the personnel could enter the facility and get a close look at every piece of equipment. In that way UNSCOM obtained complete coverage through imagery of the country, from broad area coverage to high resolution and directed imagery to helicopter close range and to personnel eyeballing suspect items.

In addition, sensors, cameras, stationary cameras, at suspect facilities pointing to suspect equipment and material, sending real-time picture continuously to the Baghdad monitoring center, which was established and controlled by UNSCOM.

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Chemical sensors around facilities that are down-wind or down-stream, investigations of water and air flow, water testing regularly all over the country—or irregular, I would say, in order to surprise Iraqi, added to the sensor system.

There was also air-based gamma ray detection system based on the platform of slow moving helicopters to identify hot spots where radiation was coming out from the soil of Iraq. Altogether a solid area coverage.

There were other sensors I am prohibited, I guess for confidential reasons, to describe. In addition, there were field laboratories used, operating to give immediate feedback on sampling. A number of supporting international laboratories in U.S., France, Switzerland, Finland and Sweden, and Britain, of course, provided the UNSCOM people with in-depth, careful analysis of chemical and biological sampling.

And finally, developed during the years was DNA technique, not only state of the art, but I would say ahead of the state of the art. This new technology was used for the first time in 1994 in identifying biological warfare agents.

One example, we took samples in 1991 at the notorious place called Al Hakom with a negative result. But the UNSCOM scientists saved these samples and a couple of years later, through the development of DNA techniques during the nineties, it could be proven that Iraq indeed was working in that case on anthrax and biological weapon development.

This was the multilayer approach. That was supported by systematic analytical assessment of the material. And there I have to salute especially the quality of the personnel of UNSCOM, a high quality indeed, scientifically top notch, with great experience, and with a capability to develop, developing the process for further understanding.

Another important supporting element was the capability of UNSCOM to block effectively imports, to block the procurement efforts by Iraq. Obviously, Iraq has to rely to a considerable degree on imports of certain sensitive, high-quality technical material for developing weapons of mass destruction. The key there was international cooperation. UNSCOM obtained intelligence from various countries. I emphasize many countries, not one, but many countries, including from customs services.

And oddly enough, it is not always a terribly good cooperation between intelligence and customs. But UNSCOM fused these capabilities and created a tremendous synergy. UNSCOM also worked closely with several national law enforcement agencies and in that sense registered considerable success. These were the methods to identify Iraq's weapons of mass destruction and to weed out a substantial part of it.

The positive lesson of that is the following: To achieve disarmament, the international approach is still superior because it is more effective and it delivers. Why is it more effective? It coordinates the many different routes to detection. The matter of import is especially sensitive. We have the money trail, the banking system, the payment system, which is possible to identify and intervene in with the help of international cooperation.

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No single country can, without an international approach, effectively block development of weapons of mass destruction. There is no possibility to prevent the procurement, and therefore there is no possibility to block proliferation without resort to broad international cooperation.

International cooperation demands a very rare commodity, namely an almost lost art form, skilled diplomacy. That is in great demand. More and better diplomacy, more dynamic approaches to coordinate the international efforts are the key.

Of course, Mr. Chairman, you know better than anyone that the bilateral approach with Russia and Ukraine has worked well. There is no doubt about that. This is the preferred approach. This is a special case. But if you are met with a less cooperative mode, the international approach is necessary.

Finally, on the UNMOVIC possibilities, my judgment is that UNMOVIC may succeed if it can be constituted in an effective way with, first of all and key, high quality personnel. You do not get quality personnel out of thin air. You can only get it by searching very carefully the rosters around. And UNSCOM's personnel is of high quality.

They know—they not only know the problem theoretically; they know it practically; they know the players inside Iraq. They know the individuals who are involved. They know the structure, the organization, and they know also the methods of concealment. This is number one.

Second is imagery. Imagery collection must be restored. And the new organization, UNMOVIC, must have an independent access to imagery of the same type UNSCOM had. I know that there are disputes there about whether UNMOVIC be allowed to use American based aerial surveillance, or instead, Russian-based, high altitude reconnaissance.

This is a matter which can be dealt with if the handling of the product is professional and serious. UNSCOM had a solid way to handle imagery.

Thirdly, the collection of data from many sources. That is a matter which requires that UNMOVIC creates a credibility. No government is prepared to share data with an international organization, if it does not know that the data provided is treated with care and analyzed with professional skill.

That creates some sensitive problems which I have experienced with the Congress. Governments are not prepared, and private companies are not prepared to cooperate with an institution like UNSCOM, if they feel that the name of companies involved in dealings with Iraq will be published.

The policy of UNSCOM was to protect the names of the companies which had not violated law, but one way or the other had been involved in dual use deliveries to Iraq. The fear was that these companies would be exposed and punished one way or the other. If they had that fear, they refused to talk to UNSCOM; and the governments refused to give UNSCOM personnel access to these companies.

This made it difficult for UNSCOM personnel to penetrate the secrecies there. But anyhow, this is a marginal problem, but it means—it demonstrates how sensitive these matters can be.

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Fourth, I think the sensors. I will not describe the sensor system, but an advance sensor system is necessary for success. So what one can do is to focus in the Iraqi case on preventing Iraq to do more. There are reason to believe that Iraq still is keeping some material, as we know.

With a multi-layered inspection approach one can prevent Iraq from acquiring more. And that should be enough to prevent the country to get the full weapons capability.

To my judgment, there is no concluding evidence that Iraq has decided to terminate any of its weapons programs. That goes for nuclear weapons, biological or chemical and missiles. It is clear that Iraq has still not disclosed important information in all these areas.

That is a negative conclusion which is supported by many conversations with Iraqi officials, namely that the base for the whole situation in the Gulf is the matter of who dominates, who has the power in the Gulf, and who can control and be the leading actor in the Gulf. That does not mean an occupation of the Gulf states.

Iraq's ambition finally is to present itself as the protector of the other Arabic states against the fundamentalists, as they see them, in Iran.

In order to be a credible protector, Iraq feels it needs advanced weapons. So they see these weapons linked to the matter of who controls the Gulf. We may also fear that that Iraqi policy may inspire Iran to match these ambitions.

And I stop there because I know my colleagues have a lot to say on this issue. Thank you.

Senator LUGAR. Well, thank you very much, Ambassador Ekeus. Ambassador Butler?

STATEMENT OF HON. RICHARD BUTLER, FORMER EXECUTIVE CHAIRMAN, UNITED NATIONS SPECIAL COMMISSION ON IRAQ (UNSCOM), DIPLOMAT IN RESIDENCE, COUNCIL ON FOREIGN RELATIONS

Mr. BUTLER. Thank you very much, Mr. Acting Chairman, Senator Lugar. Thank you, Senator Biden, for being here and for asking me to be here again.

I feel that we might be meeting again quite soon when Dr. Blix, the head of the new inspection organization, submits his proposal for resumed inspections in Iraq, and Iraq rejects it. And that proposal is due on the 15th of April.

Or the Russians in the Security Council seek to so dramatically alter Dr. Blix's proposal to ensure that it has no serious impact and that we would then have, once again, an Iraq crisis on our hands. I think this is a timely meeting because I think we stand on the verge of such developments.

Now, at the beginning—by the way—I have no formal text, because I do not want to speak that way to this committee today. I want to speak economically, especially as we have started a bit late, and as directly as I can. And I will take my lead from the remarks that both of you have made at the beginning of our meeting today.

Senator Lugar, you asked the question: What went wrong? Where has it broken down? How do we fix it?

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And Senator Biden, you asked: What will happen if we do not fix it, if we do nothing?

I have just concluded a book on what I did in the last couple of years following Rolf and dealing with Iraq. That book unfortunately will not be available before the 15th of April. It will be a little bit after that, in May. But Senator Biden, the epigraph I chose for that book, the motto of the book, is Edmund Burke's statement that all that is necessary for the triumph of evil is that good men do nothing.

And Senator Lugar, evil is triumphing in Iraq again today, because good men have turned their back on the problem. That started two years ago, when Russia decided to break away from consensus in the Security Council on the need to make Saddam Hussein obey the law. And it has been downhill ever since that time.

And I will not go into the weapons issues. Rolf has just discussed them. I will just say again, as economically as I can, there is clear evidence that Iraq is again seeking to develop a long-range missile capability. But missiles are vehicles. They have to carry something in their warhead to be of significance. Obviously, conventional explosives can be so carried.

But there is also every reason to assume, it would be folly not to assume, that once again Iraq is seeking to make, if not in the making, chemical, biological and seeking to acquire nuclear loadings for the warheads for those missiles. That is all I want to say about that.

We lack specific evidence of the order of magnitude because we are not there anymore, and this is how it works. We are not there anymore because we were thrown out. We were ejected because we were asking for the specific orders of magnitude in order to stop these developments from taking place. And so we were ejected.

The logic is irrefutable. The delivery vehicles are being built again. And absent monitoring and control, the substances which would be carried in those, on the warheads of those delivery vehicles are obviously being made again.

Now, Senator Lugar, to your question: Why did it break down? How can we fix it? How can we get good men to resume focus on this very serious problem?

The breakdown occurred, in my view, because we never came to terms with or seized the opportunity presented us by the end of the Cold War. And that was to recognize that weapons of mass destruction should be the subject of an exception from politics as usual.

Now the weapons I am talking about are nuclear, chemical and biological. Each of them have been the subject of a very clear moral consensus in the last 40 years that they should be controlled, that their proliferation should be prevented, and that, where possible, they should be eliminated. And that has been a global phenomenon, probably one of the great achievements of the second half of the 20th century. And that consensus was then expressed in treaties on the nonproliferation of weapons of mass destruction, which virtually all countries in the world have signed, by the way, including Saddam Hussein.

And to make those treaties credible means of verification are created, not always good in the biological area, under the biological treaty, not even yet adequately completed. But this is the third leg

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of this tripod, remember, moral agreement that certain weapons must be controlled, political commitment in a treaty to do so. And the third leg is a means of verification to see that states are keeping the obligations that they entered into when they signed the treaty.

Those things have been developed and have been, I think, one of the crowning achievements of the post-World War II period. But the last leg that would have turned this tripod into a four-legged solid table, not at all rocky, is the leg, is the piece that the end of the Cold War offered us an opportunity to create.

And that is called enforcement. And that is where the powers with the power, those who are permanent members of the Security Council, would not play politics as usual with weapons of mass destruction, but would stand together and enforce the treaties, enforce the moral obligations, whenever a credible report of infraction is received.

Now, we were doing that for most of the time after the Gulf War. Iraq was under the very specific strictures of the Security Council and UNSCOM was at work to divest Iraq of its weapons of mass destruction. And this great man, Rolf Ekeus, brought about a great deal of that. But he was able to do it because the powers stood behind him.

But two years ago, a few months after I followed Rolf into the job, those powers split. They split for a variety of reasons that you know very well, and I have not got time to go into now. The beneficiary of that split was Saddam Hussein.

And so what do we have today? We have a situation where there is no monitoring on arms control. He is clearly doing it again. And we have not yet taken up the single most important opportunity that the end of the Cold War offered us, which was to build that fourth leg to make a solid table of international arms control; that is, the great powers standing together and enforcing these treaties whenever there is a credible report of an infraction of them.

And that means—and this is what I say in my book—that means agreeing to make weapons of mass destruction the subject of the principle of the exception, that they will be excepted from politics as usual. Lord knows, we all have lots of things to compete with each other about, in world trade, in globalization, spreading our ideas, our culture, our interests and so on. That is politics as usual.

But I utterly refuse to accept—and I do not think this Senate or this government should accept—that weapons of mass destruction should be the subject of old-fashioned Cold War statism, as we have seen Russia for the last two years do with respect to Iraq, or should be the subject of politics as usual.

Weapons of mass destruction are universally condemned. They threaten all human life. We must now, in the 21st century, be able to come to an agreement to deal with them as an exceptional case, no vetoes, but stand together and enforce the treaties.

So, Senator Biden says, well, what will happen if we do nothing? And you have asked, Senator Lugar, what should we do? My proposal for what we should do is this. First of all, this government, the government of this single superpower, the world's most important democracy, the only superpower in the history of the world that has never been imperialist, this government must go now to

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the new President of Russia as he forms his government and put this proposal to him: Can we now resume our stand together to defeat weapons of mass destruction? Can you agree with us to accept weapons of mass destruction from politics as usual? Can we get our own nuclear arms control negotiations back on track? But secondly, can I have an assurance from you that you will stop this unrespectable nonsense of patronizing Saddam Hussein, when you are a great power, when you, Russia, are a permanent member of the Security Council? And can we stand together and deal with this menace of chemical and biological weapons in Iraq and elsewhere?

And then beyond that, beyond the unique influence of these two singular powers, this one and the one that lives in Moscow, beyond that, I propose that we should complete the work that was not able to be done after 1945, when the charter of the U.N. was written, which only refers to arms control in two minor instances.

But we know much more about weapons of mass destruction now. Can we complete the work that the end of the Cold War offers us as an opportunity? And can we now create an instrument for the control of weapons of mass destruction?

I am talking about a United Nations council of weapons of mass destruction, a place to which credible reports, progress reports, on the prospering, or lack of it, of the work under the nonproliferation treaties would be forwarded, a place at which the nations of the world would sit and consider those reports and determine what action should be taken, including by way of enforcement, the vital fourth leg that we need.

Can we do that? Can we give that answer to your question, Senator, what went wrong, and yours, how can we fix it, Senator Biden. Can we do that? No one's security would be threatened.

No sane person in this world believes that you need chemical weapons, poisonous substances with which to defend yourself, or, for goodness sake, to bring back smallpox as a way of killing your neighbor? We have long since said that this is uncivilized, and no one should do it. But we have not created the mechanism where we sit together and make sure that we do it.

Now, I do not believe that the security of this great nation or any would be threatened by behaving in this way. On the contrary, I believe the security of all would be enhanced. I do not believe that we would have to go to war very often against rogues like Saddam Hussein once it was clear that we are all together resolved that these weapons are inadmissible and, when there is a credible report of infraction of a treaty, that we will act together and put it down.

That is what I think about where we are at. And as I said, I suspect we will back here again soon dealing with what will or will not happen with UNMOVIC. But I think we have to leap over that in the way that I have suggested.

Thank you for your attention.

Senator LUGAR. Well, we thank you very much for that very important testimony. And we look forward to your book. I am hopeful that will arrive, if not before April 15, at least shortly thereafter as a way of guiding us.

Dr. Cordesman.

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STATEMENT OF DR. ANTHONY H. CORDESMAN, SENIOR FELLOW AND CO-DIRECTOR, MIDDLE EAST PROGRAM, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES

Dr. CORDESMAN. Thank you very much, Senator. I would like to thank both you and Senator Biden, too, for the opportunity to testify, particularly about the threat proliferation poses in an area that has something like two-thirds of the world's oil reserves and about 40 percent of its known gas.

I find myself, however, in a different position from the previous two witnesses. I have been dealing with the issue of proliferation in Iran and Iraq since the late 1960s. And I do not think it is a matter of restoring a stable structure or fixing something that was fixed.

I have provided a formal statement, and I have provided two background papers, which describe my interpretation of what Iran and Iraq are doing by way of proliferation.

Senator LUGAR. It will be made a part of our record in full.

Dr. CORDESMAN. Thank you, Senator.

As I looked at the history and depth of those efforts, I think that the idea that we can create any kind of weapons of mass destruction free zone in the region is a noble goal. I do not think we should give up our efforts.

But, quite frankly, I think there is very little chance that given the passage of time, the region's politics, and the pace of technology we have any choice other than to learn to live with proliferation in this region. The issue is to what extent can we control proliferation, limit it, and contain it.

I think there are seven key forces involved here. One is obvious. The arms race between Iran and Iraq goes back more than 40 years. Chemical weapons have been used. I think from my own analysis of the Iran-Iraq war, that given another year, biological weapons would have been used as well.

I do not believe that given the tensions that I have encountered in this region, these nations can be made to trust each other or that any inspection regime can keep them from proliferating at some level.

It also is not simply a matter of their distrust for each other. They distrust us, they distrust the southern Gulf, and they distrust their other neighbors. It was not simply the legacy of the Gulf War that causes this distrust; it is the legacy of the tanker war we fought against Iran. It is the bitterness of other wars, and the memories go on. But the fact is that from history's perspective proliferation is rational. It is sane.

According to the game of nations, proliferation is the only form of asymmetric warfare that Iran and Iraq can use to change the strategic map and counter the advantages that we do have in conventional warfighting.

There are tensions which cut far across regional bounds. When I was in Iran a year ago a discussion of what had happened in India and Pakistan was quietly being used as an example of why they had to have missiles and, by proxy, proliferate.

If one looks at other cases, proliferation is a matter of status. It is a matter of distrust. It is a matter of fear. We are a nuclear

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power. We used the tacit threat of the use of nuclear weapons in the Gulf War. No one is going to forget that fact.

These nations see proliferation in Israel, and they see it in Syria. They see it in Algeria. They see it in the covert program in Egypt, a program in Libya and a lesser program in the Sudan. They interact constantly with China and North Korea, or at least entities in those countries, as suppliers.

They see a Russia where, even if the government agrees to one thing, it is unclear that the entities in Russia agree to halt their programs that support proliferation.

We may want a world of arms control, but Iran and Iraq live in a world of proliferation. I do not believe there are relevant international norms or laws that are based on equity, for which Iran and Iraq see as working to their advantage. For them, arms control agreements and U.N. resolutions favor other states and power blocks.

And let me note, horrible as things like chemical and biological weapons are, I think the current estimate of the U.S. intelligence community is that there are at least 30 nations in the world which have some kind of development or activity in this area. A number of them are significant allies of the United States.

The only way out for Iran and Iraq, according to their power calculus, is to indulge in a liar's contest where they claim to accept arms control because that gives them access to exports and technology. They lie, they cheat and steal.

I am not completely sure that if we were in their place, surrounded by an equivalent number of enemies, we would not do the same. One of our closest allies, Israel, was forced to go through a similar procedure in developing its missiles and nuclear weapons.

There is the pace and scale of what is happening in technology. The saving grace for all of us has been that none of the so-called breakthroughs in producing fissile material have actually been effective. But if we look at what is happening in other areas of the technology base, the technology getting easier and cheaper to acquire; we cannot control such transfers. They already exist in both Iran and Iraq.

There is also the reality that Ambassador Ekeus discovered that Iraq could take a pharmaceutical plant and convert it to the mass production of anthrax in less than six months. You can halt all visible signs of proliferation, and still not halt the activity. You can have invisible levels of technological effort that inspection can reduce, but not control or halt.

And we have to understand in this region proliferation is relative. We are not talking about developing a capability to fight World War III. A very limited capability to proliferate gives power, the threat of proliferation intimidates and gives power. Even limited uses of weapons with fragile, basically one city states can have a major impact. Also, there are new highly lethal technologies here, which at least today are beyond control. We tend to forget that biological weapons are equivalent in lethality already to fission weapons.

Advances in biotechnology inexorably mean that any state can conduct with great security a highly clandestine effort and bring to near readiness of deployment biological weapons. And as the years

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go by—and I am not talking decades, but five to ten years—advances in pharmaceuticals, food processing, biotechnology will make that something which almost any nation in the world can use almost regardless of whether we can control nuclear weapons.

We already have failed to control the technology of ballistic missiles. And, if you look at what is happening in commercial engines and guidance systems that can be used for cruise missiles, the basic elements of cruise missiles will be for sale five to ten years from now. Controlling them is a good intention, but I do not believe it is technologically possible.

And finally, we focus on Iran and Iraq today, but proliferation breeds proliferation. Already the Saudis have long-range missiles. Already Egypt is conducting a clandestine missile development program with North Korea. Israel has a strong missile and nuclear program.

Who is going to turn away from proliferation unless they believe, in the Southern Gulf at least, that they can trust us to retaliate and to deter. And today, our credibility is an uncertain issue.

In short, if we look at the patterns in the problem in the future, not simply in the past, we cannot create the kind of arms control regime that would prevent proliferation.

Having said that, I do believe that there are important things we can do. Much of today's problem, as Ambassador Ekeus and Ambassador Butler have pointed out, has come about because we did not do enough to make our existing options work.

I do not believe we need new laws, new organizations, new efforts in the U.S. Government. But, what I see again and again in practice is that it is very tempting for the United States to back off proliferation and counter proliferation and give other goals priority, whether it is China and a trade issue or trying to deal with the new regime in Iran or the political problems Russia.

If you want a system to work, you have to make it work. And frankly, that means an interagency process which is committed to fighting proliferation. I do not believe that anyone here would say today that the United States Government has that interagency process. There is a great deal of bluster, but there are many shortcomings in terms of substance.

I believe that arms control supplier agreements and sanctions are going to have to be treated as an extension of war by other means. The issue is how often you use them, and how ruthless you are in using them against opponents which will cheat, lie and do everything to avoid these agreements whenever they can.

Fighting proliferation is not simply a matter of making the new inspection regime deal with Iraq. There is a question of whether the chemical weapons convention can be made to work. There is a question about whether the new inspection regime under the IAEA can be made to work. And beyond that, there is the issue of having no regime in biological weapons. This means that if you do get control of two out of three, proliferators will move into the third.

When I look at the core of our activities to fight proliferation, it is often effort to control technology transfer that counts. This is particularly true of our efforts to control technologies which contribute to systems integration in the building of effective weapons systems. Nobody can stop the technology, *per se*. I now have a

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"super computer" at home. And, I know that there are at least two companies which are going to nearly double the power of commercially available computers by July. To talk about restricting technology in the traditional sense is to waste time.

Right now we have an incredibly long, pointless control list used by the State Department and Department of Commerce, and a bureaucratic war over whether we should let industry triumph or control triumph. The first priority is to get this list down to a rationale length, both for our own purposes and so we can have allies.

The second priority, quite frankly, is to enforce it. I agree with what Ambassador Ekeus said, you do not embarrass people who comply. You do not embarrass people who help you. However, I would note is, we have done a terrible job of embarrassing people who do not comply and of publicly naming companies and countries which violate. If you are unwilling to do that in controlling this technology, I do not believe anything can work.

You have to stay focused. One of the problems I see in U.S. policy is we want to do everything at once. We want to solve human rights problems. We want to create democracy. We want to remove all ethnic problems. We want other nations to create a new legal system. And, somewhere in the process, we want to fight proliferation. That is not a policy. It is a set of pious hopes.

In some areas we do things that are simply counterproductive. I believe, quite frankly, that legislation like the Iran-Libya Sanctions Act pushes nations like Iran to put their resources into the cheapest route to military power, which is proliferation.

Such an act alienates our allies. It makes it difficult to get them to concentrate on proliferation. It makes our administration tacitly ignore the laws of the United States by granting waivers. It strengthens our enemies in Iran by providing them with evidence that their charges against us could be valid, and it blocks us from working with the people in Iran who might support our views.

I have seen the problems in the way we deal with Iraq and "oil for food." We have not concentrated on fighting Iraqi proliferation and limiting their military capabilities. We have ended up with an ineffective effort to change the regime and a legalistic disaster that blocks or delays the transfer of many items that the Iraqi people really need.

We have failed to understand that counter-proliferation is a battle of perceptions. I have spent more time reading United States Government documents designed to influence world opinion than anyone should. I have to say that most of them are terrible. They do not make a well-structured and detailed case. They do not say things in ways that convince people. They make broad general charges, but they do not back them up with substance. They do not provide the examples and the kind of information that, for example, ten years ago we would put into *Soviet Military Power*.

We have a massive credibility problem. Even in this city there are many experts on Iran who do not believe what we say about proliferation, because they so desperately want to improve U.S. and Iranians relations, and because they do not find the details and the evidence to prove Iran is proliferating.

In the case of Iraq, we have lost a propaganda war of massive proportions. When UNSCOM halted, we did not make the case that

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Iraq was a real danger. There were a few National Intelligence Council papers on the subject at the time, but almost nothing of substance and detail in the follow up. We had one terrible paper this year on how Saddam blocks the flow of aid for "oil for food."

I invite any member of the committee, any member of the staff, to download that paper and look at the content. If any of you have ever taught, it earns an F– for effort in public relations. Ask yourself, as you read, who would this convince in a war of perceptions where you see daily charges and countercharges being made by Iran and Iraq. Quite frankly, we have failed to convince the world that we care about the Iraqi people, that we really want to fight proliferation rather than take a rigid legalistic approach to ensure compliance over everything on the control list.

I believe that we do have a chance to use diplomacy with Iran. I believe that we need to provide carrots as well as sticks to get Iran to change. We need to be very, very cautious; and I have seen no evidence as yet that President Khatami has ended or reduced Iran's efforts to proliferate, but at least there is a political opportunity. In the case of Saddam, quite frankly, I do not believe that opportunity exists.

You cannot afford to play games with political rollback. It is pretty silly to have a radio-free Iran. All that does is label anyone who uses it as an American puppet at a time when there are moderate factions and groups you can talk to in Iran.

But in the case of Iraq, quite honestly, if you are going to have a covert program to overthrow him, have a covert program. Do not have public meetings of a weak and divided opposition that is despised throughout most of the Arab world and much of Iraq and publicly give it money from the United States. Do not have a radio-free Iraq. Have a covert radio station. Do not label people as traitors in Iraq because they happen to support what we support.

And at the same time, you have to create incentives for the overthrow of Saddam Hussein. To my knowledge, we have never talked about creating incentives such as debt forgiveness, forgiving reparations or any other serious incentive that might create a new government that would indeed at least ease the pace of proliferation.

I think another key to "living with proliferation" is the credibility of American military power in the Gulf, our offensive power, our willingness to retaliate, and our willingness to deter. The issue is the conviction that people have, both our enemies and our friends, that we will act militarily.

If there is a willingness to use of chemical, biological or nuclear weapons against a city, the threat of American nuclear power must be there. This form of counter-proliferation is the least desirable I can think of, but I do not believe we can avoid it.

As we look into the future, there is also a need for missile defense. Given what is happening with the Shehab 3, there is a need for something far more capable than the Patriot, like the wide area Aegis or wide area THAAD.

But, I would also caution that the American obsession with missiles is like the American obsession with nuclear weapons. If you can deliver weapons of mass destruction by covert means, if you can send a Dhow across the Gulf, you do not need to have ballistic

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missiles. You do not need to use the visible symbols of an attack. If you can have dry, storable biological weapons, you do not need to deliver them on a missile warhead. In fact, there is virtually no worse way to deliver such weapons.

Finally, two closing points. If what I describe is the future, that means we have to consider such threats from the viewpoint of homeland defense. There may well be proxy or covert threats from these countries or regimes against our territory at some point in the future.

And finally, everything will come down to the quality of intelligence. The key is human intelligence of "Humint," but I find that time and again the intelligence community thinks this means hiring more people for national technical means, or it means hiring in theory people who will be covert operatives. From my personal experience, I believe we are horribly understaffed in analysts in the American intelligence community.

We have created a bureaucratic nightmare of sub-managers in counter-proliferation. But we are far too short of the people who can actually analyze and do the work and use unclassified sources and other materials. We are short of technologists. We are short of country specialists. If we cannot fix that, I think in the long run we are going to have some very, very unpleasant surprises.

Thank you.

[The additional documents submitted by Dr. Cordesman have been maintained in the Committee's permanent records.]

Senator LUGAR. Thank you very much, Dr. Cordesman.

Let me state the objectives that you have recommended to our government. You have suggested that the United States must make tough decisions on priorities. You believe that nonproliferation should be our top priority, as opposed to human rights or religious persecution or trade issues or various other things.

Otherwise, the U.S. might have many policies, many objectives, none of them paramount. This is something we have not wrestled with as a government, leaving aside our allies, because this is a very tough thing to do.

Beyond that, our policy in a multilateral sense with Iraq has been to sanction almost everything, rather than discriminating against those things that might be effective on proliferation, as opposed to the problems of the Iraqi people or of others that were involved in the situation.

But that requires, a refinement of decision making that is substantial, not impossible, but it has clearly not been in the matrix of debate as I have heard it.

Second, Ambassador Ekeus stressed that UNSCOM worked because they had remarkable personnel. Now are you suggesting that additional candidates for this type of mission are available for the activities that you suggested are important but are being overlooked. Clearly this would require a very concerted focus and an agreement that these things were important and that we must not settle for second best.

Unfortunately, our efforts were not successful. We have another opportunity in Iraq, and we must make the most of it.

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Now this committee has raised these issues with the departments in the past without much success.

One of the benefits of these hearings may very well be to try to focus our own attention on reforms that are important to our national security.

In our oversight capacity, perhaps this committee can be helpful. But what I am intrigued with is your analysis of why Iran and Iraq are going to continue their threatening activities.

You have suggested that Iran and Iraq fear each other. Furthermore, you point out that both aspire to control the Persian Gulf, and both suffer from a complex about their status in the world. Meanwhile, they have taken advantage of opportunities provided by the proliferation of technology to elevate their status with threats of asymmetrical responses to superpowers and each other.

I am curious, Ambassador Butler, do you share that pessimistic outlook, that come hell or high water Iraq and Iran will maintain the ambitions they have had for 40 years and persist in their current policies and strategies; and that therefore, the best we can do, although it is important, is to hold things down to a dull roar, to slow down or hinder their ambitions so they do not get out of hand?

Do you have a view on that?

Ambassador BUTLER. Yes, I do. But before stating it, let me just say quickly that there was a lot in what Dr. Cordesman has said with which I do agree. There are some things that I would want to discuss further. But I will make this point. Missiles, as such, are not illegal. Now there has been a lot of focus on missiles, especially in the last week with Iraq trying to break out of the strictures that were upon it.

But I very much welcome the very blunt and very frank way in which Dr. Cordesman has put some of his concerns. And I think I want to add to that by making this point. Bear in mind, missiles are not illegal, as such.

They are a delivery vehicle which, in most cases, states view as an economical and effective way of providing for their national defense. And by the way, the right to self defense is, among other things, found in, for example, the charter of the United Nations.

What is of concern is who is getting them, what distances can they fly, and above all what warheads will they carry. Now my point in my earlier remarks and proposals was to highlight the chemical and biological warfare agents are substantially held by the nations of the world to be inadmissible, to be wrong.

I would also add that they are not particularly effective. And I would argue about the point of asymmetrical motivations.

However, having made that point, let me tell you a little story. And this, to some extent, backs up what Dr. Cordesman has said.

In a private conversation with me, two and a half years ago, the deputy prime minister of Iraq, Tariq Aziz—and this is in my book, though I will say it out loud here—told me that as far as they were concerned, missiles and chemical weapons saved Iraq from Iran during the 1980s, when they were at war with each other. So here was a man—does that mean I have to stop?

Senator LUGAR. No. That means I have to stop after your response.

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Ambassador BUTLER. All right. Here was a man saying that—well, it was probably one of the rare moments on which he told me anything that was true. [Laughter.]

Ambassador BUTLER [continuing]. Here he was saying that when Iran was sending human waves of young men across the southern border in about 1995 and Iraq was finding it hard to defeat that, they used chemical weapons.

In fact, one Iraqi general at the time in a shocking, shocking statement said, "Well, you have an insect problem, what do you do? You use insecticide."

And then in the war of the cities, Iraq fired, what was it, Rolf, some 600 missiles, was it not? The war of the cities? A very—I am sorry. That is too many. About 200 missiles at Iran. And Tariq Aziz argued that these weapons saved Iraq.

Now, the point I would like to add to what I have just said about missiles not in themselves being illegal, but to draw a distinction between them and the warhead that they carry, the next point I want to add to that is a far wider one, and it is this: That if we are serious about preventing the manufacture, deployment and use of what is widely considered to be inadmissible weapons, then our insistence on that will not be credible unless we start with ourselves.

There is a very deep problem in arms control being for others, not for you. And I think the only chance we have of dealing with adversarial pairs, like Iraq and Iran are, and weaning them away from chemical and biological weapons, is if we accept the axiom of proliferation, which is that as long as any state has a given weapon, others will want to acquire it.

And ourselves, as this country has, for example, with respect to chemical weapons, divest ourselves of them, and on that moral basis insist that others must also be divested of those weapons, and make a clear distinction between legitimate means of national defense, which could include missiles, and the inadmissible substances that are represented by chemical or biological warheads.

Senator LUGAR. Thank you.

Senator Biden?

Senator BIDEN. Gentlemen, a couple things seem to be remarkably clear. And we, at least we who hold public office, talk about issues being discussed today. We do not say them straight up.

One is that if there is a decision made by the international community to "stop proliferation" of weapons of mass destruction, notwithstanding the fact that some of have them and some do not, and those who have them are not prepared to give them up, if that is one means by which to impact significantly on proliferation—that is, all the nations get together and say we are going to stop—that requires everybody in the tank.

That requires the French and the Russians in this case, and the Chinese, in the tank in terms of Iraq, or Iran for that matter.

If any one of them chooses not to participate and takes a contrary view, then that means you try to get not a committee of the whole, but a committee of part of the whole, theoretically, kind of thing, rightly or wrongly, done in the Balkans, where we did not wait for or rely upon a U.N. mandate. And then short of that, the

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only option is to act unilaterally. So that is one set of options that are available.

It seems to me with regard to Iraq, it is pretty clear where the consensus in the international community is now relative to the enforcement piece, the fourth leg, the fourth leg here.

So as a practical matter, I hate to sort of, as they say, cut to the chase here, but as it relates to Iraq—let us stick with Iraq for a minute—the only option on the enforcement side of the equation, as a practical matter, is the United States acting alone and possibly bringing along a few other nations with it, with all the consequences that would flow from that.

The second option is for us to try to limit the speed with which the, limit, as we say in American baseball, the pace on the ball here, by having something that we all acknowledge is not a real enforcement mechanism, that is only partially effective, that is not likely to attract the "remarkable people" that we need because they know that it is not likely to have real teeth in it.

And if they are stopped, no one is going to go in with force, either air power or ground power, to do something about it. At least I would assume that is the case. It is hard to get remarkable people to participate in something they believe is an unremarkable exercise.

And then there is a third option. And that is—and I wanted to be corrected, if I am wrong about the options available—and that is to accept the inevitability and try to impact on the negative impulses of these nations through diplomatic initiatives and/or covert action to change the governments that possibly will alter the behavior.

So I listen to each of you give a—there is nothing that I in broad strokes disagree with what any one of you said. But if you are sitting there and you are advising a policy maker or you are advising the President of the United States, the Prime Minister of England, the President of France, whoever you are advising who may be concerned, he or she will ask you, well, do we keep the—very practical questions: Do we sign on to this new regime? Do we give it some standing by saying we think it means something, this new U.N. resolution?

When I think pressed, you would all say the bottom line is it does not mean much. It is not going to be able to determine, without the kind of broad consensus you had, Mr. Ambassador, behind your initiatives and the broad consensus initially you had behind yours initially.

Absent that, we not going to do much to curtail the very thing we are most worried about. This is amassing of weapons of mass destruction probably biological and chemical at a minimum.

Are we going to keep the embargo on? Does it make sense? Does it make sense to continue the embargo? Or should we be thinking in a whole new way? Because one of the things, Dr. Cordesman, you said that seems to me is pretty self-evident is that if we step back from it, if these guys were not all bad guys, if there was not a bad guy in Bagdad, there was a good guy in Bagdad and a good guy in Tehran, they both have problems with one another, it is a pretty rough neighborhood they live in, even if they were good guys, and if they were good guys, it seems to me you might very

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well find their instincts would be as strong to acquire these various weapons as they are bad guys.

And so should we be thinking about something totally new? Should we be thinking about a new circumstance where the nations, the power nations, of the world offer guarantees to these countries? I know that is essentially a NATO article. I know you know this inside and out, Dr. Cordesman, with all your work with NATO. Should there be an article five commitment in effect to Iran and Iraq? This is bizarre, I realize.

But the other option, should we be thinking totally outside the box here and say, okay, you know, if either of you attack the other, the rest of the world who signs onto this is going to go to your defense, and therefore, you do not need the weapons?

The reason I raise this is not because I think that is likely or practical to happen. But I do not know how the hell we have an inspection regime that is able to have any enforcement piece without all the major powers signing on and be willing to use force if, in fact, they fail. And it seems self-evident that is not going to happen.

So I have two specific questions. Mr. Ambassador, I would like to ask you, you mentioned this notion about sanctions.

Some people, including United Nations officials, have argued that economic sanctions harm the people of Iraq. What is your view about that argument? Do they harm Iraq? Should we keep them in place?

And the second question I have is, it seems to me, and you cannot say this, but I can—or you can, but you may not want to—a lot of money is owed Russia and France by Iraq. Is there a way to get around this deal? Is it their self-interest relating to their economic interests?

That is, pushing them in a position, in a direction that seems to be totally counterintuitive to what their security interests are? And should we be thinking about something that is different, allowing them to sell oil if they pay back Russia and France?

I mean, I know these sound like bizarre notions, but can you talk about those two items for me? One, do sanctions make any sense? And two, what is the motivation, if you are willing to say, in your view, for Russia and France taking the positions they have taken relative to Iraq? Let us stick with Iraq for a minute.

Mr. Ambassador?

Ambassador EKEUS. On the sanctions, yes. The sanctions have been used both as carrot and a the stick. In the original arrangement in the Security Council it was stated that if Iraq would fulfill its obligations with regards to weapons, the prohibition against all imports from Iraq should no longer be in force. So it was an automatic link there, which I believe played a substantial role in the early years of UNSCOM operations.

Iraq was mesmerized by that promise and worked with the UNSCOM to some degree in the sense that it did not shut UNSCOM out; it did not block the inspectors completely, but it tried to hide discretely. The sanctions also had a punishing, "the stick" aspect.

My sense is that what broke up the unity in the Council was the issue of sanctions, and indeed the money business. Both Iraq's

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debts, the outstanding debts, towards Russia, first of all, but also toward France, in addition to the prospect of great business deals ahead, made Russia and France insist upon the lifting of the sanctions.

There is a major demand in Iraq for advance business adventures there, the water supply, the electric, the telecommunications. Fat, fat contracts are awaiting, because this is a country with a lot of cash flow.

So indeed that created the impatience among some of these states. The obvious response to that would have been to invite Russia and France together with the U.S. to strengthen and sharpen the arms control aspect.

UNSCOM showed that—in spite of Tony Cordesman's, I think, rather pessimistic view of what arms control can do, UNSCOM showed that Iraq had a major program. UNSCOM managed to shrink the weapons program and to diminish it to practically very little.

And the concerns in Paris and Moscow, I am sure, and maybe also in Beijing, are the same. There is a genuine concern about Iraq acquiring weapons of mass destruction and delivery systems. However, the concerns about business is also there. So the obvious response I see would have been to create a system where you release—I think Tony was discussing that, also—release essential goods or high quality goods, dual use items, for import into Iraq.

But how can you provide Iraq with dual use items? Only if you have a an inspection system which gives assurances that these items are not misused inside the country. That is a key. Because we cannot stop transfer, I agree.

When the item arrives into the country, you can define again, as Senator Lugar was saying, the personnel, the organizational structure. You can halt the production inside the country. You cannot eliminate it maybe, but you can stop it.

So the deal would be to sharpen the weapons control and open possibility for the country to recover its economy, get the people back on their feet. However, eliminating sanctions is a tremendous problem. What are the sanctions today? According to 1284, Iraq is allowed to sell as much oil as it can according to what the marketplace tolerates.

The funds generated by the oil export are put into an escrow account. Money taken out from that is controlled by the United Nations. The money there is used for food and medicine only.

The question is, if the Security Council eliminated the restriction and gave the money to Saddam—and that would be a tremendous problem for all of us—do you believe, Senator, that if you gave the money to Saddam, that it will be used for food, medicine for the needy people, for the hospitals in the country? And that is a tremendous dilemma.

We are attacked, or the U.N. is attacked, by well-meaning, fine people saying sanctions are punishing the Iraqi people. But the alternative to sanctions is to give the funds to Saddam. And that would punish the Iraqi's even more. That is the dilemma.

So I think the only solution is something in the direction I indicated. Sharpen the control and demand that the new organization,

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UNMOVIC, is doing a serious job. I have outlined how it could be done. However, I am afraid UNMOVIC will be challenged by Iraq.

If this is done seriously, one can be reasonably assured that the country would get its water supply, purification of water, improved health standards and transportation, communication. That would diminish the suffering of the people of Iraq. But to hand over the resources to Saddam is a highly, highly questionable proposition.

Finally, I think it is wonderful to hear Tony Cordesman talk about forgiveness of debt. I wonder if they have told the Russians and the French, if they really are concerned about the hardship of Iraq, why not forgive them the tremendous debts that they have? [Laughter.]

Ambassador EKEUS [continuing]. That would be a clear, generous and humanitarian goal. Now they are not that humanitarian, I am afraid.

Senator BIDEN. I might add, by the way, we just did in this country with bipartisan support and with the leadership of some of this committee agree to a significant amount of debt forgiveness for third world countries. It was a major, major initiative. But somehow I do not find others being as likely to do that. But at any rate—

Dr. CORDESMAN. One of the ironies here is that Russia has been perfectly willing to gradually forgive Syria its arms debt so it can sell more arms. I think a lot of this, let us remember what these debts were for. And it is not exactly as if they were approved in a sort of honorable humanitarian cause.

That, I think, reinforces a point that Ambassador Ekeus made. I think in 1988 something like 48 percent of the gross domestic product of Iraq was being spent on arms. Now that was indeed the height of the Iran-Iraq war.

But the lowest point in Saddam's history is such that if you take things out of control, you could almost immediately predict what is going to happen. In fact, the worst point in terms of welfare food revenues he was willing to buy at whatever cost they were, the guidance platforms for nuclear armed sea launched missiles from the former Soviet Union.

I think our problem here is that we have not done two things. We have not pushed forward the kind of things Iraq really needs. We have been terribly legalistic about controlling these things. We have delayed them pointlessly.

We have failed to explain to the world that a lot of the problem is Saddam and his unwillingness to use the money and even use the medicine or the other equipment stockpiled there.

Senator BIDEN. Do you think anybody believes that, though? I mean, do you think anybody believes that he would use the—I admit. We have not been pounding the argument. But do you think that there is—I mean, even as I go through the Middle East, I do not find many Arab nations believing that.

Dr. CORDESMAN. I agree, Senator. But if I may, I go back to that paper. The State Department was asked by a very wide range of people to put together the details of its case two years before that paper was issued. It then issued one short paper aside from the usual photo of the palaces. I think the entire Middle East does not

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care about photos of palaces. Such luxuries are part of the Middle East.

When we did put a paper out, we did not publicize it well in the region. We sold the paper here in Washington to convince ourselves we were doing good. And we never followed it up with facts, details, and reiterations. Now, we have probably lost that propaganda battle at this point, because it does not seem recoverable.

I cannot answer your question, because I think the United States Government and the State Department did not try. And when it did try, it looked like it was done by a PR person. With all due respect, the intellectual depth of this occupation is not all that high.

If you want to succeed, you have to use USIA. You have to make a daily effort. You have to rebut Iraq's charges. You have to do it aggressively and make points out in the region. You have to get out of the new fortresses we are building as embassies and command and actually take the time to make the issue a key point of communication.

Now I know a couple of ambassadors who have tried to make such points. I also know how little support they have gotten. If you do not engage in this battle of perceptions, you are absolutely right. You will lose it.

But I would also make two other points. The opposition is not just France and Russia. The problem is not just sanctions. It is a combination of debt and reparations. Right now, Iraq faces a far worse economic situation than the Wymar Republic did after World War I, and we know what happened there. Exactly what we think the incentive for moderation is in Iraq today totally escapes me.

And just one other point about the U.S. taking unilateral military action: A couple weeks ago, I was talking to the Israeli officer who planned the Osirak raid. I asked him if he could do that with Iran today. He said, "No, it would be absurd. We could not find the targets. We could not hit them. Look at what you encountered in Desert Fox. Look how little you hit that was relevant in that set of military actions."

I think we have to do better in targeting proliferators. But today we do not have the option of preempting or destroying their capabilities. We might bomb the wrong thing, but I do not think we have the capability to bomb the right one.

Ambassador BUTLER. Most of what I would have wanted to say about sanctions has already been said. I will just make this observation. Dr. Cordesman, in his earlier presentation, spoke about the loss by us of the propaganda war. And there is no doubt that that is true, a key sign of which is that most people in the West who think about sanctions upon Iraq and their impact on the ordinary Iraqi people are far more concerned about that impact than is Saddam Hussein.

It was made clear by his behavior that he does not care about that in comparison with his concern to maintain weapons of mass destruction. So that is a tragic inversion in fact.

Now the other question you asked, Senator Biden, was about Russian and French motivation. I am not sure about the balance of their economic and financial motivation as distinct from their political motivation. I would tend to think that the latter is actually more important.

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The sums of money involved from the past are large-ish. Yevgeny Primakov, whom I visited once when he was Foreign Minister of Russia in Moscow a year and a half ago, spoke of $8 billion. And he said—quite bluntly, he said to me across the table, "And we want it."

But as the Syrian example indicates and the opposite remarks that were made about Russian debt forgiveness, you know, they would set that $8 billion aside, I think, if they thought there would be future contracts. So certainly it is the case with French oil companies.

And I think it is the case in Russia, too, that the sight is more on an economic future with Iraq rather than being paid back what they are owed from the past. But partly because I do not accept the Marxian view that says that economics is the elemental substructure of which politics is the superstructure.

I actually see things the other way around, certainly in international politics. I think power and influence is the substructure, the palpable thing that states want and seek to protect.

And in this context, I have no doubt that Russia, contemporary, post-Cold War Russia, has seen the Iraq situation as it has gone on almost a decade now, the post-Gulf War situation, as one which provides it an almost unique opportunity to exercise power again on the world stage as almost a co-equal superpower with the United States, where there has been no other since the fall of the Berlin Wall, no other comparable situation.

With the fall of that wall, Russia was knocked off the stage, to some extent, pretty much so, I think, as a superpower. And there has really only been one situation where a combination of things like the absence of the United States role and influence and historic factors—read the book *The Great Game*. This has been going on for two millennia—of Russian influence and knowledge of this part of the world has provided them an opportunity to exercise power.

And I think—

Senator BIDEN. But they tried that in the Balkans. And because of the resolve and the insistence that we were going to go forward anyway, quite frankly, the French had no choice but to go along.

And we basically ignored—whether it was the right policy or not. I will not argue the policy—that we basically said to the Russians: You do not like it? No problem. You are on your own, Jack.

Ambassador BUTLER. Well, you can draw conclusions, Senator, for your own administration here with respect to what that means about resolve. And I am sure you will. And you may well be right. My point, however, was in answer to your question about motivation.

My throw-away line about Marxian thought was in order to demonstrate that I think at least equal with future economic gain, and maybe even more important in the Russian mind has been to seize the opportunity that it is historic standing in Bagdad, together with the absence of the United States and the difficulty that the United States has had with this, with this country, has provided it to get a foothold back on the superpower stage.

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And I think the loss of that status has been something of deep concern in Russia. And it will be very interesting to see what President Putin does with that.

And secondly with respect to France, although they do not have comparable aspirations to superpower status as comparable with those of Russia, France on the other hand does have deep antipathy to a unipolar and Anglo-phonic world.

Senator BIDEN. That is a mild understatement.

Ambassador BUTLER. Well, I thought I put that rather splendidly.

Senator BIDEN. I think you did. [Laughter.]

Ambassador BUTLER. And they have seen this as—they have seen, too, the Iraq situation as an opportunity for that. What happened in the few days before the adoption of Resolution 1284 that created UNMOVIC—you know, some wits are calling it UNMOVICH. I will leave you to figure that out. [Laughter.]

Ambassador BUTLER [continuing]. But in the machinations that took place about postponing the vote for the last few days before that vote took place on 17 December last, France asked for a postponement of the vote. In its own exquisite way, this tells the story.

France's trepidation was that it might be not on the same side as the Russians. And France is a member of the Western Alliance. But that was its main concern. And so it called for a postponement to try to persuade Russia to come to the yes vote. And when it did not, it went to the abstain vote with Russia, knowing that we will forgive France. We always do. We say, ah, well, that is the French.

But what was really interesting about that was that it was more important for them, for there to be no daylight between them and Russia.

Senator BIDEN. I agree.

Ambassador BUTLER. And I think that reflected on what I am saying to you. For them, this allergy they have to a unipolar world is not a small matter.

Senator BIDEN. Thank you.

Senator LUGAR. Let me just follow up briefly. The analysis that you have all given indicates that reviving a consensus in the Security Council would be very difficult, because of the various motivations of the five permanent members.

You are probably right that there maybe even a debate in our government from time to time as to whether the economic superstructure is more important than the threats from proliferation.

Some suggest that the most important competition in the world at this time is economic. Therefore, national defense and security issues are interesting, but less important than the economic struggle. Others may feel the same way. The Russians may have a different view, things have not gone well for them economically.

So perhaps if you have nothing going for you at all, you try to move in a different way with real politick, as they have.

You have suggested that we approach President-elect Putin and propose that nonproliferation or the development of weapons of mass destruction, particularly in Iran and Iraq, is too important for us to work together toward a common goal. And he may take a different view from previous regimes.

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In conversations with members of the Russian government, such as the head of the Russian space agency, I've been told that they believe that proliferation is serious and they have taken some limited steps. But they suggest the Duma is difficult, and the lack of communication with President Yeltsin in those days impeded progress.

Furthermore, it is now a free country, and it is extremely difficult to watch actors in universities and in research centers. These individuals, the Russian Government suggests, are beyond the pale of control of a weakened central government.

Beyond that, they argue that Iran is pursuing a peaceful domestic nuclear industry. At least that was often the argument from officials of the Russian Government.

Furthermore, they point out that many of these rogue states are closer to Russia than they are to the United States. Nevertheless, they do not believe these developments are as threatening as we do. So we have gone around and around. Now maybe Mr. Putin sees it differently, and maybe he does not. It is hard to tell. But whether his priority is the same as ours, and by ours I mean the threat of proliferation and long-range missiles has on the American people is a difficult stretch.

So we finally come to the problem we have in this country, and that is to what extent is the U.S. prepared to respond to these threats, considering the resentment you mentioned from the French and others?

Ambassador BUTLER. We forget about the Chinese.

Senator LUGAR. Yes, the Chinese.

Ambassador BUTLER. That is quite unkind of us, because they have a whole—

Senator LUGAR. Right. They take a very dim view of this. So if we took a look around the world as to how many nations share our views and are cheering us on, this might be a fairly small crowd.

Now having said that, do we say, well, then, that is the way the world works? You just have to accept that. Now none of us want to do that. The whole purpose of the hearing today is, where do we go and how do we put it together.

And I think there have been good suggestions about reorganizing some of our own priorities in decision making in our government. But even after we do all of that, we still must make the case with our allies and the other nations of the world.

This requires perhaps, as I think Ambassador Ekeus has said, a very different kind of diplomacy. If we take a look at what we have been doing vis-a-vis these countries, maybe our message needs to be a different one. I do not know what it would be, but I am just of a mind, listening to all of this, that we have not been particularly effective with any of these parties.

And at the U.N., our role there has been sort of spasmodic, occasionally indifferent, back and forth. Maybe we need to take another look at that. If we were to look at the Security Council seriously, perhaps we should alter our tactics. If this is not possible, then we must figure out what is the forum in which we will operate. Clearly, this means something beyond NATO and Europe.

I do not necessarily request answers to these questions, but they are ones that are suggested by the quest of these hearings. We

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must try to once again have some oversight of what is happening in our own policy as it reverberates around the world, or as it attracts allies.

Dr. Cordesman, you presented your analysis, and a very good one, how would you proceed, if you were President or Secretary of State, given this disarray? How would you begin an orderly process of reconsidering our policies, given the dictum that you cannot solve it all at one time, although there are many fora that we have talked about?

Dr. CORDESMAN. I think the first thing is to fight and win the battle for perceptions. By that, I mean the first thing you have to do is to make it clear to the world that you are committed to the struggle against proliferation. That means giving the U.N. the support it needs when it moves forward. It means, frankly, criticizing it when it does not.

It means making a really convincing case to the world that proliferation is a real threat and exactly who is doing what and how dangerous it is. It means using the tools we have, and making a case that goes beyond a few pages in the National Intelligence Council report. It means using tools like USIA and other instruments to constantly communicate. Now, such actions do not solve any problems, they do provide a very clear demonstration.

Senator LUGAR. Because you are saying in essence, and I agree, the world does not see this as the threat we see it here today.

Dr. CORDESMAN. No, it doesn't. And, Senator, I would suggest that you hold a hearing on the full list of countries with chemical and biological weapons. Now, I have not seen the list—it is classified—so I am going to speculate about a few countries we have not named today that are on that list.

My speculation would be that countries which have a "breakout" capability to rapidly deploy chemical and biological warfare include South Korea, Taiwan, Egypt, Thailand, Israel, Turkey, India and Pakistan, and that the list is a great deal longer. So when we talk about arms control regimes, it is necessary to understand how broad the problem really is.

Now, it is easy to downgrade biological weapons, but having been DARPA's last program manager for such weapons—and this was after arms control treaties were in place—the technology we had in the late sixties that used dry anthrax spores had nuclear lethalities.

Some of that lethality data is in the attachments to the handout I have given you. It is in the OTA report, which is now by itself ten years old, which should tell you about the ease of acquiring the technology. And if you want to talk about lethality, the U.S. government now has this little handbook it now gives out to response groups in the U.S. military on lethality of biological weapons which shows that the lethality is very high.

The reason I say that is, I would not give up on any international control efforts. But, I think supply regimes are likely to be more effective. They also need to be backed by dialogue so it is quite clear to Russia that we really see supply controls as a top priority.

And here, I have to agree completely with Ambassador Butler. If you do not communicate that priority diplomatically, then you are going to see more and more violations.

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In addition to those measures, I go back to the fact that the willingness of the proliferator to use weapons of mass destruction, the willingness to deploy them openly, the willingness to go from a covert capability to a large deployed capability, is in many ways dependent on the perception of the risk proliferators face in dealing with the U.S. military.

We cannot preempt them. But unless we have strong offensive capabilities backed, ultimately by the threat of using nuclear weapons, and we can and do retaliate if weapons are used against our allies; I do not think we have the essence of a control regime.

Senator LUGAR. Would you refine that quickly? Because we have had testimony suggesting that the chances of a nuclear exchange between India and Pakistan have increased in recent months.

What should we say to those regimes? Do not do it? And do we issue consequences if they do it? Do we unilaterally indicate that the United States of America is going to take a dire action with regard to those countries, if they ever consider letting the genie out of the bottle?

Dr. CORDESMAN. Senator, in the region where I work, the United States is constantly accused of having a dual standard. Well, I have a dual standard. You worry about your allies, and you worry about your friends, but you do not make strategic commitments to countries which are not your allies and which do not serve your strategic interests.

Now the plain truth of the matter is that a nuclear India and Pakistan—tragic and horrible as an exchange would be—is not something we can or should preempt or threaten to deter by force. But Iran and Iraq which do effect our strategic interests and are nations which believe that a U.S. threat does exist, partly because of what Secretary Baker said years ago to Tariq Aziz during the time of the Gulf War and partly because it is inconceivable to them, at least at the moment, that we would not use that power to defend our access to oil.

Certainly I think that a U.S. deterrent is something North Korea never fails to consider in planning its chemical and biological weapons.

So when I say we have to have the military strength, I am talking about the military strength to protect our allies, whether it is Israel or Saudi Arabia in the Southern Gulf or Turkey. But, we should only use this strength it is to serve our vital interests and those of our allies, not to try to police the world.

Senator LUGAR. So, in the case of India and Pakistan, you believe that if they want a nuclear war, horrible as it may be, that it is beyond our unilateral capabilities to stop them.

Dr. CORDESMAN. Well, in all honesty, I do not see how we can deter them by threatening to bomb the loser.

Senator LUGAR. Senator Biden?

Senator BIDEN. I get a little confused. Proliferation or nonproliferation policy, as you say, Doctor, has to be backed up by real threat, real tools, real capacity to respond, if it is ignored.

And yet, I do not know how—how do we make the nonproliferation argument when we conclude that the Comprehensive Test Ban Treaty should not be ratified, when we conclude that we are the only nation with the potential in real time to have a limited nu-

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clear defense, a defense against nuclear attack, or weapons of mass destruction delivered by missiles anyway, that we are going to go ahead and construct that even if it means we end the regime of the anti-ballistic missile treaties?

How can we argue that we are—that nonproliferation is a big deal for us, when we conclude what we apparently, at least a significant number of us seem to be concluding, that the restraints that exist upon us, either in terms of national defense or in terms of testing of nuclear weapons, should not apply?

Dr. CORDESMAN. Senator, I think in all honesty we have never argued in such documents as the U.S. National Strategy Document or the Pentagon's Definition of Counter-Proliferation, that the search for nonproliferation means giving up U.S. military capabilities or retaliatory capabilities.

Senator BIDEN. No one is saying that. And the two things I just said do not encompass either of those.

Dr. CORDESMAN. But, the only way I can see that we could make a case that would say, we will give up everything, would be if we seriously believed it would result in our opponents or threats giving up everything.

Senator BIDEN. Well, you set up a strawman. That is not the question I asked you.

Dr. CORDESMAN. Well, then I do not understand.

Senator BIDEN. Okay. Let me ask it again.

We signed on to a anti-ballistic missile treaty. We, the United States. No one made us do it. We signed on to it. Without arguing the merits of whether or not it has any utility any longer, whether it is in our interest or not, I am just making a larger point.

How do we say that we are prepared to violate, not violate, to give notice that we are abandoning our commitment, which we are able to do under the treaty, abandoning our commitment to the anti-ballistic missile treatment in order for us to be able to build a limited or a thin national missile defense?

And then, while we are doing that, go to other countries and say: By the way, you are going to have imposed upon you the status quo by us and others, the status quo meaning you will not possess a missile capacity that can strike us. We are going to stop you from doing that. And you are not going to be able to build any weapons of mass destruction. And we expect you to abide by that. And furthermore, we do not want you to go out and test nuclear weapons. We do not want you to test the efficacy of the systems you have. But we are not going to sign on not to test what we already have or what we might want.

That is the message that confuses me. If we are going to exercise the raw power, which I have not been reluctant to do, then that is fine, as long as we do not make any bones about it. We are saying we are going to have one standard for us and another standard for the rest of the world. That is one thing.

But if we expect to attract any support for our position that we are going to impose, if need be, a restriction on the acquisition of weapons of mass destruction by other countries, or a missile technology that could long term threaten us, short term threaten our allies, how do we do that in the face of concluding that we are not going to be bound any longer?

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No one ever said—it has been our doctrine thus far that we would abide by a combination of offense and defense, as defined in the nuclear side of the equation, as defined by the ABM treaty. That is what we have said so far. That has been the doctrine for the last 30 years or thereabouts. It has not been unilateral dropping anything. That has been our position.

It may make sense not to have that position any longer. But how do you sell abandoning that position at the same time we are selling the idea that we want you, India, Pakistan, Iraq, Iran, anyone else, (a) do not test missiles; (b) do not acquire technology; (c) do not test the new weapons of mass destruction? How do you sell that? Or do you do it just by raw force, which is not a bad idea either?

Dr. CORDESMAN. I think it is certainly true, again, we have a dual standard. I think that dual standard is successful with most countries in the world, because they are willing to accept the nuclear club as it is, without rushing out to join it.

Senator BIDEN. Right.

Dr. CORDESMAN. And no one is publicly rushing out to join the chemical and biological club, which are the other two clubs. I would not by any means recommend that we go into national missile defense without making every conceivable effort to talk to the Russians, restructure the START agreements, and use our decision on WMD as part of a broader effort to secure the nuclear balance as a whole.

I do not know if Ambassador Butler would agree or not. But certainly in talking to President Putin, you are going to have to talk about the whole issue of missile defense, if you are going to talk about proliferation.

Senator BIDEN. I agree.

Dr. CORDESMAN. I think in terms of other arms control regimes, the argument with other nations cannot be that you will be equal to us or we will become equal to you. But, rather that if you accept these arms control agreements, you will become more secure in your area, because the people around you are the threat, not us. And, because these regimes will help other nations in the world act both in ways that aid your security and put pressure on the relatively few nations which actively and openly proliferate.

And I think these are the convincing arguments.

Senator BIDEN. Well, I just say, Mr. Chairman, I do not doubt there is a dual standard. And I do not expect that countries should have difficulty for the ultimate self-interest reason you have stated to accept the dual standard. I think there is a difference between a dual standard and a dual moving standard.

And that is the only point I am making. There is a bit of a moving standard here that we are at least enunciating, we are prepared to move.

I cannot think of anything that would be of any greater interest of the rest of the world, than Iran's interest or Iraq's interest or Russia's interest or Pakistan's interest or India's interest, if in fact nobody could test any longer. It seems to me that is the best guarantee, and it is the easiest to detect among them; that is, the testing capacity.

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And yet, we have made a decision, at least temporarily, that no, we do not want a formal moratorium on testing nuclear weapons underground. I find that to be counter even to your larger point, which I agree with, that the ultimate reason why these countries would accept the duality of the positions in the world would be that at the end of the day they are more secure.

At the end of the day they are more secure relative to their neighbors. I just think it gets kind of hard to make some of these arguments.

But at any rate, I appreciate your answer.

Senator LUGAR. Ambassador Butler?

Ambassador BUTLER. I do not know what your timing is, Mr. Chairman. I guess we are getting towards the end of this.

Senator LUGAR. yes.

Ambassador BUTLER. But if I may just very quickly say that I do share in very large measure the views that Dr. Cordesman has just put, including with respect to the approach that should be made to the President of Russia.

I think the questions that Senator Biden has just raised about incentives, disincentives to acquire weapons of mass destruction, the double standard, *et cetera, et cetera,* are absolutely central questions.

It is the case, as I said earlier on, there is such a thing that I call the axiom of proliferation—and it is neither good nor bad. It is just true—which says that as long as any state has these weapons, others will seek to acquire them.

Second, the main reason why states seek to acquire any given weapon system are apprehensions of their security or insecurity. And I think that is a fundamental motive.

But third, we must not ignore the folly of the dual standard; that is, to assert that arms control is not for you. It is always for the other fellow. Our security requires that we have these weapons, but yours does not. This position is not credible.

Now, lest that add up to a picture where the United States or United Kingdom or anyone else would be expected to unilaterally disarm or strip themselves naked of their means of national defense, let me make very clear that I do not support that.

That would be folly, especially in a democracy. It would not work, and let us not waste our time talking about it. And it would be insecure. Because just as I said, the main reason why states seek to acquire weapons of mass destruction is apprehensions of their own security. Surely that same principle applies to this great nation, for example.

So what I have proposed for your consideration today is something that I would like you to think of as a pond, if you throw a stone into it, you get concentric circles. On the perimeter of this pond [the pond is called weapons of mass destruction] on the perimeter of it are biological weapons, and then one step in, one ring in, are chemical weapons.

And what I am saying is that they are on the perimeter, they are really rather useless; but they are horrible. And we are broadly agreed in the world that no one should have them. Let us start taking some action there collectively. And Anthony, you are absolutely

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right when you said earlier that we will go nowhere unless we get agreement amongst the permanent five.

But my proposal is, let us take these horrible weapons out of politics as usual, and let us start to really get rid of them. And I do not think anyone's security is going to be greatly harmed, if that is accomplished on a global basis. And I do think it is doable.

Then, as you move closer to the center of the pool, of course, you start to approach certain kinds of nuclear weapons. And we have already gotten rid of a lot of those. And there are good proposals to get rid of a lot more and to stop testing, which I strongly support, unsurprising given that I brought that treaty to the floor of the General Assembly in 1996. But never mind.

Then not all in quantity or quality, but certain kinds of nuclear weapons are obvious candidates to go first, to be reduced in number in the name of improved global security. And you see where I am going. Ultimately, theoretically, to a day when, if we are not entirely free of all weapons of mass destruction, but we have a world that is characterized not by proliferation of them, but by a controlled very small number of them.

And we are all agreed, we are all agreed, that that is how we prefer to live. And we get on with our politics as usual in other areas of trade and art and culture and ethnic stuff and refugees and whatever the human family wants to do otherwise. And God bless it for wanting to do those things.

That is my proposal. And I think that is doable. But step by step and always with national security at the core.

Senator BIDEN. Mr. Chairman, would you permit me two minutes?

Senator LUGAR. Sure.

Senator BIDEN. One of the perverse impacts that I believe occurred or has burst into the fore as a consequence of our action in Kosovo has been, as I travel the world and visit "third world countries," who are not our allies, or even deal with our allies, is that it seemed to establish the idea that the phrase I hear in other countries is, if Yugoslavia, if Milosevic, had chemical weapons or biological weapons or nuclear weapons, you would have never done that, that the only way we have to deal with you is to have possession of those weapons.

Secondly, we were told by previous witnesses, well-respected witnesses, in the first or second of these hearings that they believed—two said they believed that the reason why Saddam believes we did not go to Bagdad was because they possessed chemical weapons, and we were fearful of them, and that is why we stopped.

That was an assertion. Am I correct? That was an assertion made by one very well-respected witness before us. I did not realize that was part of it. And I did not think that was it, but let us assume that it is.

If either of those propositions are true, that is, that our overwhelming conventional force has made it clear to other nations that—and they believed we would not use such force for whatever reason, if they possessed a weapon of mass destruction, maybe what we should do is take out a country with weapons of mass destruction.

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I am not being facetious. You think I am being facetious. I am not. I think it might raise the question if in fact—and there is a distinction, Doctor. The ability to hide weapons of mass destruction is fairly clear. The ability to hide intermediate range missiles is not so clear at all.

So maybe what we should do is just wait around until they possess those missiles, and then go in and unilaterally take them out at that time to demonstrate that that is not a way in which to have to deal with us.

A bizarre proposition. Can you respond to that?

Dr. CORDESMAN. Let me respond first. We did not destroy a single intermediate range missile during the Gulf War, although we claimed to. And, that was actually a fairly exposed and open target environment, because they had created a detailed doctrine for concealing the weapons.

Yet, we found ourselves making military claims, if you go back to what USCENTCOM said before Ambassador Ekeus and Ambassador Butler started their work, that we had essentially destroyed all weapons of mass destruction capability in Iraq. This was the message communicated to President Bush and one of the reasons for the timing of the cease fire.

It turned out that none of those claims were correct. The most valuable single target that we hit during the Gulf War in terms of Iraqi weapons of mass destruction was one we hit as a diversionary effort basically where the pilot did not have the faintest idea what he was aiming at.

In the case of Kosovo, let me note that the Department of Defense has sent an unclassified report to Congress. In that report there is not one word about the effectiveness of our bombing effort in terms of the targets in Serbia proper. And you will notice that that report very carefully provides almost no detail on the effectiveness of our strikes except to replicate an unintelligible NATO table in dealing with the effectiveness of our strikes on Serbian forces in the field.

We have never had anyone explain what, if anything, we accomplished in Desert Fox. I believe we had one convincing strike on missile facilities, and we had strikes on something like 17 other facilities which were God knows what.

Senator BIDEN. Why do you keep talking about a credible military response then?

Dr. CORDESMAN. I think that a credible military—

Senator BIDEN. What are you talking about?

Dr. CORDESMAN [continuing]. A credible military response does not mean being perfect, and it does not mean doing the impossible. You are not going to be able to reply in kind to a country which uses a covert attack by attacking the covert force. You are going to have to attack its leadership or its economic targets or its general military capabilities. But we should not have ideas of false precision and false targeting capabilities.

Senator BIDEN. I do not disagree with that. But let me ask you: Do you believe that Desert Storm was a credible military response? Do you believe that the bombing campaign in Kosovo was credible? Or were they not credible? I mean, I am trying to figure out what you mean by credible response. Is a credible response, we are going

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to blow you away with a nuclear weapon? That is credible? Or is a credible response the kinds of things that occurred? What constitutes credible?

Dr. CORDESMAN. All right. They were perfectly credible. They achieved their strategic goals. But the point you raised is—

Senator BIDEN. I got it. I understand your point. And that is a valid point, that you cannot do what I am suggesting would be possible to do. Precision. Thank you. That is very helpful.

Senator LUGAR. Gentlemen, we thank you very much for your testimony and for staying with us for this hour. And I appreciate your plan, Ambassador Butler, with regard to the ripples in the pond and so forth. You know, we do have the Chemical Weapons Convention. In this country we are destroying our chemical weapons in ten years.

It does raise a question with regard to Russia, because they have indicated their intent to destroy their chemical weapons. But they have testified to some of us they have no money or very little resources to do that, which makes a very interesting public policy question for us. And that is, to what extent should the United States supply funding for the purposes of destroying Russian chemical weapons.

Senator BIDEN. Maybe we need a Lugar-Biden amendment.

Senator LUGAR. Well, perhaps. But nevertheless, that is a problem.

In Russia, you have 40,000 metric tons of chemical weapons that is stored in seven places, but is not being destroyed despite the treaty and the pledges by the Russians. There are others beyond that, but the United States and Russia in this respect are on the same track. So you have some possibilities of some confluence of interest.

We thank you very much for contributing so much to our understanding, and the hearing is adjourned.

[Whereupon, at 5:22 p.m., the hearing adjourned.]

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ADAPTING NONPROLIFERATION POLICY TO FUTURE CHALLENGES

Thursday, March 30, 2000

U.S. SENATE
COMMITTEE ON FOREIGN RELATIONS
Washington, D.C.

The committee met, pursuant to notice, at 9:31 a.m., in Room SD–430, Dirksen Senate Office Building, the Hon. Richard Lugar presiding.

Present: Senators Lugar and Biden

Senator LUGAR. This hearing of the Senate Committee on Foreign Relations is called to order. Today, the committee concludes its series of hearings on U.S. and international nonproliferation policy.

The purpose of today's hearing is to engage in an analysis of U.S. and international multilateral nonproliferation theories and policies, of continuing relevance, and to propose some policy innovations where state ambitions have succeeded despite our efforts, as well as to consider new means of policy implementation.

The proliferation of weapons of mass destruction and their means of delivery is the number one national security threat facing our country, whether it be a lone terrorist, or a nation state promoting asymmetric war-fighting tactics, our country must continue to concentrate on this threat by allocating our best minds and requisite resources to America's defense.

We must acknowledge that U.S. and international nonproliferation programs have experienced both success and failure. We must learn from our experiences, and identify why they have succeeded or why they have failed. Damage assessments and policy innovations are essential if we are to continue to protect the American people from the myriad of proliferation threats that confront our Nation. We must reexamine our policies with an eye toward determining whether our setbacks lie in the policies themselves or with their implementation.

It is true there is no silver bullet with which to battle proliferation. Nonproliferation policies are webbed with various layers that require the utilization of different tools.

I have come to the conclusion that we cannot depend on any one strand too much. Rather, we must spread our efforts over the totality of our options and our capabilities. If any one layer or strand is overly burdened, the entire web may collapse to the detriment of our objectives and America's national security.

In some cases, the best answers may be international arms control treaties; in others, a nonlegal, multilateral effort may be nec-

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essary to meet common security threats. In still other cases, the United States may have to act unilaterally.

This committee has received testimony both praising and criticizing our nonproliferation efforts, and some have suggested that too much emphasis has been placed on one tool in our efforts to the detriment of other instruments.

They point out that the United States must continue to expand its nonproliferation and counterproliferation toolbox, and that each has strengths and weaknesses, but over-reliance on any single proliferation tool is unlikely to bring about success.

I have been particularly intrigued with the discussion of enforcement of nonproliferation policies. If a country violates a treaty norm or international law, we must carefully consider our response; but any response must have teeth, should preferably be multilateral, and any other reaction would signal transgressors that they could outlast or even trump international resolve.

It is fitting we end this series on nonproliferation with the discussion of proposed policy innovation designed to improve the prospect of achieving our goals and reducing threats to America.

It is my hope the committee can contribute to this important national security debate this series of recommendations that might assist further administrations in the formulation and implementation of these important national security and foreign policy efforts.

We are pleased to welcome today a very distinguished panel to assist us in these efforts. Our witnesses include the Honorable Donald H. Rumsfeld, former Secretary of Defense, and currently head of Rumsfeld and Associates; the Honorable Stephen Hadley, former Assistant Secretary of Defense; and now with the law firm of Shea and Gardner, and the Honorable Ashton Carter, former Assistant Secretary of Defense and currently the Ford Foundation professor at the John F. Kennedy School of Government at Harvard University. We are grateful that our witnesses have agreed to testify at this time.

Before asking them to do so, I will yield to my senior ranking member, Senator Biden.

Senator BIDEN. Thank you very much, Mr. Chairman.

And thank you, gentlemen, for being here.

I want to compliment you, Mr. Chairman, for this set of hearings and cooperating with the minority as well on the witness list. I quite frankly think we have had the best battery of witnesses that this committee has seen in a long time on an important subject, and none more impressive than today's witnesses.

Once again, this is the end of the series of nonproliferation hearings, but it certainly is not the end of the subject matter. We are at a stage in our strategic policy, debate of our strategic doctrine, where the next president of the United States is going to have his hands full.

There has been, I guess it would be wrong to say breakdown, there has been such a change in the world over the last ten years, that much of what was considered to be nondebatable about our strategic doctrine for the previous 40 years is now up for grabs, and that is as it should be. To have the men we have before us

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today, who know a great deal about what our strategic doctrine should be, and have expressed their views, is important.

Part of what I have observed in our initial hearings, Mr. Chairman, is that witnesses tend to come to these hearings with a certain consensus that exists on certain basic elements of what a policy should be and what the world is like, but it is interesting to me, and this is just purely me, they tend to approach this whole question on nonproliferation in terms of whether they see the glass half empty or half full.

Very few have come and said the policy thus far has been a total failure, but some come and emphasize how much we have been able to do and what has not happened, and others tend to emphasize what has gotten—what genie has gotten out of the bottle and where the problem is, and understandably, has, at least in my observation, changed their view as to what we should do from here. I am sure today will be no different, and I am sure all of us on this committee approach it in similar ways.

Over the past week and a half, many distinguished people have come before this committee and have described the scope of the proliferation problem.

We have heard about a series of concerns regarding North Korea, Iran, Iraq, South Asia, generally. We have discussed such potential supplier countries as Russia, China, North Korea, and even inadvertently, the United States. We have heard that the world is a fast-changing place, in which the rapid diffusion of technology, political and economic change, and advances in biotechnology, in particular, contribute to the threat.

We have also heard that countries like India, Pakistan, Iran, and Iraq are impelled, in part, at least, by regional security concerns that are unlikely to be alleviated by the creation of any worldwide nonproliferation regime.

We have discussed some of the tools available to us, such as sanctions, preemptive military action, U.N. resolutions, arms control regimes, inspections, cooperative threat reduction programs, and we discussed the need for a blend of offensive and defensive weapon systems to deter and combat proliferation.

Today's hearing, as I have said already, features three of the most eminent witnesses. Secretary Rumsfeld, who needs no introduction, except to note that his commission has had, I suspect, a greater influence on national policy and strategic policy than any other commission in recent years; and Ashton Carter and Stephen Hadley offer us, from the previous perspective of having had the same job in two different administrations between them, seven years of experience as assistant secretaries for defense for international security policy.

Mr. Hadley has also been an arms control negotiator, and Professor Carter is involved in the Perry Process, which I think has been, given the options, an incredibly successful undertaking thus far, without either offers by Secretary Perry or Ash Carter as to what the future holds with any willingness to predict with any great certainty.

Gentlemen, what I seek from you today is to help us understand your vision for how we should move forward. We understand the

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threat. We have some sense of the tools available to us, but how should we use those tools and how can we improve our nonproliferation strategies.

For example, Mr. Chairman, in a series of questions I am going to have for Mr. Hadley, relate to everyone, because I think Mr. Hadley lays out more clearly than anyone that I have read thus far.

Two years ago in the Duke Journal of Comparative International Law, you set forth an arms control and nonproliferation agenda, tying them very closely, speaking of them in the context of you cannot very well have one without the other, and you lay out, and I say this for all the witnesses, a number of specific propositions.

You talk about improved measures, we need to improve measures to prevent against undetected cheating in the world of radically fewer nuclear weapons, but I want you all to talk with me about how that runs into the resistance we get here in this country from some quarters here, as well as in the Defense Department, that they are too intrusive for our own good.

I mean we talk about the need for better inspection regimes, and then we conclude many times, many of us, that, no, not such a good idea. You indicate we should be resolving the underlying security concerns and regional tensions that cause the countries to seek nuclear weapons.

We have talked about that at some length, and as I know you know, Steve, these are very controversial propositions. I mean should we be supplying a nuclear umbrella to overstate the case, an Article V guarantee, not necessarily NATO, but someone in the world for India or Pakistan, or how do we deal with that, more extensive and—and verification, export control regimes?

Here we are now talking about—we talk about the need, those of us who approach, at least I do, foreign policy initiatives, particularly on the security side and the strategic side, from the standpoint of our security, we talk about tightening these regimes.

Well, the Banking Committee right now is marking up a proposal that will significantly loosen the regimes, and emphasize the debate for the next president in this place about trade versus security issues.

It is kind of like, Mr. Secretary, the domestic debate we have, the way in which information can be transmitted now. And telephony changes are taking place so quickly, the FBI does not know how it is going to be able to have legal wiretaps, because of the encryption capability of—I mean these are tough, tough, tough, questions.

I will not go through the rest, but I thought you outlined, Mr. Secretary, clearly what is the ideal, in my view, the ideal approach, but I do not know how the hell we get from here to there, and I want to discuss some of this.

So the bottom line—and I apologize for going on so long, Mr. Chairman. But the bottom line, as we have all acknowledged, is security.

Nations will agree to give up arms programs, or at least slow them down, only if they conclude they will be safer or their particular position is enhanced, from their perspective. So there are a

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number of conundrums we face in reshaping the consensus which, I think most of us acknowledge, is at least, if not falling apart, dissipated, on what our strategic doctrine should be, and again, I say I do not think we could have three more informative witnesses than we have today.

And a point of personal privilege, let me say, Mr. Chairman, that at about five of 10:00 I will be leaving, because I have to introduce someone at another committee who is in a confirmation hearing.

With a little bit of luck, that will only take me ten to twelve minutes, and then I will be able to come back, but then I will have to leave again at 11:00, because Chairman Helms has a one-man rapprochement with the United Nations going on.

I say that in a complimentary way. I mean that sincerely. He has done a—I think the first time in American history, in the history of the U.N., Mr. Chairman, the Security Council, and the permanent representatives of the Security Council, are coming to Washington, D.C., to spend the day with Senator Helms and me, and the committee, and others, but I mean—but I am required, not required, part of my responsibility as the ranking member is to be there, so if I have to leave around 11:00 again, that is the reason.

Again, thank you, gentlemen, very, very much for being here, and I look forward to hearing your testimony.

Thank you, Mr. Chairman.

[The prepared statement of Senator Biden follows:]

PREPARED STATEMENT OF SENATOR JOSEPH R. BIDEN, JR.

Mr. Chairman, thank you once again for calling this series of non-proliferation hearings. Today's hearing is perhaps the most important, as we will focus on how to meet the challenges we face as a nation to slow, stop, or even reverse the spread of weapons of mass destruction and the means to deliver them.

Over the past week and a half, many distinguished people have come before this committee and described the scope of the proliferation problem. We have heard about serious concerns regarding North Korea, Iran, Iraq, and South Asia, and have discussed such potential supplier countries as Russia, China, North Korea, and even—inadvertently—the United States.

We have heard that the world is a fast-changing place, in which the rapid diffusion of technology, political and economic change, and advances in biotechnology contribute to the threat. We have also heard that countries like India, Pakistan, Iran and Iraq are impelled in part by regional security concerns that are unlikely to be alleviated by the creation of world-wide non-proliferation regimes.

We have discussed some of the tools available to us, such as sanctions, preemptive military action, UN resolutions, arms control regimes, inspections, and cooperative threat reduction programs. We have discussed the need for a blend of offensive and defensive weapons systems to deter or combat proliferation.

Today's hearing features three most eminent witnesses. Secretary Rumsfeld needs no introduction, except to note that his commission has had a greater influence on national policy than any other commission in recent years. Ash Carter and Stephen Hadley offer us, between them, seven years of experience as Assistant Secretary of Defense for International Security Policy. Mr. Hadley has also been an arms control negotiator, and Prof. Carter is also involved in the "Perry process" regarding U.S. policy toward North Korea.

Gentleman, what I seek from you today is to lay out a vision of how we can move forward. We understand the threat. We also have some sense of the tools available to us. But how should we use those tools? How can we improve our non-proliferation strategies and policies?

One of my greatest concerns is that our non-proliferation and arms control policies be coordinated. If the United States is to lead successfully on non-proliferation, we must also move forward on arms control, so as to reassure the world's non-nuclear

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weapons that non-proliferation will contribute to their own security, rather than merely buttressing the military superiority of nuclear weapons states.

The bottom line is security. Nations will agree to give up arms programs, or at least slow them, only if they conclude that they will be safer doing so.

These are the conundrums before us today as we seek to continually reshape and improve our non-proliferation policies. I look forward to hearing from our distinguished guests to help us grapple with these issues. I welcome them to this hearing, and I thank you, Mr. Chairman, for arranging their testimony.

Senator LUGAR. Well, thank you very much, Senator Biden. Let me just reiterate the thoughts that you have expressed. This really has been a bipartisan quest. I think this has been a remarkable set of hearings, and today's panel is no exception. Usually we just read the witnesses names and their titles and let them go to it. But I have had, as you have had Senator Biden, personal experiences with each of these three witnesses.

I can recall Secretary Rumsfeld, when I was mayor of Indianapolis, going with him to the Air Force Academy. He was serving our national government in another role that point, and serving so well.

Senator Biden and I attended a luncheon that Secretary Cohen had not long ago on missile defense, in which the Rumsfeld Commission and Secretary Rumsfeld were frequently mentioned, as Senator Biden said, he has had a profound influence on our defense policy.

Steve Hadley was a member of the task force that the Council on Foreign Relations pulled together, and that I was asked to chair, on NATO expansion. We met frequently in this building, and tried to bring together a consensus that led to a very favorable vote on the part of the United States Senate on that important issue. Ash Carter brought an important message to the very first Nunn-Lugar breakfast, a bipartisan group of Senators. I think 15 or 16 Senators met to discuss proliferation.

Ash had just completed a paper at Harvard on many of the subjects that were instrumental in that congressional initiative. He then followed through in due course, not only as an academic, but as a member of the Department of Defense team in the non-proliferation area, and the Nunn-Lugar program, in particular.

So I appreciate each one of you and the contributions you have made to our country's national security. We look forward to your testimony today, and I will ask that you testify in the order that I introduced you. That would be Secretary Rumsfeld, Secretary Hadley, and then Secretary Carter.

If you can, summarize your statement. Your remarks and comments will all be made a part of the record in full, and then we will have questioning. I will be joining Senator Biden and Senator Helms for lunch with the ambassadors, but I will be able to maintain some continuity of the hearing in the meanwhile.

Secretary Rumsfeld.

STATEMENT OF HON. DONALD H. RUMSFELD, FORMER SECRETARY OF DEFENSE, RUMSFELD AND ASSOCIATES, CHICAGO, ILLINOIS

Secretary RUMSFELD. Thank you, Mr. Chairman. I have had a chance to see some of the testimony before your committee, and

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quite agree that it has been a useful set of hearings on an enormously complex and important subject.

You are quite right, there is no silver bullet. I find it very complex, and I am particularly pleased to have these two experts here, Ash Carter and Steve Hadley, with me.

My comments will be based on my background in both government and business, particularly focused by the work of the Ballistic Missile Threat Commission, where we were intensely looking at the subject of proliferation as a part of the missile threat. We issued our report, and there are sections on that subject. I would refer members to the full classified report.

I have attached a few excerpts from the unclassified version, but a fuller discussion is available. It was a unanimous report.

We also prepared an intelligence side letter, which was classified, where we talk about the subject of proliferation. There is practically nothing that is unclassified in that regard, although there were a couple of paragraphs that I have included as an appendix to my remarks.

I would begin by saying that there were two major events in the 1990s that I think shifted the ground on this subject. One was the Gulf War. There is no question but that the lesson of the Gulf War was: Do not compete with U.S. armies, navies, and air forces. Therefore, if you want to assert influence in a region, and deter and dissuade the West from being involved, the way to do it is with, as you suggested, a symmetrical capability, such as ballistic missiles, weapons of mass destruction, and I am sure very soon, cruise missiles and UVAs, and terrorism.

That was the lesson, and it is a correct lesson. Look at the difference between the way we are treating North Korea and the way we bombed in Sudan and Afghanistan, in Iraq and Serbia. The lesson is there for the world to see.

The second significant event in the 1990s was the end of the Cold War. It led to a relaxation in the world. People said, "Well, that significant threat that we focused on so successfully for so long is gone, therefore, we can relax," and we have seen an increase in international symposia, block declassifications, all kinds of student exchanges, and a feeling that we can shift away, as was suggested, from the national security interests toward commercial interests; because we are in a, quote, "safer world."

The result of that, of course, has been that there has been an acceleration and proliferation of these technologies. The commission came to two unanimous, overarching conclusions. The first was that proliferation of these technologies is pervasive. If you want them, you can get them.

We all know the leading proliferating countries. We know how it works. It comes from Western countries, including the United States. There is legal, in many instances, as well as illegal proliferation.

To the extent countries embark on a cause of getting ballistic missiles or weapons of mass destruction over a long period of time, one time they are going to get closer to their goal. Enough time has passed in this new world of the 1990s—our new national security

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environment—that countries are getting closer, and in fact, achieving their goals.

ere are a lot of reasons why nations proliferate. Some are economic. There is no question that some countries get hard currency that way. North Korea does, for example.

There are strategic motivations, which I would submit is the case with China's assistance to Pakistan. And also historic reasons that countries like Italy with a 2,000-year relationship with Libya are unlikely to change dramatically. And there are war-fighting reasons.

We are in a new national security environment.

In the past, if we were to be surprised, it would be a surprise essentially involving a conventional capability. Today if we are going to be surprised, it could be a surprise involving a weapon of mass destruction, and could affect the homeland of the United States, our friends and allies, or forces overseas.

The power of these weapons is dramatically different. And, they are in the hands of countries that are dramatically different.

The second conclusion of our commission was that the capability of the U.S. intelligence community to track and monitor what is taking place in the world, and the pace of development programs, and proliferation, has eroded.

There are many more countries to monitor. Sophisticated methods of deception and denial have proliferated, because of espionage. The result is that we do not have the ability to know everything that is going on every place in this globe, and there are going to be surprises. The only thing that ought to be surprising is that we are surprised that there are surprises.

The effect of the accelerated proliferation and the reduced capability of the U.S. intelligence community to monitor what is taking place in the world reduces the warning time that we will have. Previously, we believed we had an adequate threat warning period. Today our commission concluded that we had moved into an environment of potentially little or no warning, because of the circumstances that I have described.

I understand that the director of the Central Intelligence, George Tenet, testified here recently and echoed that exact point. I would underline it.

The question is: What do you do about all of this? I have suggested in my remarks that we need to focus on what is important and not use up capital on things that are less important.

We ought not to be trying to stop things that are not stoppable. I use the word triage, suggesting we take the top tier of the most serious matters and focus our efforts getting our allies to agree to stop those things from moving around the world to the extent it is humanly possible. I would, by way of example, include plutonium and other fissile materials in that category, as well as complete weapons.

A second tier would be the things that should be delayed, but probably cannot be stopped, where you do not want to use up political capital trying to stop them, but it is important to delay them.

A delay of even four, or five, or seven years, can make a difference; because there are so many moving parts in the equation.

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We have diplomatic initiatives taking place, and shifts in relationships. So in many instances, delay can be helpful.

The last category, I would say, is where the Genie is out of the bottle. We cannot stop it, we cannot delay it. What we need to do here is select the things we wish to track.

It is helpful to our government, and the intelligence community to be able to know who is doing what. So, the process of having to get a license in key countries can be very helpful in terms of knowing what is taking place.

There needs to be a balance between our national security interests and commercial interests.

I do not think it is a difficult issue. Most involved in the commercial side do not want to do something that is harmful to our national security, but a good case needs to be made. We need to be able to explain why something is important.

There are issues as to when it is best to act alone, when is it best to act with a group of like-thinking countries, and when it is best to act with much larger groups. In the latter case, we obviously have less influence; and the effort is less focused.

Our government is not well arranged to function in this new environment. One of the recommendations of our commission was that because of the significant increase in proliferation with the end of the Cold War, and the reduced capability of the intelligence community, we need to see that the government is properly organized and arranged. We recommended that we review our policies, strategies, procedures, and priorities to fit our new circumstance. Government organizations do not like to do that.

What your committee is doing is a part of that process, and I congratulate you for it. However, I would submit that it's not taking place throughout the government at the pace that it needs to take place.

In closing, what to do? The first thing is to understand that we are in a new national security environment, and set about this task of rearranging ourselves to live in that world. We are perfectly capable of living reasonably safely in this world—more than any other nation on earth—but we will not, unless we get about the task of doing it.

Second, we need to establish proper priorities. As Dr. William Schnieder, who served on our commission, said, "we ought not to be attempting to enforce the unenforceable while ignoring the obvious."

Third, we need to recognize that sanctions can be important, but they are best if other like-thinking industrial countries are participating. To the extent they are misdirected, they can be counterproductive and weaken support for our policy.

And, importantly, we have to provide the appropriate resources for the intelligence community so that we can track proliferation of weapons of mass destruction and development programs to a better extent than we are currently capable of doing.

I understand that other witnesses have mentioned this. I know you serve on the intelligence committee. It is something that we must do.

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It is hard for people to recognize the importance when so many are so relaxed about the threats, but given the movement of these weapons around the world, I think that we have to have the appropriate resources, and I do not believe we currently do.

Let me make a comment about fudging, which is a problem. The President of the United States, not too long ago, said the sanctions legislation caused the Executive Branch to "fudge," because the penalty required was not appropriate to the wrong. The idea was that if we had prison terms for parking violations, no one would get arrested for a parking violations, because the punishment was not appropriate to the crime. Fair enough.

However, there are problems with that. It has an adverse effect. There are many ways government can fudge. One is to not study something, so you do not know the answer, if the answer is likely to be unpleasant. Another is to delay studying something if the result would be unpleasant.

Another is to study something but send it back to be restudied. We see this throughout government. If you do not like the message that is going to come back, if your boss is not going to like, do not do it. Figure out a way around it.

Another way to fudge is to select some assumptions that will force an outcome that is desired. For example, one could study carefully whether or not the United States will have adequate warning of indigenous ballistic missile development programs, even though there are not any indigenous ballistic missile development programs in the world today.

Fudging has the effect of warping the intelligence process. It is corrosive. It corrupts the process. Leaders have a responsibility to create an environment that is hospitable to the truth, and that accepts news, good or bad. We need to encourage people in the intelligence community to be truthful and provide answers, regardless of whether or not they happen to fit our prejudgments, biases, and preferences.

With that, I will stop.

[The prepared statement of Secretary Rumsfeld follows:]

PREPARED STATEMENT OF DONALD H. RUMSFELD

Mr. Chairman, Members of the Committee, I thank you for the opportunity to offer some observations on the important subject of proliferation. My observations are based on my experiences in government, private business and my recent work on the U.S. Ballistic Missile Threat Commission.

The Commission, established by Congress, issued its classified report to Congress and the Executive Branch on July 15, 1998. In addition, we were able to release a brief unclassified executive summary. I have provided some excerpts from that summary which bear on the subject proliferation in Attachment I. I would also refer the Committee to the full classified report for a more detailed discussion.

After we issued our report, at the request of the Speaker of the House and the Director of Central Intelligence we prepared some classified observations on the U.S. Intelligence Community. I have provided a brief excerpt of the unclassified version in Attachment II, but I refer the Committee to the classified version.

During the 1990s two major events occurred which have contributed to an acceleration of proliferation.

- The first event, the Gulf War, taught the world the lesson that regional nations are unwise to try to compete with western armies, navies, and air forces; they lose. Rather, they are best advised to acquire less costly asymmetrical capabilities which they can leverage against the U.S. and our friends—specifically terrorism, cruise missiles, ballistic missiles, and weapons of mass destruction, and,

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soon one can surmise, cyber attack capabilities and UAV's. It is increasingly well understood that nations that have weapons of mass destruction and the ability to deliver them are nations that have to be and are treated differently; witness the way the U.S. deals with North Korea in contrast to U.S. bombing in Sudan, Afghanistan, Iraq and Serbia.

- The second event which has made it progressively easier for countries to acquire weapons of mass destruction and missiles was the end of the Cold War. With it has come a relaxation of tension in the world, an attitudinal change, that because the old threats have receded we can all relax. International symposia have increased, economic intercourse has accelerated, security has been relaxed, and a shift in the balance towards commercial interest and away from national security interests. Moreover, the pace of technological evolution and the rapidity that information and know how is disseminated has increased.

The result is that during the decade of the 1990s, there have been both incentives for countries to acquire these types of asymmetrical capabilities and an environment which has facilitated it.

The U.S. remains unquestionably the most powerful nation on earth. Unfortunately, our capabilities do not deter all kinds of activities which can be dangerous to us, our friends and allies. Since we first developed nuclear weapons, we've seen the wars in Korea and Vietnam and numerous other conflicts where nations smaller and weaker, for a variety of reasons, have not been deterred from opposing the U.S. Clearly our substantial capabilities do not deter against every kind of risk to the U.S. Indeed, in some cases our lack of deterrence and defense with respect to some threats incentivise countries to acquire those capabilities.

Our Commission came to two unanimous overarching conclusions.

The first was that the proliferation of technologies relating to weapons of mass destruction and ballistic missiles is pervasive. That proliferation is from many sources:

- The leading proliferating countries—Russia, the People's Republic of China and North Korea—are providing vital assistance to each other as well as to other nations;
- Proliferation among the so-called "rogue" states—North Korea, Iran and Iraq—is extensive, to the point that it is becoming self-sustaining. Each has comparative advantages they can and do barter to each other. We have seen recent press accounts of Iraqi, North Korea and Sudan missile cooperation for example; and
- Proliferation also comes from Western nations, not the least of which is the U.S., and that is a key part of the problem since Western nations have the most advanced technologies.

There are legal as well as illegal paths for technology transfer. They include use of technologies rejected or cast aside by us decades ago, block declassification by the U.S. government of information which, while dated, none the less reveals important technical information, dual-use technologies, student exchanges, even the internet, as well as espionage and secret sales through intermediaries.

There are several motivations for countries to proliferate, and in some cases there are multiple motivations. They include economic, as in the case of North Korea; strategic, as with China's assistance to Pakistan, where their goal is to make life difficult for their neighbor India and their aid to Iran to make life difficult for the U.S. and the West, and historic reasons, as with Italy's 2000 year relationship with Libya.

Recently there was a report that Iran was considering providing missiles to the Congo, of all places. This illustrates the problem. Think of it. Ballistic missiles were first developed by Dr. Robert Goddard in the U. S. Germany took his ideas and developed the V–1 and V–2 rockets used against England in World War II. After World War II, the Soviet Union captured German scientists and missiles and developed Scud missiles. Later the Soviets put Scuds in Egypt. Then Nasser sold a Scud missile to North Korea and the North Koreans reverse engineered it and scaled it up, much as Iraq did with Scuds. Then they sold what they call Roe Dong or No Dong missiles to Iran among others. And now the recent report about Iran and the Congo. That round trip indicates the pace of proliferation.

These realities lead to the inescapable conclusion that the U.S. and the West face a new national security environment. Specifically, more nations unfriendly to the West, and even non-nation entities, will have weapons of mass destruction—biological, chemical and nuclear, as well as cyber attack capabilities—weapons of enormous destructive power—and the capability to deliver them. This is a problem of

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a new order. Given the power and reach of these weapons, it is a major problem that requires prompt attention.

Our Commission's second overarching conclusion was that the ability of the U.S. Intelligence Community to monitor weapons of mass destruction and missile programs in target countries has eroded as the pace of proliferation has accelerated. This is true for a variety of reasons.

First, there are more countries to try to monitor. Second, more sophisticated deception and denial capabilities are in the hands of more countries. This is partly a result of the proliferation of information about U.S. intelligence gathering capabilities and how to deceive us resulting from espionage, and partly the availability of various advanced technologies such as fiber optics and new tunneling equipment. Russia, China, North Korea, Iran, Iraq, Serbia, Libya have all dug underground, making observation and surveillance more difficult.

These two conclusions lead to a third; namely, that because of these new threats to our safety—threats of a different order than in the past, and our reduced capability to track such developments, we have moved from having "adequate threat warning" to an environment of potentially "little or no warning." The Director of Central Intelligence echoed this concern when he testified here last week. It is both true and important.

It is for these reasons that I have concluded that we are in a new national security environment, an environment where the demand for these weapons is powerful and proliferation assures their availability.

Because of reduced warning times we face a greater risk of surprises. The U.S. intelligence community cannot know everything that's going on every place in the world, at every time. We have been surprised repeatedly over past decades and will be surprised in the future. Knowing that, it should not be a surprise that there will be surprises.

The big difference is that today a surprise is likely to involve weapons of mass destruction and a direct threat to the U.S. homeland and/or our friends, allies or forces overseas. This is a major change in our circumstances. And, I should add that the risks involve not only the nations we worry about and track, but could involve non-nation actors as well.

Given that we cannot control everything of concern, I believe we need to triage so that our counter-proliferation efforts and those of our allies are focused and effective. I see three categories:

- In the top tier are capabilities so dangerous in the wrong hands that, with leadership, there can be broad agreement to stop their proliferation among a limited number of key countries. Our political and economic capital should be used vigorously to achieve that goal. This tier would, for example, include plutonium, highly enriched uranium or other fissile materials, or any complete weapon of mass destruction. It is these capabilities which Richard Butler cautioned this Committee should not be subject to politics as usual.
- In a second tier, where the risks involved are not quite as great, are capabilities that are dangerous and merit serious efforts to delay their proliferation. A delay of even three or five years can make an enormous difference in the risks to us and our friends and allies, given the fact that there are so many other moving parts to the world equation at any given time, including diplomatic initiatives, alliance adjustments, and the like; and
- A third tier involves technologies where the genie is pretty much out of the bottle, and therefore it is probably fruitless to use much effort or political capital trying to stop or delay their proliferation, but where it nonetheless is useful to track and know who is buying, selling or trading them. An example might be some, but not all, dual use technologies—those that really can't be stopped or delayed much because they are too valuable for civilian use. These are commodities which should be licensed and tracked, but allowed for unrestricted trade.

I recognize that there are many complexities with respect to proliferation issues. I would cite as examples:

- How to achieve the right balance between national security interests and commercial interests, and to know how and when to adjust them as events occur, technologies evolve and circumstances change;
- How to determine which technologies belong in tiers 1, 2 and 3 and how and when to make adjustments in the items in each tier as time passes, events occur and technologies evolve;

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- How to balance U.S. interests with the interests of our allies, with whom we need to work, in many instances, if we are to be successful;
- When is it best to act alone, when best to act with only a small number of like-thinking industrialized nations, or on those rarer occasions, with a larger group of nations which are not as like-thinking;
- What international groups are appropriate for the U.S. to work with on which issues (Certainly we lost something when Co-Com was discarded in 1994) and what changes might be appropriate with respect to the various existing international entities;
- What adjustments need to be made in how the U.S. government is organized and deals with these varied and complex issues;
- How to assure the proper balance between the essential management role of the executive branch and oversight role of the Congress; and
- How to fashion mechanisms so the knowledge that exists only in the business community can be blended with the needs of government decision makers, who have little of that knowledge, and in a process that is constructive and timely.

These complexities and more exist. The knowledge necessary to deal with them wisely and with appropriate speed and efficiency lead me to the conclusion that there needs to be a careful review of how the U.S. government is arranged to deal with these issues and what might be done to adjust our current arrangements to better fit our new national security environment.

One of the key recommendations of the Ballistic Missile Threat Commission was that the Departments of State and Defense, the Intelligence community, and other related governmental entities need to review all policies, practices, strategies, equipment, approaches and organizational arrangements and adjust them to fit the new environment—an environment where proliferation is pervasive, where warning time is reduced and where surprise is likely—surprise not with the conventional weapons of old, but weapons more deadly than ever before.

If that, then, is our world, and I am convinced it is, what might we do about it? I have these thoughts:

First is to understand the changes that have taken place, recognize that new complexities have been injected into the world equation and resolve to rearrange ourselves so we can live in reasonable safety in that new world.

Next, it will require a sharp focus on priorities, an approach that triages to see that our maximum efforts are focused on the important and that we do not waste time, effort and political capital on the less relevant. As Dr. William Schneider, Jr. has said, we ought not to be attempting to enforce the unenforceable, while ignoring the obvious.

Third, I agree with those who believe that we should place more emphasis on gaining the cooperation of smaller groups of like-thinking nations, principally our NATO allies and key industrialized nations such as Japan, rather than dealing with much broader groups of less like-thinking nations.

Sanctions are important and can be effective, even in some instances when unilaterally applied, although they are vastly more effective when applied by the nations with the most advanced technologies. But it is counterproductive for the U.S. to sanction nations unreasonably.

Export controls are useful, but the system needs to be refashioned to fit the new world.

Importantly, the capabilities of the U.S. intelligence community to monitor what is taking place need to be strengthened. That was a unanimous conclusion of our bipartisan Ballistic Missile Threat Commission. The problems today are more difficult, there are more nations to track, and the progress of proliferation and of foreign WMD development programs are more advanced. The intelligence community must be given the resources necessary to do a better job of tracking and monitoring what is taking place, if we are going to be even reasonably successful in stopping, delaying, and/or tracking the flow of these dangerous technologies. Each month we delay, given the long lead times involved, adds to the risk of an unpleasant surprise. Tony Cordesman's testimony on this subject was right on target.

Also, because of the complexities, and because the knowledge to deal with them wisely and efficiently is spread far and wide, across government as well as outside, we need to fashion new mechanisms to better fit our new national security environment.

Fudging: President Clinton recently said that sanctions legislation causes them to "fudge." It was an honest statement. However, "fudging" can have a dangerous effect.

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There are several ways to "fudge."

- One is to simply not study or analyze a matter if the answer might put your superiors in an uncomfortable position;
- Another is to delay studying or reporting information that could be "bad news";
- Still another is to narrowly construe an issue, so that the answer will not be adverse to your administrator's view; and
- Another is to select assumptions that assure that the answer will lead to your desired conclusions. For example, you could study carefully whether the U.S. will have adequate warning of "indigenous" ballistic missile development programs, even though there are no more "indigenous" ballistic missile development programs.

In short, "fudging" warps and corrupts the intelligence process. It is corrosive. Leaders must create an environment that is hospitable to the truth—whether the news is good or bad,—not an environment that forces subordinates to trim, hedge, duck and, as the President said, "fudge."

A comment on the importance of deterrence, which should be a key element of U.S. counter-proliferation policy. In some cases, we may prompt nations to reconsider pursuit or use of weapons of mass destruction. U.S. deterrents undoubtedly prompted Iraq to think twice about plans to employ their chemical weapons. The strength and credibility of U.S. deterrence is essential to provide confidence to close allies whose safety is reliant upon the effectiveness of U.S. security guarantees. Nowhere is this clearer than in Asia, where Japan, South Korea, and Taiwan all depend upon a U.S. security commitment. These are nations with vigorous scientific and technical communities, each of which could acquire, overnight, all categories of weapons of mass destruction, and the requisite delivery vehicles. That they have not done so, or that they have discontinued their programs at our urging, is a reflection of the fact that they put great stock in U.S. security guarantees and in the credibility of our armed forces. Their behavior is dependent upon their confidence in both our capabilities and our reliability. But before our eyes, we can see the strategic balance being altered in Asia as a result of proliferation by industrial countries to rogues and by rogues among rogues, driven significantly by Russia, China and North Korea, each in different ways.

Thus, anything which would undermine confidence in U.S. deterrence or our ability or willingness to "make good" on our security commitments is a recipe for proliferation. There are some paths by which the U.S. could erode that credibility and prompt a spate of weaponization, principally, in Asia. The Comprehensive Nuclear Test Ban Treaty was one such path. Were we to weaken confidence in existing U.S. weapons designs, and inhibit the development of new designs to respond to a changing world, could have begun a slow erosion of U.S. and allied confidence in our stockpile. Sooner or later, our own insecurities would become clear to the world, emboldening those who are pursuing WMD, and panicking those whose security depends on the U.S.

I also believe that credible U.S. missile defense could prompt some nations to rethink their missile development programs. One reason ballistic missiles are so attractive today is that there is currently no defense against them.

It is my view that some countries—and China may fall in this category—will do what they are going to do largely independently of U.S. behavior. I also believe India's and Pakistan's weapons program are premised on matters largely unrelated to the U.S. I suspect that an expansion in the Chinese nuclear arsenal as a result of deployment of new systems and MIRVing is inevitable. Other countries will have WMD force structures largely dictated by economic realities for the foreseeable future. Some nations, North Korea among them, are limited by their resources. I suspect that North Korea will invest its time and attention into whatever asymmetric capability will give them the biggest threat for the fewest dollars. If that is the case, U.S. missile defense could well have an effect on North Korean decision-making and its missile program. If it did, they would likely pursue other dangerous capabilities more aggressively and we will have to address each as it arises. The security world is not static.

In my view U.S. nonproliferation policy should emphasize a mix of both offensive and defensive U.S. military capabilities. It should emphasize these capabilities to both allies and potential opponents alike, in a manner that demonstrates our commitment to our friends, and our resolve to dissuade potential enemies.

I have some additional comments on U.S. proliferation strategy which I have included as Attachment III.

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To conclude, we live in a dangerous and untidy world. The destructive power of weapons is greater than ever and growing. These weapons are coming into the hands of more countries unfriendly to the U.S. and the West. That is the new national security environment we face and will be facing in the years ahead.

The U.S., more than any nation on earth, is capable of living in that new world in reasonable safety. But we can do so only if we admit that that is the nature of our world and get about the task of providing sufficient resources so that we will have the ability to dissuade and deter others from developing and using WMD capabilities against us, our friends and our allies. Weakness is provocative.

We must heed the now clear warning signals. It will be tragic—enormously costly in American lives—if we fail in our responsibilities to our fellow citizens. The warning signals are unambiguous. We must not foolishly follow the path we have seen before in history of being inattentive, blind if you will, and willing to act to respond only after a major tragedy shocks us into action. Given the power of weapons today, that is too late.

We read and hear arguments about the defense budget that we cannot afford more. Nonsense. Our country may not be wealthy enough to do everything in the world that everyone might wish—we shouldn't try. But the first responsibility of government is to provide for the national security. And let there be no doubt, our country is more than wealthy enough to do everything we need to do to provide for the safety of our people.

Defense and intelligence expenditures at 3 percent of GNP and heading south are the lowest percent in my adult lifetime. We need to stop the decade-long series of defense and intelligence community reductions, force the national security community in the Executive Legislative Branch to rearrange our diplomatic, defense, deterrence and intelligence to fit the post-cold War world, and invest every dollar necessary to assure that future Presidents will have the capabilities needed to contribute to peace and stability in this still dangerous and difficult world.

I wish you well in your work and thank you.

ADDITIONAL MATERIAL SUBMITTED BY SECRETARY RUMSFELD

ATTACHMENT I

REPORT OF THE COMMISSION TO ASSESS THE BALLISTIC MISSILE THREAT TO THE UNITED STATES

EXECUTIVE SUMMARY

EXCERPTS ON THE SUBJECT OF PROLIFERATION FROM THE UNCLASSIFIED

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C. New Threats in a Transformed Security Environment

The commission did not assess nuclear, biological and chemical weapons programs on a global basis. We considered those countries about which we felt particular reason to be concerned and examined their capabilities to acquire ballistic missiles armed with weapons of mass destruction.

All of the nations whose programs we examined that are developing long-range ballistic missiles have the option to arm these, as well as their shorter-range systems, with biological or chemical weapons. These weapons can take the form of bomblets as well as a single, large warhead.

The knowledge needed to design and build a nuclear weapon is now widespread. The emerging ballistic missile powers have access to, or are pursuing the acquisition of, the needed fissile material both through domestic efforts and foreign channels.

As our work went forward, it became increasingly clear to us that nations about which the U.S. has reason to be concerned are exploiting a dramatically transformed international security environment. That environment provides an ever-widening access to technology, information and expertise that can be and is used to speed both the development and deployment of ballistic missiles and weapons of mass destruction. It can also be used to develop denial and deception techniques that seek to impede U.S. intelligence gathering about the development and deployment programs of those nations. *(page 7)*

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1. Geopolitical Change and Role for Ballistic Missiles

A number of countries with regional ambitions do not welcome the U.S. role as a stabilizing power in their regions and have not accepted it passively. Because of their ambitions, they want to place restraints on the U.S. capability to project power or influence into their regions. They see the acquisition of missile and WMD technology as a way of doing so.

Since the end of the Cold War, the geopolitical environment and the roles of ballistic missiles and weapons of mass destruction have both evolved. Ballistic missiles provide a cost-effective delivery system that can be used for both conventional and non-conventional weapons. For those seeking to thwart the projection of U.S. power, the capability to combine ballistic missiles with weapons of mass destruction provides a strategic counter to U.S. conventional and information-based military superiority. With such weapons, these nations can pose a serious threat to the United States, to its forward-based forces and their staging areas and to U.S. friends and allies.

Whether short or long-range, a successfully launched ballistic missile has a high probability of delivering its payload to its target compared to other means of delivery. Emerging powers therefore see ballistic missiles as highly effective deterrent weapons and as an effective means of coercing or intimidating adversaries, including the United States. *(page 8)*

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. . . Russia poses a threat to the U.S. as a major exporter of enabling technologies, including ballistic missile technologies, to countries hostile to the United States. In particular, Russian assistance has greatly accelerated Iran's ballistic missile program. *(page 9)*

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China also poses a threat to the U.S. as a significant proliferator of ballistic missiles, weapons of mass destruction and enabling technologies. It has carried out extensive transfers to Iran's solid-fueled ballistic missile program. It has supplied Pakistan with a design for nuclear weapons and additional nuclear weapons assistance. It has even transferred complete ballistic missile systems to Saudi Arabia (the 3,100-km-range CSS–2) and Pakistan (the 350-km-range M–11).

The behavior thus far of Russia and China makes it appear unlikely, albeit for different reasons—strategic, political, economic or some combination of all three—that either government will soon effectively reduce its country's sizable transfer of critical technologies, experts or expertise to the emerging ballistic missile powers. *(page 10)*

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North Korea also poses a major threat to American interests, and potentially to the United States itself, because it is a major proliferator of the ballistic missile capabilities it possesses—missiles, technology, technicians, transporter-erector-launchers (TELs) and underground facility expertise—to other countries of missile proliferation concern. These countries include Iran, Pakistan and others. *(page 12)*

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D. A New Non-Proliferation Environment

Since the end of the Cold War a number of developments have made ballistic missile and WMD technologies increasingly available. They include:

- A number of nations have chosen not to join non-proliferation agreements.
- Some participants in those agreements have cheated.
- As global trade has steadily expanded, access has increased to the information, technology and technicians needed for missile and WMD development.
- Access to technologies used in early generations of U.S. and Soviet missiles has eased. However rudimentary compared to present U.S. standards, these technologies serve the needs of emerging ballistic missile powers.
- Among those countries of concern to the U.S., commerce in ballistic missile and WMD technology and hardware has been growing, which may make proliferation self-sustaining among them and facilitate their ability to proliferate technology and hardware to others.

Some countries which could have readily acquired nuclear weapons and ballistic missiles—such as Germany, Japan and South Korea, have been successfully encouraged not to do so by U.S. security guarantees and by non-proliferation agreements.

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Even though they lack such security guarantees, other countries have also joined non-proliferation agreements and abandoned development programs and weapons systems. Some examples are Argentina, Brazil, South Africa and the former Soviet republics of Belarus, Kazakhstan and Ukraine. *(page 17)*

1. Increased Competence of and Trade Among Emerging Ballistic Missile Powers

Conversely, there are other countries—some of which are themselves parties to various non proliferation agreements and treaties—that either have acquired ballistic missile or WMD capabilities or are working hard to do so. North Korea, Iran and Iraq, as well as India and Pakistan, are at the forefront of this group. They now have increased incentives to cooperate with one another. They have extensive access to technology, information and expertise from developed countries such as Russia and China. They also have access through commercial and other channels in the West, including the United States. Through this trade and their own indigenous efforts, these second-tier powers are on the verge of being able to provide to one another, if they have not already done so, the capabilities needed to develop long-range ballistic missiles. *(page 18)*

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2. U.S. as a Contributor to Proliferation

The U.S. is the world's leading developer and user of advanced technology. Once it is transferred by the U.S. or by another developed country, there is no way to ensure that the transferred technology will not be used for hostile purposes. The U.S. tries to limit technology transfers to hostile powers, but history teaches that such transfers cannot be stopped for long periods. They can only be slowed and made more costly, and even that requires the cooperation of other developed nations. The acquisition and use of transferred technologies in ballistic missile and WMD programs has been facilitated by foreign student training in the U.S., by wide U.S. designs and equipment and by the relaxation of U.S. export control policies. As a result, the U.S. has been and is today a major, albeit unintentional, contributor to the proliferation of ballistic missiles and associated weapons of mass destruction.

3. Motives of Countries of Concern

Recent ballistic missile and nuclear tests in South Asia should not be viewed as merely a share but temporary setback in the expanding reach of non-proliferation regimes. While policymakers may try to reverse or at least contain the trends of which these tests are a part, the missile and WMD programs of these nations are clearly the results of fundamental political calculations of their vital interest. Those nations willing and able to supply dangerous technologies and systems to one another, including Russia, China and their quasi-governmental commercial entities, may be motivated by commercial, foreign policy or national security interests or by a combination thereof. As noted, such countries are increasingly cooperating with one another, perhaps in some instances because they have reciprocal needs for what one has and the other lacks. The transfer of complete missile systems, such as China's transfer to Saudi Arabia, will continue to be available. Short of radical political change, there is every reason to assume that the nations engaged in these missile and WMD development activities will continue their programs as matters of high priority. *(page 19)*

4. Readier Market Access to Technology

In today's increasingly market-driven, global economy, nations so motivated have faster, cheaper and more efficient access to modern technology. Commercial exchanges and technology transfers have multiplied the pathways to those technologies needed for ballistic missiles and weapons of mass destruction. These pathways reduce development times and costs, lowering both technical and budget obstacles to missile development and deployment.

Expanding world trade and the explosion in information technology have accelerated the global diffusion of scientific, technical and industrial information. The channels—both public and private, legal and illegal—through which technology, components and individual technicians can be moved among nations have increased exponentially.

5. Availability of Classified Information and Export-Controlled Technology.

Trends in the commercial sector of a market-driven, global economy have been accompanied, and in many ways accelerated, by an increased availability of classified information as a result of:

- Lax enforcement of export controls.

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- Relaxation of U.S. and Western export controls.
- Growth in dual-use technologies.
- Economic incentives to sell ballistic missile components and systems.
- Extensive declassification of materials related to ballistic missiles and weapons of mass destruction.
- Continued, intense espionage facilitated by security measures increasingly inadequate for the new environment.
- Extensive disclosure of classified information, including information compromising intelligence sources and methods. Damaging information appears almost daily in the national and international media and on the Internet. *(pages 18–20)*

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H. Summary

Ballistic missiles armed with WMD payloads pose a strategic threat to the United States. This is not a distant threat. Characterizing foreign assistance as a wild card is both incorrect and misleading. Foreign assistance is pervasive, enabling and often the preferred path to ballistic missile and WMD capability.

A new strategic environment now gives emerging ballistic missile powers the capacity, through a combination of domestic development and foreign assistance, to acquire the means to strike the U.S. within about five years of a decision to acquire such a capability (10 years in the case of Iraq). During several of those years, the U.S. might not be ware that such a decision had been made. Available alternative means of delivery can shorten the warning time of deployment nearly to zero.

The threat is exacerbated by the ability of both existing and emerging ballistic missile powers to hide their activities from the U.S. and to deceive the U.S. about the pace, scope and direction of their development and proliferation programs. Therefore, we unanimously recommend that U.S. analyses, practices and policies that depend on expectations of extended warning of deployment be reviewed and, as appropriate, revised to reflect the reality of an environment in which there may be little or no warning. *(page 25)*

ATTACHMENT II

COMMISSION TO ASSESS THE BALLISTIC MISSILE THREAT TO THE UNITED STATES

INTELLIGENCE SIDE LETTER—UNCLASSIFIED EXCERPTS ON THE SUBJECT OF PROLIFERATION

The proliferation of WMD and ballistic missiles is a global problem, with nations that are buyers of either or both often sellers of either or both as well.

Considerably less attention is given to:

- the motivations of those who seek to acquire such capabilities;
- the leverage the capability might impart to the buyer in local, regional or global affairs;
- the doctrine that the buyer might develop to guide the deployment and employment of the capability;
- the technical state, pace and potential growth paths for ballistic missile and WMD programs in countries of concern;
- the likelihood that buyers are cooperating among themselves to enhance their respective capabilities;
- the effects of foreign deception and denial activities on the ability of the U.S. to monitor and assess the threat.

We believe that the DCI needs to direct the relevant analytic centers to assess ballistic missile and WMD capabilities as strategic programs that pose a threat to the United States. Proliferation of technology should be treated as one factor affecting the strategic calculations of a given country. The analysts in these cells need to be able to task collection assets, have access to information wherever it may be held within the IC, encouraged to challenge each other's findings and instructed to employ analytic methodologies more comprehensive than those often used in the IC. Using outside expertise should be encouraged. Creating dedicated cells is not a matter of organization alone. In addition more, and more broadly trained, analysts are needed to identify tasking requirements and opportunities, perform the required analyses, and fashion the finished intelligence. *(page 5)*

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ATTACHMENT III

ADDITIONAL COMMENTS ON U.S. PROLIFERATION STRATEGY BY HON. DONALD H. RUMSFELD

March 30, 2000

I am persuaded that U.S. nonproliferation strategy needs to place greater emphasis on the role of direct and indirect action by the U.S., its allies, and *ad hoc* coalitions of willing, like-thinking, generally industrialized nations, and less emphasis on the broad inclusive conditions. We need to be willing and capable of acting in concert with like-minded countries or unilaterally when U.S. interests are affected. A desire for international validation prior to the initiation of action has led to some overly broad, nonverifiable, nonenforceable treaties.

Broad multilateral approaches should not be at the expense of less global initiatives that can often be highly effective precisely because they are less broad. One example is the Missile Technology Control Regime (MTCR). Established in 1987, it initially consisted of seven "like minded" nations: the U.S., Canada, France, the Federal Republic of Germany, Italy, Japan, and the United Kingdom. The underlying premise was that the acquisition or development of ballistic missile capability could either be averted or delayed and rendered more difficult and expensive if the major producers of ballistic missile systems and technologies agree to control the exportation of such items. Thus the MTCR was created as an informal supply-side arrangement under which the members agreed to heavily restrict trade in missile-technologies beyond their membership. Within the group, trade would be relatively unrestricted.

Accordingly, expansion of the group was to be only if would-be participants would agree to forgo their missile programs. To expand without such an agreement made no sense. Were countries to join the club with nascent missile programs intact, thereby gaining access to missile technology as a new member of the regime, the number of countries with viable missile programs would likely go up, not down. The early success of the MTCR is clear. Argentina slowed its Condor II missile program and then terminated it. The U.S. sponsored Argentina for membership once the Condor II program material had been disposed of by an international group. Likewise, South Africa dropped its space-launch vehicle program and was rewarded with membership in the club.

However, the current Administration shifted policy towards the MTCR in an important and I believe counter productive manner. U.S. policy has been redirected to turn the regime into a more global missile regime. Instead of following the earlier model for South Africa and Argentina in discouraging nations from pursuing missile or space-launch programs, the Administration changed the policy and began offering membership in the MTCR to countries with their programs intact. The logic of the regime was turned on its head. Nations such as Ukraine and Brazil were allowed to join, and gain access to missile technology as members of the regime, but without dismantling their missile infrastructure. It was argued that a greater good was served by bringing countries inside the tent, rather than leaving them outside and free to trade with the "real" threats, the pariah nations.

If it made sense to bring nations such as Brazil into the MTCR to prevent their potential proliferation to Iran, then it seemed to also make sense to bring countries that actually were proliferating to Iran. As a result, Russia became an MTCR member. Further, in becoming an MTCR member, Russia gained immunity from the unilateral MTCR sanction laws that threatened to upset U.S.-Russian relations and jeopardize business contracts.

Regrettably, Russian missile assistance to Iran has continued during the years since Russia became a member. It has ranged from provision of missile components engines to engineering capabilities, wind-tunnel testing and other know-how. As a result, Iran's missile programs have leap-frogged key development hurdles, and the timeframe for deployment of an ICBM capable of striking the U.S. has been shortened. Rather than being used to effectively leverage Russia out of the missile proliferation business, MTCR membership was simply offered up. Little has been gained and an opportunity was lost. The U.S. should be cautious about allowing China in the MTCR, a country that consistently ranks among the most active proliferators.

A second problem created by basing counter-proliferation policy on the involvement of large numbers of nations is that it gives leverage to those countries who do not share U.S. goals, but who are positioned to deny the U.S. the multilateral endorsement it seeks. That leverage can and has been used by countries such as

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China, Iran, and India to codify principles and practices which can be counter-productive to other nonproliferation initiatives.

I understand that it was under the "atoms for peace" program that various countries such as Iran, North Korea, and India received the initial infusion of nuclear technology that got them started on a weapons program. The provisions of the Nuclear Nonproliferation Treaty, which specify that peaceful nuclear cooperation is not to be impeded, can be invoked by countries to justify their sale of nuclear technology to Iran and others.

The International Atomic Energy Agency (IAEA) was established to monitor peaceful nuclear programs to ensure that they do not contribute to the development of nuclear weapons. But, pursuant to the "atoms for peace" provisions of the NPT, the IAEA also manages a "Technical Assistance" program that the U.S. General Accounting Office has warned is making financial and technical contributions to programs of concern, such as Iran's Bushehr plant, North Korea's program, and Cuba's nuclear program. Nonproliferation treaties which contain this formulation can carry within them the risk that the very opposite of what is intended and expected will result.

Some time back, together with others, I cautioned this Committee against the Chemical Weapons Convention for this reason, among others Article XI of that treaty, is similar to the notion found in the NPT and the BWC. Article XI states that trade in dual-use commercial commodities cannot be impeded by the U.S. or anyone else, as long as it is not proven that such trade is assisting a weapons program. Of course, given the impossibility of verifying the CWC, this treaty-provision has the potential to result in legitimating trade in chemical weapons precursors between proliferating regimes.

Article XI has the effect of creating an international norm of unfettered trade in dangerous commodities, which has been used by countries with both legitimate commercial motives and illegitimate weapons interests to batter the U.S. and those allies who maintain vigorous export controls, both unilaterally and pursuant to the Australia Group.

The CWC has given momentum to third world efforts to abolish the Australia Group. I am pleased that, to date, those efforts have not been successful. No member of the supply-side group has "broken ranks" with the regime. The members of the group are sensitive to the perils of relaxing their controls. Indeed, pursuant to the resolution of ratification, an annual certification must be made stating whether the Australia Group is as effective today as it was when the CWC was ratified. Presumably Senate support for the CWC will be in question if this certification cannot be made.

To conclude as Richard Perle has noted, the idea of putting both the cops and robbers together inside the same regime is intellectually unsound. There is a reason why such regimes are not effectively verifiable. There is a reason why these regimes do not have effective enforcement mechanisms. Certain countries are not going to agree to such provisions. It is contrary to their interests and inimical to their clandestine weapons programs. My preference for U.S. nonproliferation policy is that it de-emphasize broad multilateral endeavors in favor of strengthening smaller, more workable coalitions such as the MTCR and the Australia Group.

There are other aspects of U.S. nonproliferation policy, which need to be given greater emphasis. Specifically, the administration has been reluctant to use economic sanctions as a tool for combating proliferation. For instance, no MTCR sanctions have been imposed on Russia for its repeated failure to prevent the spread of missile technology to Iran. Nor have chemical or biological warfare sanctions been applied. China has not been sanctioned for the M–11 missile transfer, despite the fact that U.S. intelligence community believes that the missiles are in Pakistan. Congress has given the executive branch a useful tool. The ability to deny trade in various commodities and to reinitiate that trade through the use of a waiver of the sanction could be helpful tool if applied correctly. Indeed, most of the positive steps the PRC and Russia have taken on proliferation matters have been the result of sanctions or the fear of them. We need to reactivate the Arms Export Control Act, where these authorities are codified, and makes better use of this capability.

Also, export controls can be a useful counter-proliferation tool. I have mentioned the value of the MTCR and the Australia Group. But unilateral export controls, if applied judiciously, can also be helpful. There are several categories of items where only the U.S. and its closest friends—and in some cases, just the United States—are the source of availability. Controls over these types of commodities are warranted and can be effective.

I do not suggest blanket denials of exports. The requirement for a U.S. company to secure a license does not and should not mean that a proposed export will auto-

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matically or even likely be turned down. The process of securing a license can be a useful one in that it enables the government to know, for example, where dual-use commodities are being sold. It can allow for the denial of an export if it would aid a foreign weapons program. The vast majority of U.S. exports are unlicensed. Only a fraction—perhaps four or five percent—are subject to any form of control, and of that number, only handfuls of licenses are denied. I do not think that the idea of eliminating licenses altogether, as proposed by some, would be wise. The U.S. government needs to know what various countries are seeking to acquire in the way of dual-use equipment and technology. As the Ballistic Missile Threat Commission noted, the U.S. has become—albeit unintentionally—a nontrivial source of proliferation.Finally, we also need to shorten the time government takes to process license applications. I appreciate the efforts of this committee to establish an internet-based filing system for shipper's export declarations. I hope that system, as recommended by the Deutch Commission, which could obviate the current onerous paper-based system, can be expanded to cover both Munitions List applications and Commerce Control List license applications. I also support the Committee's efforts to apply additional resources to the Department of State's licensing office. More needs to be done to streamline and accelerate the process.

Senator LUGAR. Thank you very much, Secretary Rumsfeld.
Secretary Hadley.

STATEMENT OF HON. STEPHEN J. HADLEY, FORMER ASSISTANT SECRETARY OF DEFENSE; SHEA AND GARDNER, WASHINGTON, D.C.

Secretary HADLEY. Thank you, Mr. Chairman. It is a great pleasure to have an opportunity to participate and testify before this committee again. I am going to focus on the elements of an effective policy against further proliferation.

The beginning of an effective policy is knowing who is seeking weapons of mass destruction and why. It is true that most countries are not, and that a number of countries that were have given up the game, and that is an evidence of success of our efforts against proliferation.

But if you look at the list of the countries that are currently seeking weapons of mass destruction, they really fall into two categories.

The first are states that seek these weapons to intimidate or coerce their neighbors, even to the point of waging war, or potentially waging war. These are countries such as Iraq, Iran, North Korea, and Syria, and as Secretary Rumsfeld pointed out, if their neighbors are allied with the United States or friends of the United States, then the incentive to obtain weapons of mass destruction becomes even greater as a way of neutralizing the United States from interfering with their efforts against their neighbors.

The second category of states are in some sense states who are unfortunate enough to have as a neighbor one of the countries in the first category, a country that is seeking weapons of mass destruction to intimidate, and such a concern is clearly one that has motivated the national security policy of the State of Israel. Similarly, I think India's efforts to acquire these weapons reflects a concern about China.

The difference in these two categories of states points out one of the great problems with a proliferation policy, and that is to say not all proliferation are—are equal, but I think the most interesting thing is that this second category is much smaller, and so much smaller than the first, and I think this is evidence of the fact that the United States has largely succeeded in offering states that

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might potentially fall into this category of states, an alternative means of safeguarding their security.

That nations like Japan, Taiwan, South Korea, and Turkey have not sought weapons of mass destruction I think is in large measure due to the fact that the United States has maintained strong security ties with these countries, backed up by the U.S. nuclear deterrent.

These countries have found these security arrangements an acceptable alternative to seeking to obtain their own weapons of mass destruction in order to deal with a troublesome neighbor, and this, of course, is why a key element of an effective nonproliferation policy or policy against proliferation has to start with continuing U.S. engagement in the world, standing by our friends and allies, and having the military capability to do so.

The most difficult challenge, of course, for an effective policy against proliferation is the first category of the states, those states that are looking for these weapons as a means to intimidate or impose their will on their neighbors. I think an effective policy of dealing with these states needs to have three elements.

First, it needs to be a tailored policy appropriate to the particular country of concern.

Second, it needs to be comprehensive, using all the available political, economic, and diplomatic tools available to us, and using them in a coordinated and effective way.

Finally, it has to be global. We have to enlist our friends and allies, and other potential supplier states in the effort, if ultimately we are going to be successful. Let me talk briefly about each of these points.

Tailored strategies. There are maybe a dozen or so countries of real concern. Each of them has a different politics, a different geography, and in some cases, a different level of technical sophistication. North Korea is a different problem than Iran, which is a different problem than India and Pakistan. What we need is a tailored strategy that deals with each of these individual states.

These tailored strategies, of course, are going to operate under the rubric of some of the international regimes that deal with the proliferation problem, things like the chemical weapons convention, the nonproliferation treaty, and the like.

I talk in my statement about some of the problems with these regimes, the fact that they are sort of a one-size-fits-all, that they encompass both states that have no interest in getting weapons of mass destruction and those countries that are dedicated to doing so, and, in fact, some countries that are using or have used the cover of membership in these international regimes, in order to facilitate their effort to obtain weapons of mass destruction.

These international regimes I think have a role in reinforcing a consensus behind the effort to prohibit and prevent proliferation, but I think as tools in the battle against proliferation, for the reasons others have talked about, they are marginal players.

I think we need much more a targeted strategy, focused on the individual states of concern, and that takes full array of all available instruments we have to deal with those problems.

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One of the reasons why an effective policy against proliferation is so difficult is that it does require integration of a lot of different tools and a lot of different agencies of government, and not only in our government, but other governments as well. As we all know, the hardest thing for the governments to do is to integrate. We are all stove piped with our narrow concerns.

So this most difficult problem, in some sense, requires the most difficult thing for governments to do, which is have not only integrated policy, but integrated execution. Of course, it is not just within our own government, we need to involve other countries as well.

The United States must take the lead in the fight against proliferation. It represents a clear and present danger to us, and to our forces overseas, and our allies overseas, but it is a problem that should be of equal concern to a number of our friends and allies.

I think many times we have the impression that our friends and allies view proliferation as a United States problem, and that any efforts they make to support us in our efforts against proliferation, in some sense, are a favor they are doing to us.

In fact, of course, as Secretary Rumsfeld pointed out, the United States is probably better able to live in a proliferated world than any other country. So in some sense, the effort against proliferation is a common interest that is very much in our allies' interest. I do not think that we have succeeded in convincing our allies of this point, and I think that it is partly our fault.

I do not think that we have invested the time required to convince these countries, our friends and allies, that the risks associated with proliferation are real, that they threaten them, and convince them of the difficult task that is required to deal with that problem.

I think one of the reasons we have had so much difficulty with Europeans about Iran is precisely because we have a different perception of the threat that Iran with weapons of mass destruction would pose to the international community.

I think we have to have a consistent effort of quiet, intensive, and systematic communication between the relevant intelligence and policy communities, with our allies and friends in order to gain the common consensus for action.

We also have to reach out to Russia and China. An effort against proliferation cannot be successful if those two countries are bent on proliferation. It just cannot. The willingness to invoke sanctions against these countries in appropriate cases certainly is an important element of our approach, but I think we also need to provide positive incentives for Russia and China to participate in the effort against proliferation, convincing them that it is in their own security interests, and it has benefits to them, political, economic, and diplomatic.

Sanctions against Russia, for example, for its cooperation in the nuclear missile fields, with countries like Iran, must, in my judgment, be coupled with the prospect for Russian companies of being able to participate actively in legitimate markets with the United States and its allies, both in, for example, nuclear matters, civilian nuclear programs, and in space launch fields.

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I think, otherwise, we run the risks of really literally forcing Russia and China into the arms of the bad actors of the world.

So when a new administration comes into office of January of 2000, I would have them do four things. I would have them conduct a major review of our proliferation policy, something I think, Senator Lugar, you were suggesting, focusing on the countries of concern, looking at how successful we have been in dealing with that problem, what has worked, what has not worked, and developing a revised strategy tailored to each particular country of the sort that I have described.

Then once these strategies are developed, execution needs to be a high priority at all levels, and particularly at the highest levels within the government.

Second, a new administration must begin the kind of quiet, intensive, and systematic dialogue with our friends and allies about the threat, and what to do about it, that I have described.

Third, I think we need a new beginning with Russia and China on this issue. The effort against proliferation needs to take a higher priority on the agenda of matters that we deal with these countries about. Finally, I think we need to make a greater investment in what I would call the new tools of an effective effort against proliferation. I will summarize them briefly, and then I will stop.

First is a new approach to export controls. Other witnesses have explained how the environment has changed. I think export controls are a critical element of the effort against proliferation, but I think we need a new approach, and I think a high priority for any new administration in January of 2001 will be to conduct a comprehensive review of the export controls.

My own view is that the system that is appropriate to the new environment is going to focus on a modest list of military capabilities, not the underlying commercial technologies which are virtually uncontrollable.

Military capabilities that are critical to the ability of the United States to defend its interests at acceptable costs, that can be effectively controlled by the United States and countries that share our concerns about proliferation, and for which there is no ready substitute in the world market. I think we need to focus less on the sources of supply, which have proliferated in the world, and more on the bad guys that are trying to get these weapons, and I think that is an intelligence challenge, a law enforcement challenge, and a military challenge.

Second, I think we need effective defenses against these threats. They are the things that are very familiar to you, passive measures, active measures. The point is, these are not simply hedges against the failure of our efforts against proliferation.

They will, in fact, enhance the effectiveness of that effort by showing countries that even if they acquire these capabilities, they will not have the political and diplomatic effects that they hope for.

Finally, I think we need effective capabilities that will allow the United States and its friends of allies to eliminate weapons of mass destruction and the means to deliver them before they are used. Again, this is enhanced intelligence capabilities, strike weapons,

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the ability to effectively target underground targets, and enhance special operations.

Again, I think these will not undermine the proliferation effort. I think they will strengthen it, once again, by showing countries that even if they make this effort to get these weapons, we have the ability to eliminate such weapons even before they are used. This is the kind of agenda I think we need to pursue if we are going to have an effective policy against proliferation.

Thank you, Mr. Chairman.

[The prepared statement of Secretary Hadley follows:]

PREPARED STATEMENT OF STEPHEN J. HADLEY

It is a great pleasure to have the opportunity to appear before you today to discuss the proliferation threat and the elements of an effective policy against the further spread of weapons of mass destruction (WMD) and the means to deliver them.

My understanding is that you have already heard from government and outside experts about the details of the proliferation threat and the particular case studies of Iran, Iraq, India, and Pakistan. In my comments, therefore, I will focus on what are the elements of an effective policy against further proliferation.

WHO SEEKS MASS DESTRUCTION WEAPONS AND WHY?

The beginning of an effective policy against proliferation is to know who is seeking weapons of mass destruction and why.

It is important to recognize that most countries are not seeking these weapons. The overwhelming majority of nation states have found no need to seek these weapons and a number of states (South Korea, Brazil, Argentina, and South Africa) that initially sought to acquire these weapons have been persuaded that it was not in there interest to do so. These facts taken together are evidence of the considerable success that our nation has had over the last three decades in its fight against proliferation.

If one looks at the list of states that are currently seeking weapons of mass destruction and the means to deliver them, they fall into two broad categories:

The first contains states that seek these weapons in order to intimidate or coerce their neighbors, even to the point of waging war against them. Countries such as Iraq, Iran, North Korea, and Syria fall within this category. When the effort to intimidate or coerce is directed at a friend or ally of the United States, then weapons of mass destruction and the means to deliver them become critical tools in an effort to dissuade the United States from coming to the aid of its threatened friend or ally. As many commentators have written, the demonstration of U.S. conventional military dominance first in the Gulf War and then in the Kosovo Operation has lead aggressor nations to conclude that the only way they can successfully stand up against the United States is if they possess weapons of mass destruction.

The second category of states seeking these weapons are states unfortunate enough to have as a neighbor one of the countries in the first category, a state that seeks to coerce or intimidate particularly with weapons of mass destruction. Such a concern is clearly one that has motivated the national security policy of the state of Israel. Similarly, India's effort to acquire these weapons reflects in part its concerns about Chinese intentions and nuclear capabilities.

The difference in these two categories of states points up one of the great problems for an effective policy against proliferation. For some of the states that either are or could be in the second category of states are close friends and allies of the United States facing neighbors that present them with security concerns which we would find largely legitimate. For this group of states, the United States needs an anti-proliferation policy that is more than "just say no" but offers these states alternative means of meeting their legitimate security needs.

The fact that this second category of states is so much smaller than the first is evidence that the United States has largely succeeded in offering these states alternative means to safeguard their security. That nations like Japan, Taiwan, South Korea, and Turkey have not sought weapons of mass destruction is in large measure due to the fact the United States has maintained strong security ties and alliances with these states, backed up by the U.S. nuclear deterrent. These countries have found such security arrangements to be an acceptable alternative to the acquisition of weapons of mass destruction as a means of assuring their own security against

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real external threats. This is why an America that remains engaged in the world, that stands by friends and allies, and has the military capability to do so, is a critical element of an effective policy against further proliferation of weapons of mass destruction.

The most difficult challenge for an effective policy against proliferation is, therefore, dealing with the first category of states—those state that seek these weapons in order to intimidate or impose their will upon their neighbors.

An effective policy for dealing with these states must have three elements. It must be:

(1) Tailored, appropriate to the particular country of the concern;

(2) Comprehensive, using all the available political, economic, and diplomatic tools available to us; and

(3) Global, enlisting our friends, allies, and other potential supplier states in the effort.

THE NEED FOR TAILORED STRATEGIES

Because the vast majority of nation states are not seeking to acquire weapons of mass destruction and the means to deliver them, proliferation is less a "global" problem than one focused on the couple dozen states that are actively seeking these weapons. Each of these states is unique, with its own geography, politics, motivations, and different levels of technical sophistication. On the issue of proliferation, North Korea is different from Iran, and both are different from India/Pakistan. An effective policy against proliferation requires a separate strategy for each country of proliferation concern, tailored to its particular situation.

The success of U.S. efforts against proliferation is likely to depend more on the success of these tailored strategies than on the international legal regimes erected to deal with this problem.

These international legal regimes (such as the Biological Weapons Convention, the Chemical Weapons Convention, the Non-Proliferation Treaty, and the Missile Technology Regime) have their place. They help to establish and re-enforce an international consensus against proliferation of weapons of mass destruction. While not self enforcing, these regimes can provide the basis for international collective action to prevent and possibly redress proliferation. In addition, the existence of these regimes helps facilitate the international cooperation that is required if the effort against proliferation is to succeed.

The principal problem with these regimes is their "one size fits all" character. Because they are open to virtually all nations, they lump together states that have no interest or need to acquire these weapons with states that desperately want and seek them. Indeed, in the case of Iraq, membership in the nuclear Non-Proliferation Treaty regime before the Gulf War provided a "cover" for Iraq's effort to obtain nuclear weapons and may even have helped Iraq obtain the relevant technology without detection.

Some of these regimes have verification and inspection procedures. But often these procedures fall between two stools: unduly intrusive and costly for innocent states that have no interest in acquiring these weapons, but inadequately intrusive and effective for states bent on acquiring them covertly. While we need to strengthen these regimes where we can, such as by strengthening the powers of the International Atomic Energy Agency (IAEA) under the Non-Proliferation Treaty regime, such efforts alone are not sufficient. The international community had for some time the most intrusive inspection regime in history in place in Iraq. Yet it clearly failed to uncover all of Iraq's chemical, biological, and missile weapons.

THE NEED FOR A COMPREHENSIVE APPROACH

An important element of the success of any strategy tailored to a particular country of proliferation concern will be its ability to take advantage of the full array of available instruments—political, economic, diplomatic and legal—and to integrate them in a coordinated way. These countries are very serious about obtaining weapons of mass destruction, and to dissuade or prevent them from doing so will be extremely difficult. It will require all the leverage and tools we can bring to bear.

This is one reason why an effective policy against proliferation is so difficult to achieve in practice. The integration of all these instruments into a single, successful strategy requires a high degree of coordination among a number of different agencies of the United States government and with agencies of many other governments. This has been extremely difficult to achieve. It may require a significant change in how the United States does business as a government if the United States is going to achieve the necessary level of effectiveness.

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These comprehensive approaches also need to be designed to be effective, not simply to make us feel good. They need to be a blend of both positive and negative incentives, and the mix has to be right. It is now widely agreed, I believe, that the U.S. approach throughout the last two decades to the problem of nuclear proliferation involving Pakistan both failed to prevent Pakistan from pursuing weapons of mass destruction and reduced U.S. leverage to influence its behavior.

THE NEED FOR GLOBAL APPROACH

The United States must take the lead in the fight against proliferation. For it represents the most clear and present danger to U.S. forces and allies overseas—and to the territory of the United States itself. The acquisition of weapons of mass destruction by states and subnational groups hostile to the United States, its friends and allies, could revolutionize the security situation in regions of vital importance (including Asia and the Middle East) in ways highly prejudicial to U.S. interests and to international stability.

But the effort against proliferation is seen by too many of our friends and allies as an effort largely benefiting the United States. Yet, the United States is probably better situated to deal with a proliferated world than most of these countries. Most of those states, particularly those with hostile neighbors who are actively seeking these weapons, do not have the financial or military resources that the United States has for dealing with this problem. They are very vulnerable to intimidation, coercion, or attack. For these countries, a common effort against proliferation is an investment in their own future and very much in there own security interest.

It is also true that the United States needs the support of other nations in its effort to fight proliferation. For the technology, know how, technical personnel, and hardware and materials required for these weapons is widely available from a large number of countries. While unilateral U.S. efforts have their place, they will be more effective if joined with the efforts of other countries.

The most important of these countries are U.S. friends and allies. Yet often these countries have not given us the kind of support that they should have. That is partly our fault. In many instances we have not invested the time required to convince these countries of the risks associated with the proliferation of weapons of mass destruction and what is required to discourage or prevent it. The difficulty the United States has traditionally had with its European allies on Iran, for example, results from a difference in the assessment of the security risks posed by Iran. This gap can only be remedied by working quietly, intensively, and systematically with the relevant intelligence and policy communities of these countries in order to come to a common assessment of the problem and what can be done about it.

Cooperation is also required from countries with whom we have a much more problematic relationship. Russia and China are potentially formidable sources of the technology, personnel, and material required for weapons of mass destruction and the means to deliver them. The effort against the proliferation of these weapons will not be effective unless we can find some way to enlist Russia and China. The willingness to invoke sanctions against these countries in appropriate cases certainly must be an important element of our approach. But the U.S. also needs to offer positive incentives for Russian and Chinese participation in the effort against proliferation—convincing them that it is in their own national security interest, and that it can have positive benefits for them politically, economically, and diplomatically. Sanctions against Russia for its cooperation in the nuclear and missile fields with countries like Iran must be coupled with the prospect of Russian companies being able to participate actively in legitimate markets with the United States and its allies—in both the nuclear and space launch fields. Otherwise, the U.S. runs the risk of driving Russia and China into the arms of these troublesome regimes.

AN AGENDA FOR A NEW ADMINISTRATION

First, any new Administration entering into office in January of 2001 needs to conduct a major review of U.S. proliferation policy. It needs to begin by taking each country of major proliferation concern, evaluating the success or failure of past efforts to discourage or prevent proliferation, and developing a revised strategy tailored to that particular country, one that integrates in an effective way all the various tools at our disposal for influencing the behavior of that nation. Once such strategies are developed, their execution needs to be a high priority throughout the Administration, commanding energy and attention from the highest levels of government.

Second, any new Administration must begin a quiet, intensive, and systematic dialogue with our friends and allies to impress upon them the serious proliferation

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risks to their own security, and the kinds of measures that must be adopted if the problem is going to be adequately addressed. U.S. representatives must focus on the hard cases, the countries of greatest proliferation concern, and enlist friends and allies in developing and then executing the targeted strategies appropriate to each of these countries.

Third, the U.S. needs a new beginning with Russia and China on this issue. The effort against proliferation must take on a higher priority in our relations with these two countries. To the extent possible, we need to develop with them an affirmative agenda that offers them a positive incentive to participate with us—and our friends and allies—in this effort. Any unilateral sanctions or penalties must be targeted and advance the overall approach.

Finally, the United States needs to make a greater investment in the new tools required for an effective effort against proliferation.

THE NEED FOR NEW TOOLS

If the United States is to have an effective policy against the proliferation of weapons of mass destruction and the means to deliver them, it needs to develop new, improved tools for the effort. At least three categories of tools come to mind.

1. A New Approach to Export Controls. There was a time when the most critical elements of weapons of mass destruction and the means to deliver them were generally military in origin and the province of a handful of states. But that is certainly not the case today. The relevant technology, know-how, trained personnel, and key hardware and components are increasingly available through the Internet, through a highly mobile technical work force, and through a globalized commercial marketplace. Indeed, a recent report of the Defense Science Board Task Force on Globalization and Security concludes that "a majority of militarily-useful technology will eventually be available commercially and/or outside the United States." In the future, military advantage will come not from developing military-specific technology and denying it to our adversaries, but from being able rapidly to integrate commercial technology into military equipment that can be promptly delivered to and exploited by a well-trained and well-led military force.

Despite this new environment, export controls can continue to make a valuable contribution to the effort against proliferation. But we need a new approach to export controls if they are to be effective.

A high priority for any new administration in January of 2001 will be to conduct a comprehensive review of the current U.S. approach to export controls in order to develop a more effective system. Such a system should focus on:

- a modest list of military capabilities—not the underlying commercial technologies—that are critical to the ability of the U.S. to defend its interests at acceptable costs;
- that can be effectively controlled by the United States and those countries supporting the effort against proliferation; and
- for which there is no ready substitute on the world market.

The U.S. approach to export controls needs to focus less on controlling the sources of supply of technology and components, which have generally become so numerous as to be virtually uncontrollable in the global economy, and more on those relatively less numerous "bad end users" to whom we want to deny these capabilities. The United States needs to target its intelligence-gathering, law enforcement, and military resources in a constant, proactive program of disruption of the efforts of these "bad end users" to acquire the critical elements of weapons of mass destruction and the means to deliver them.

2. Effective Defenses Against These Threats. The United States needs to be pursuing a host of measures to defend and protect itself from the threat of weapons of mass destruction. The United States needs better methods for protecting its military and civilian population against the potential use of weapons of mass destruction. This means better detection devices, vaccines, antidotes, protective clothing, decontamination equipment, sophisticated medical treatment protocols, building protection measures, civil preparedness. But in addition to these passive defenses or "consequence management" measures, the United States also needs active defenses against these threats and particularly the means to deliver them. This means defenses against ballistic missiles and cruise missiles, enhanced surveillance and control over potentially dangerous items and suspected terrorists coming into the country, and other similar measures.

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It is true that such measures represent a "hedge" against the failure of U.S. efforts to thwart proliferation. But of equal importance, the ability to deal with the consequences of the failure of these efforts actually increases the prospect of their success. Rather than undermining the effect against proliferation, protective measures actually discourage proliferation by reducing the likelihood that a would-be proliferator could achieve the intimidating or coercive effects that motivate the effort to acquire these weapons in the first place. Similarly, by developing defenses and protective measures, the United States can make them available to its friends, allies, and other states threatened by a proliferating neighbor. This allows these states to cope with a neighbor seeking to acquire weapons of mass destruction without having to acquire those weapons itself. It is just this argument, for example, that supports the deployment of theater ballistic missile defenses to Japan to help cope with the ballistic missile threat from North Korea, so as to forestall the temptation for Japan to develop similar offensive capabilities itself.

3. Effective Counterforce Capabilities. The United States needs capabilities that would allow it, and its friends and allies, to eliminate weapons of mass destruction or the means to deliver them before proliferating states are able to use them. This will require enhanced intelligence capabilities, long-range strike weapons able to attack without warning, the ability effectively to attack underground targets, and enhanced special operation forces. Again, these capabilities are not a threat to the traditional non-proliferation approach. Rather, as in the case of active and passive defenses, possession of these capabilities will reduce the incentives to proliferation, thereby enhancing the traditional non-proliferation effort. For countries will be discouraged from seeking weapons of mass destruction if they know that the United States has the ability to eliminate such weapons even before they are used.

CONCLUSION

In summary, an effective policy against further proliferation needs to have the following elements:

- Strengthening the international consensus against acquiring weapons of mass destruction and the means to deliver them.
- Strengthening the ability of key international organizations such as the International Atomic Energy Agency (IAEA) effectively to monitor and enforce prohibitions against acquiring these weapons.
- Developing for each country of proliferation concern a comprehensive and coordinated strategy tailored to that particular country and making use of all the political, economic, military, and diplomatic tools available to the international community.
- Enlisting the active participation of U.S. friends, allies, and other potential suppliers in support of these tailored strategies.
- Adopting a new and more effective approach to U.S. export controls, which can provide the basis for enlisting other countries in an effective multilateral export control regime.
- Continued strong security ties with friends and allies threatened by proliferation, to give them a way to assure their security without pursuing the course of proliferation themselves.
- Maintenance of the U.S. nuclear deterrent as part of these strong security ties, a deterrent friends and allies continue to accept as an effective substitute for having their own weapons of mass destruction, and which helps to deter proliferation by others.
- Strengthened intelligence capabilities so that the United States can frustrate the efforts of those countries seeking to acquire weapons of mass destruction and have the option to eliminate those weapons and the means to deliver them should their efforts to acquire them succeed.
- Developing active and passive measures to deter and defend against weapons of mass destruction and to cope with the consequences of their use, both to protect America and its troops overseas and to provide protection to its friends and allies.
- Developing counterforce capabilities that would give the United States and its allies the ability to eliminate weapons of mass destruction and the means to deliver them before they are used.

Senator LUGAR. Thank you very much, Secretary Hadley. Secretary Carter.

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STATEMENT OF HON. ASHTON B. CARTER, FORMER ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY POLICY; JOHN F. KENNEDY SCHOOL OF GOVERNMENT, HARVARD UNIVERSITY, CAMBRIDGE, MASSACHUSETTS

Secretary CARTER. Thank you, Mr. Chairman. Thank you very much for this opportunity to appear before you and other members to discuss this issue of preventing and countering proliferation, which has replaced the Soviet Union as the central threat to the survival, way of life and position in the world for Americans.

A lot of wisdom has preceded me already, and also some time has preceded me, and, therefore, I am going to endeavor to be very brief. I have a written statement here in which I developed six main points, which are the main ones I would bring to the attention of you and the committee, and I think with your leave what I would like to do is simply encapsulate very briefly each of these six.

The first one you might call, and I called in my statement, the importance of the evidence of the dogs that do not bark. Senator Biden used a different metaphor, a glass half full and a glass half empty, and Secretary Hadley spoke to this point as well.

The point is, we are not successful at all times in all places, that preventing proliferation, and obviously, our policy discussions tend to focus on those places where the outcome seems in doubt, but to paraphrase Sherlock Holmes, we must not ignore the evidence of the dogs that do not bark.

The states that have forsworn weapons of mass destruction far outnumber those that challenge the nonproliferation regime. Among them figure many friends and allies of the United States. These are nations of great power and authority.

They could easily put their hands on the resources and the technology to make weapons of mass destruction, but they have nevertheless decided that it is in their security interest not to have weapons of mass destruction, and why is this.

Well, it is, because, and Secretary Hadley made this point very forcefully, and I associate myself with it, an important measure, their sense of security, stability, safety, and justice in the world, that sense is contributed to by the broader foreign policies and defense policies of the United States.

Said differently, all of our foreign and defense policy, and in particular our defense alliances, are nonproliferation policy, and we ought not forget, while we are trying to empty the half of the glass that is full, that we need to keep empty the half that is already empty.

Well, what is the decade scorecard? Let me take the nuclear field. I said we were not successful in preventing proliferation in all places at all times, but U.S. policy under the last two administrations that have spanned this decade have made some remarkable successes.

A decade ago, if you had had a hearing like this, Mr. Chairman, a reasonable person testifying before this committee at that time would have been justified in forecasting no fewer than six new entrants to the roles of nuclear proliferators in the course of this decade now passed, but Ukraine, Kazakstan, and Belarus are non-

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nuclear states, due principally to the success of the Nunn-Lugar program.

South Africa dismantled its nuclear weapons after a change of regime. Iraq began the decade on a path that would surely have led to nuclear weapons by this time, but defeat in war, and the pressure of inspections have at least slowed their efforts.

North Korea's plutonium production program, which was forecasted to have yielded by this time dozens of nuclear weapons worth of plutonium, is frozen. So the effort is worthwhile, does produce results, but not in all places and all times.

The second point has to do with priorities really, and strategy. Recently, former Secretary of Defense Bill Perry and I wrote a book called *Preventive Defense,* in which we argued for American security strategy focused on what we call the A-list of dangers to the very survival way of life and position in the world of this country.

Proliferation of weapons of mass destruction, including to substate terrorists, was on our A-list. Also on our A-list were the future evolutions of Russia and China, which evolutions could be either deeply beneficial or deeply dangerous for U.S. security.

Now, we contrasted this A-list of problems to such problems as the conflict in the Balkans, which, while tragic and important, does not threaten America's vital interests directly. We put such problems on a strategic C-list.

Our B-list we reserved for the two major theater wars around which our force structure is largely built, necessarily so. The major theater wars in Southwest Asia and Northeast Asia that made up our B-list do threaten American vital interests, and we do not have the option to pick and choose among them, as we have the option for the C-list, but neither do they threaten the survival way of life or position in the world of the United States in the manner that A-list proliferation does. Therefore, as we struggle towards a conception of strategy for the post-Cold War world, we have to keep our priorities firmly before us, even though CNN makes that difficult at times.

George Marshall was bothered by the same problem of priorities at America's last great strategic transition after World War II, and he said something that I think is very important, at Princeton, in 1947.

He said this, "Now that an immediate peril is not plainly visible, there is a natural tendency to relax and to return to business as usual, but I feel that we are seriously failing in our attitude toward the international problems whose solution will largely determine our future."

The outcome of the struggle to prevent and counterproliferation will, I believe, as Marshall said, largely determine our future, and, therefore, the priority that you are giving this subject and this committee is, in my mind, entirely appropriate.

The third point I would like to make has to do with counterproliferation. Because we are not successful in preventing proliferation in all places at all times, it is pretty important that proliferation problems figure in our defense as well as our diplomacy.

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Desert Storm was deeply deceptive in this regard, and I believe I am echoing here a point made by Secretary Rumsfeld. Americans got the impression in Desert Storm that wars of the post-Cold War era would be purely conventional affairs, won handily by our fearless conventional forces. But future opponents will pose asymmetrical counters to our forces rather than taking them on frontally with symmetrical opposing conventional forces. It was in recognition of this danger that the Department of Defense began the counter-proliferation initiative in 1993.

Counterproliferation has gradually assumed greater importance in our defense plans and programs, but I think a great deal more remains to be done. Our revolution in military affairs, as we call it, still spends more effort and money perfecting the hammer for a nail, like Desert Storm, but the next war might be a screw instead.

The counterproliferation approach completes the nation's portfolio of counters to proliferation. I sum up this portfolio in eight D's, which apply progressively as the situation gets more dangerous: dissuasion, diplomacy, disarmament, denial, through export controls, defusing, deterrence, including nuclear deterrence, destruction, and defense, both active and passive.

Rather than arguing about which of these D's is most important, we need to be better at implementing each, and my first point has to do with that implementation, which really has to do with the organization and management of this issue within the government.

It is remarkable that as the world has changed so profoundly in the last decade, the structure of the national security establishment has not. That structure was set in 1947 and 1949 by the National Security Act, and it is as if we are trying to manage the Internet now with the corporate structure of Ma Bell.

The upcoming presidential transition, as has been noted, offers an opportunity to make basic changes in management and organization, and in the American system this opportunity comes up only every four or eight years.

Within the White House, to take one example, from time to time, a proliferation czar has been proposed as a replacement for the current National Security Council system of policy coordination. But the central problem at the White House is not policy coordination among agencies, but program coordination.

For example, early in the Nunn-Lugar program, implementation was slowed by problems coordinating spending and program engineering among departments, but the policy was perfectly clear and agreed on by all departments.

In cases like this, the White House NSC system has neither the right powers nor the right personnel, and another mechanism needs to be found. Today, both the programs for counterterrorism and cyber protection, and the programs for developing technology and capabilities for the battle against proliferation would benefit from a better mechanism for program coordination among departments at the White House.

Fifth, Mr. Chairman, is a point I need scarcely make to you, but I cannot pass over, which is that the disintegration of the Soviet

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Union and the continuing ongoing social and economic revolution in Russia is the most fateful event of the proliferation age.

All the witnesses and all the hearings you have had have remarked upon the unprecedented specter of a superpower arsenal engulfed in change its designers could never have imagined, and also on the stunning results obtained by the Nunn-Lugar program.

I just want to repeat these warnings, and sum it up in the following way. The half-life of plutonium 239 is 24,400 years. The half-life of uranium 235 is 713 million years. That is a lot of election cycles in the Russian democracy.

The Nunn-Lugar program is the single most creative new foreign policy tool devised since the Cold War ended, but the current program's scale and scope are still much smaller than the opportunities to reduce this threat. Both the DOD and DOE programs have unfunded opportunities in the nuclear field, and much more could be done in the chemical, and above all, the biological weapons field.

The sixth and last point has to do with biological weapons. Ten years from now, if a hearing like this is held, I predict that rather than nuclear weapons and ballistic missiles being front and center, biological weapons will be front and center.

Nuclear weapon is a fearful technology, but it is a mature technology. In more than 50 years, the essentials of nuclear effects have not changed, and these effects are well understood all around the world. Not so with biotechnology. Biotechnology is at the dawn of a revolution that will produce a succession of dramatically new capabilities that will surprise us all.

All of us concerned about proliferation need to move biological weapons to the top of our agenda. We need stronger diplomatic tools than the biological weapons convention for prevention, as Secretary Hadley has noted, and because biological proliferation has occurred in many places and many times already, we need much better counter-proliferation and counterterrorism protections.

In this connection, it is of some concern to me that the biotechnology revolution, unlike the nuclear revolution, is taking place outside of defense laboratories and companies. The nonproliferation community, including DOD, will need to make a strong effort to develop a base of expertise in biotechnology, which it does not now possess. It possesses a very rich base of technology in nuclear weapons.

Let me close with a word about North Korea. Mr. Chairman, as you know, it has been my privilege to serve the administration and Secretary William Perry as senior advisor to the North Korea Policy Review. The review's recommended strategy, a tailored strategy, to use Secretary Hadley's phrase, for dealing with the DPRK, was detailed in both classified and unclassified reports.

I will not repeat the logic or conclusions of that review here, but I request that the report be entered into the record of this hearing along with my statement, and I would be pleased to answer questions about it.

Thank you.

[The prepared statement of Secretary Carter follows:]

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PREPARED STATEMENT OF ASHTON B. CARTER

COUNTERING PROLIFERATION

Mr. Chairman and members of the Committee on Foreign Relations, thank you for the opportunity to appear before you today to discuss the vitally important issue of preventing and countering proliferation. Proliferation has taken the place of the Soviet Union as the number one threat to the security of Americans. Your efforts to explore and promote policy solutions to proliferation are therefore much appreciated by citizens like myself.

I have some brief remarks to make and then would be pleased to take your questions.

Dogs That Don't Bark

The effort to prevent proliferation is not successful in all places at all times. Policy understandably focuses on those places where the outcome seems in doubt. But to paraphrase Sherlock Holmes, we must not ignore the evidence of the "dogs that don't bark." The states that have forsworn weapons of mass destruction (WMD) far outnumber those that challenge the nonproliferation regime. Among them figure many friends and allies of the United States. Nations of great power and authority that could easily put their hands on the needed technology and funds nevertheless make the decision that their own security is best preserved without WMD. Why is this? In important measure it is because of the sense of stability, safety, and justice in their region and in the world as a whole—a sense to which the broader foreign policies of the United States make an essential contribution. Said differently, all of U.S. foreign and defense policy contributes to nonproliferation policy.

While we are not successful at preventing proliferation in all places and times, U.S. policy has had some remarkable successes under the two administrations that have spanned this decade. As the decade opened, a reasonable person testifying to this Committee would have been justified in forecasting no fewer than six new entrants into the rolls of nuclear proliferators during the 1990s. But Ukraine, Kazakstan, and Belarus are today non-nuclear due to the farsightedness of the Nunn-Lugar program. South Africa dismantled its nuclear weapons after a change of regime. Iraq began the decade on a path that would have led to a nuclear arsenal by this time, but defeat in war and the pressure of inspections have slowed its efforts. North Korea's plutonium production program, forecasted to yield dozens of weapons worth of plutonium by decade's end, is frozen. So the effort is well worthwhile and produces results, even if not in all places and all times.

Strategy and Priorities

Recently former Secretary of Defense William Perry and I wrote a book entitled *Preventive Defense: A New Security Strategy for America* in which we argued for an American security strategy focused on what we called the "A-List" of dangers to the very survival, way of life, and position in the world of this country. Proliferation of WMD (including possibly to sub-state terrorists) was on our A-List. Also on the A-List were the future evolutions of Russia and China, which could be either beneficial or deeply dangerous for U.S. security. We contrasted the A-List problems to such problems as the tragic conflict in the Balkans, which, while important, does not threaten America's vital interests directly. We put such problems on a strategic "C-List." The B-List contained the two Major Theater Wars (MTWs) around which much of our defense spending is organized. The MTWs do threaten American vital interests, and we do not have the option to pick and choose among them. But neither do they threaten the survival, way of life, and position in the world of the United States in the manner that A-List proliferation does.

Therefore, as the United States struggles toward a conception of strategy for the post-Cold War world, we must keep our priorities firmly before us, even though CNN makes that difficult at times. George Marshall was bothered by the same problem of priorities at America's last great strategic transition. In an address at Princeton University in 1947, he said, "Now that an immediate peril is not plainly visible, there is a natural tendency to relax and to return to business as usual. But I feel that we are seriously failing in our attitude toward the international problems whose solution will largely determine our future." The outcome of the struggle to prevent and counter proliferation will, as Marshall said, "largely determine our future."

Counterproliferation

Because we are not successful at preventing proliferation in all places at all times, it is important that proliferation problems figure in our defense as well as our diplo-

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macy. Desert Storm was deeply deceptive in this regard: Americans got the impression that wars in the post-Cold War era would be purely conventional affairs, won handily by our peerless conventional forces. But future opponents will pose asymmetrical counters to our forces rather than taking them on frontally with symmetrical opposing conventional forces. It was in recognition of this danger that Secretary of Defense Aspin and then Secretary Perry began the Counterproliferation Initiative in DOD. Counterproliferation has gradually assumed greater importance in U.S. defense plans and programs, though a great deal more remains to be done. Our Revolution in Military Affairs (RMA) still spends more effort perfecting the hammer for a nail like Desert Storm; but the next war might be a screw instead.

The counterproliferation approach completes the nation's portfolio of counters to proliferation. In DOD briefings (and now to my class at Harvard), I used to sum up this portfolio in the "8D's": dissuasion, diplomacy, disarmament, denial, defusing, deterrence, destruction, and defense.

Organization and Management Within the Government

It is remarkable that as the world has changed so profoundly in the past decade, the structure of the national security establishment has not. That structure was established in its essential design in 1947 and 1949, when Congress passed and amended the National Security Act. It is as if we were trying to run the Internet with the corporate structure of Ma Bell. The upcoming presidential transition offers an opportunity to make basic changes in management and organization. In the American system this opportunity comes only every four or eight years. Early in a presidential transition, civilian jobs are not yet filled with new officials who might resist a change in their functions. The new administration has not yet settled into a pattern of making do with "the system" it inherited. Politically, the Congress and the voters are expecting change.

Within the structure to deal with proliferation's A-List threat, DOD has made an important initial move by creating the Defense Threat Reduction Agency (DTRA), and one can only hope that further innovation will take place to give solid managerial focus to A-List problems in the Pentagon. Within the White House, from time to time a "proliferation czar" has been proposed as a replacement for the current National Security Council system of policy coordination. But the central problem at the White House is not policy coordination among agencies, but program coordination. For example, early in the Nunn-Lugar program, implementation was slowed by problems coordinating spending and program engineering among departments. But the policy was perfectly clear and agreed upon by all agencies. In cases like this the White House NSC system has neither the right powers nor the right personnel, and another mechanism needs to be found. Today, both the programs for counterterrorism and the programs for developing technology for the battle against proliferation would benefit from a better mechanism for program coordination among departments.

A Once-in-the-Nuclear-Age Event

The disintegration of the Soviet Union and the continuing social and economic revolution in Russia is the most fateful event of the nuclear age. All the witnesses in these hearings have remarked upon the unprecedented specter of a superpower arsenal engulfed in change its designers never could have imagined, and the stunning results obtained by the innovative Nunn-Lugar program. Their warnings bear repeating. The half-life of Plutonium–239 is 24,400 years, and the half-life of Uranium–238 is 713 million years. That is a lot of election cycles for a young democracy.

The Nunn-Lugar program is the single most creative new foreign policy tool devised since the Cold War ended. Its many concrete accomplishments are well known to this Committee. But the current program's scale and scope are still much smaller than the opportunities to reduce this threat. Both the DOD and DOE programs have unfunded opportunities in the nuclear field, and much more could be done in the chemical and above all biological weapons fields.

Biological Weapons

The nuclear weapon is a fearful technology, but it is at least a mature technology. In more than fifty years since the first thermonuclear explosion in 1949, the essentials of nuclear weapons effects have not changed. These terrible effects are also well understood by people all over the world. Biotechnology, by contrast, is at the dawn of a revolution that will match and probably eventually dwarf the nuclear revolution and even the ongoing information revolution. Like all new technologies, it will be exploited for ill as well as good.

All of us who are concerned about proliferation need to move biological weapons to the top of our agenda. We need stronger tools than the Biological Weapons Con-

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vention for prevention. Because biological proliferation has occurred at some places and times already, we also need much better counterproliferation (including counterterrorism) protections. In this connection, it is of some concern that the biotechnology revolution, unlike the nuclear revolution, is taking place outside of defense laboratories and companies. The information revolution is also spearheaded by non-defense commercial firms, but at least it had its beginning in defense-sponsored research, so DOD has a strong technological base in this field. The nonproliferation community, including DOD, will need to make a strong effort to develop a base of expertise in biotechnology.

North Korea

The nuclear weapons and ballistic missile related activities of the Democratic Peoples Republic of Korea (DPRK) are a triple concern. First, they occur in a theater of possible large-scale and catastrophic war in which American soldiers would be directly and immediately involved. Second, they take place in an area where a regional arms race is looming. And third, they threaten the fabric of the nonproliferation norm worldwide.

Mr. Chairman, as you know, it has been my privilege to serve the administration and Secretary William Perry as Senior Adviser to the North Korea policy review. The review's recommended strategy for dealing with the DPRK was detailed in its unclassified report. I will not repeat the logic or conclusions of that report here, but I request that the report be entered into the record of this hearing along with my statement. I would be pleased to answer questions about it.

UNCLASSIFIED REPORT

NORTH KOREA POLICY REVIEW: FINDINGS AND RECOMMENDATIONS

A North Korea policy review team, led by Dr. William J. Perry and working with an interagency group headed by the Counselor of the Department of State Ambassador Wendy R. Sherman, was tasked in November 1998 by President Clinton and his national security advisers to conduct an extensive review of U.S. policy toward the DPRK. This review of U.S. policy lasted approximately eight months, and was supported by a number of senior officials from the U.S. government and by Dr. Ashton B. Carter of Harvard University. The policy review team was also very fortunate to have received regular and extensive guidance from the Secretary of State, the Secretary of Defense, the National Security Advisor and senior policy advisors.

Throughout the review the team consulted with experts, both in and out of the U.S. government. Dr. Perry made a special point to travel to the Capitol to give regular status reports to Members of Congress on the progress of this review, and he benefited from comments received from Members on concepts being developed by the North Korea policy review team. The team also exchanged views with officials from many countries with interests in Northeast Asia and the Korean Peninsula, including our allies, the ROK and Japan. The team also met with prominent members of the humanitarian aid community and received a wealth of written material, solicited and unsolicited. Members of the policy review team met with many other individuals and organizations as well. In addition, the team traveled to North Korea this past May, led by Dr. Perry as President Clinton's Special Envoy, to obtain a first-hand understanding of the views of the DPRK Government.

The findings and recommendations of the North Korea Policy Review set forth below reflect the consensus that emerged from the team's countless hours of work and study.

The Need for a Fundamental Review of U.S. Policy

The policy review team determined that a fundamental review of U.S. policy was indeed needed, since much has changed in the security situation on the Korean Peninsula since the 1994 crisis.

Most important—and the focus of this North Korea policy review—are developments in the DPRK's nuclear and long-range missile activities.

The Agreed Framework of 1994 succeeded in verifiably freezing North Korean plutonium production at Yongbyon—it stopped plutonium production at that facility so that North Korea currently has at most a small amount of fissile material it may have secreted away from operations prior to 1994; without the Agreed Framework, North Korea could have produced enough additional plutonium by now for a significant number of nuclear weapons. Yet, despite the critical achievement of a verified freeze on plutonium production at Yongbyon under the Agreed Framework, the pol-

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icy review team has serious concerns about possible continuing nuclear weapons-related work in the DPRK. Some of these concerns have been addressed through our access and visit to Kumchang-ni.

The years since 1994 have also witnessed development, testing, deployment, and export by the DPRK of ballistic missiles of increasing range, including those potentially capable of reaching the territory of the United States.

There have been other significant changes as well. Since the negotiations over the Agreed Framework began in the summer of 1994, formal leadership of the DPRK has passed from President Kim Il Sung to his son, General Kim Jong Il, and General Kim has gradually assumed supreme authority in title as well as fact. North Korea is thus governed by a different leadership from that with which we embarked on the Agreed Framework. During this same period, the DPRK economy has deteriorated significantly, with industrial and food production sinking to a fraction of their 1994 levels. The result is a humanitarian tragedy which, while not the focus of the review, both compels the sympathy of the American people and doubtless affects some of the actions of the North Korean regime.

An unrelated change has come to the government of the Republic of Korea (ROK) with the Presidency of Kim Dae Jung. President Kim has embarked upon a policy of engagement with the North. As a leader of great international authority, as our ally, and as the host to 37,000 American troops, the views and insights of President Kim are central to accomplishing U.S. security objectives on the Korean Peninsula. No U.S. policy can succeed unless it is coordinated with the ROK's policy. Today's ROK policy of engagement creates conditions and opportunities for U.S. policy very different from those in 1994.

Another close U.S. ally in the region, Japan, has become more concerned about North Korea in recent years. This concern was heightened by the launch, in August 1998, of a Taepo Dong missile over Japanese territory. Although the Diet has passed funding for the Light Water Reactor project being undertaken by the Korean Peninsula Energy Development Organization (KEDO) pursuant to the Agreed Framework, and the government wants to preserve the Agreed Framework, a second missile launch is likely to have a serious impact on domestic political support for the Agreed Framework and have wider ramifications within Japan about its security policy.

Finally, while the U.S. relationship with China sometimes reflects different perspectives on security policy in the region, the policy review team learned through extensive dialogue between the U.S. and the PRC, including President Clinton's meetings with President Jiang Zemin, that China understands many of the U.S. concerns about the deleterious effects that North Korea's nuclear weapons and missile activities could have for regional and global security.

All these factors combine to create a profoundly different landscape than existed in 1994. The review team concurred strongly with President Clinton's judgment that these changed circumstances required a comprehensive review such as the one that the President and his team of national security advisors asked the team to conduct. The policy review team also recognized the concerns of Members of Congress that a clear path be charted for dealing with North Korea, and that there be closer cooperation between the executive and legislative branches on this issue of great importance to our security. The review team shared these concerns and has tried hard to be responsive to them.

Assessment of the Security Situation on the Korean Peninsula

In the course of the review, the policy team conferred with U.S. military leaders and allies, and concluded that, as in 1994, U.S. forces and alliances in the region are strong and ready. Indeed, since 1994, the U.S. has strengthened both its own forces and its plans and procedures for combining forces with allies. We are confident that allied forces could and would successfully defend ROK territory. We believe the DPRK's military leaders know this and thus are deterred from launching an attack.

However, in sharp contrast to the Desert Storm campaign in Kuwait and Iraq, war on the Korean Peninsula would take place in densely populated areas. Considering the million-man DPRK army arrayed near the DMZ, the intensity of combat in another war on the Peninsula would be unparalleled in U.S. experience since the Korean War of 1950–53. It is likely that hundreds of thousands of persons—U.S., ROK, and DPRK—military and civilian—would perish, and millions of refugees would be created. While the U.S. and ROK of course have no intention of provoking war, there are those in the DPRK who believe the opposite is true. But even they must know that the prospect of such a destructive war is a powerful deterrent to precipitous U.S. or allied action.

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Under present circumstances, therefore, deterrence of war on the Korean Peninsula is stable on both sides, in military terms. While always subject to miscalculation by the isolated North Korean government, there is no military calculus that would suggest to the North Koreans anything but catastrophe from armed conflict. This relative stability, if it is not disturbed, can provide the time and conditions for all sides to pursue a permanent peace on the Peninsula, ending at last the Korean War and perhaps ultimately leading to the peaceful reunification of the Korean people. This is the lasting goal of U.S. policy.

However, acquisition by the DPRK of nuclear weapons or long-range missiles, and especially the combination of the two (a nuclear weapons device mounted on a long-range missile), could undermine this relative stability. Such weapons in the hands of the DPRK military might weaken deterrence as well as increase the damage if deterrence failed. Their effect would, therefore, be to undermine the conditions for pursuing a relaxation of tensions, improved relations, and lasting peace. Acquisition of such weapons by North Korea could also spark an arms race in the region and would surely do grave damage to the global nonproliferation regimes covering nuclear weapons and ballistic missiles. A continuation of the DPRK's pattern of selling its missiles for hard currency could also spread destabilizing effects to other regions, such as the Middle East.

The review team, therefore, concluded that the urgent focus of U.S. policy toward the DPRK must be to end its nuclear weapons and long-range missile-related activities. This focus does not signal a narrow preoccupation with nonproliferation over other dimensions of the problem of security on the Korean Peninsula, but rather reflects the fact that control of weapons of mass destruction is essential to the pursuit of a wider form of security so badly needed in that region.

As the United States faces the task of ending these weapons activities, any U.S. policy toward North Korea must be formulated within three constraining facts:

First, while logic would suggest that the DPRK's evident problems would ultimately lead its regime to change, there is no evidence that change is imminent. United States policy must, therefore, deal with the North Korean government as it is, not as we might wish it to be.

Second, the risk of a destructive war to the 37,000 American service personnel in Korea and the many more that would reinforce them, to the inhabitants of the Korean Peninsula both South and North, and to U.S. allies and friends in the region dictate that the United States pursue its objectives with prudence and patience.

Third, while the Agreed Framework has critics in the United States, the ROK, and Japan—and indeed in the DPRK—the framework has verifiably frozen plutonium production at Yongbyon. It also served as the basis for successful discussions we had with the North earlier this year on an underground site at Kumchang-ni—one that the U.S. feared might have been designed as a substitute plutonium production facility. Unfreezing Yongbyon remains the North's quickest and surest path to nuclear weapons. U.S. security objectives may therefore require the U.S. to supplement the Agreed Framework, but we must not undermine or supplant it.

Perspectives of Countries in the Region

The policy review team consulted extensively with people outside of the Administration to better understand the perspectives of countries in the region. These perspectives are summarized below.

Republic of Korea. The ROK's interests are not identical to those of the U.S., but they overlap in significant ways. While the ROK is not a global power like the United States and, therefore, is less active in promoting nonproliferation worldwide, the ROK recognizes that nuclear weapons in the DPRK would destabilize deterrence on the Peninsula. And while South Koreans have long lived within range of North Korean SCUD ballistic missiles, they recognize that North Korea's new, longer-range ballistic missiles present a new type of threat to the United States and Japan. The ROK thus shares U.S. goals with respect to DPRK nuclear weapons and ballistic missiles. The South also has concerns, such as the reunion of families separated by the Korean War and implementation of the North-South Basic Agreement (including reactivation of North-South Joint Committees). The U.S. strongly supports these concerns.

President Kim Dae Jung's North Korea policy, known as the "engagement" policy, marked a fundamental shift toward the North. Under the Kim formulation, the ROK has forsworn any intent to undermine or absorb the North and has pursued increased official and unofficial North-South contact. The ROK supports the Agreed Framework and the ROK's role in KEDO, but the ROK National Assembly, like our Congress, is carefully scrutinizing DPRK behavior as it considers funding for KEDO.

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Japan. Like the ROK, Japan's interests are not identical to those of the U.S., but they overlap strongly. The DPRK's August 1998 Taepo Dong missile launch over the Japanese islands abruptly increased the already high priority Japan attaches to the North Korea issue. The Japanese regard DPRK missile activities as a direct threat. In bilateral talks with Japan, the DPRK representatives exacerbate historic animosities by repeatedly referring to Japan's occupation of Korea earlier in this century. For these reasons, support for Japan's role in KEDO is at risk in the Diet. The government's ability to sustain the Agreed Framework in the face of further DPRK missile launches is not assured, even though a collapse of the Agreed Framework could lead to nuclear warheads on DPRK missiles, dramatically increasing the threat they pose. Japan also has deep-seated concerns, such as the fate of missing persons suspected of being abducted by the DPRK. The U.S. strongly supports these concerns.

China. China has a strong interest in peace and stability on the Korean Peninsula and is aware of the implications of increased tension on the peninsula. China also realizes that DPRK ballistic missiles are an important impetus to U.S. national missile defense and theater missile defenses, neither of which is desired by China. Finally, China realizes that DPRK nuclear weapons could provoke an arms race in the region and undermine the nonproliferation regime which Beijing, as a nuclear power, has an interest in preserving. For all these reasons the PRC concerns with North Korean nuclear weapons and ballistic missile programs are in many ways comparable to U.S. concerns. While China will not coordinate its policies with the U.S., ROK, and Japan, it is in China's interest to use its own channels of communication to discourage the DPRK from pursuing these programs.

The DPRK. Based on extensive consultation with the intelligence community and experts around the world, a review of recent DPRK conduct, and our discussions with North Korean leaders, the policy review team formed some views of this enigmatic country. But in many ways the unknowns continue to outweigh the knowns. Therefore, we want to emphasize here that no U.S. policy should be based solely on conjectures about the perceptions and future behavior of the DPRK.

Wrapped in an overriding sense of vulnerability, the DPRK regime has promoted an intense devotion to self-sufficiency, sovereignty, and self-defense as the touchstones for all rhetoric and policy. The DPRK views efforts by outsiders to promote democratic and market reforms in its country as an attempt to undermine the regime. It strongly controls foreign influence and contact, even when they offer relief from the regime's severe economic problems. The DPRK appears to value improved relations with US, especially including relief from the extensive economic sanctions the U.S. has long imposed.

Key Findings

The policy review team made the following key findings, which have formed the basis for our recommendations:

1. DPRK acquisition of nuclear weapons and continued development, testing, deployment, and export of long-range missiles would undermine the relative stability of deterrence on the Korean Peninsula, a precondition for ending the Cold War and pursuing a lasting peace in the longer run. These activities by the DPRK also have serious regional and global consequences adverse to vital U.S. interests. The United States must, therefore, have as its objective ending these activities.

2. The United States and its allies would swiftly and surely win a second war on the Korean Peninsula, but the destruction of life and property would far surpass anything in recent American experience. The U.S. must pursue its objectives with respect to nuclear weapons and ballistic missiles in the DPRK without taking actions that would weaken deterrence or increase the probability of DPRK miscalculation.

3. If stability can be preserved through the cooperative ending of DPRK nuclear weapons- and long-range missile-related activities, the U.S. should be prepared to establish more normal diplomatic relations with the DPRK and join in the ROK's policy of engagement and peaceful coexistence.

4. Unfreezing Yongbyon is North Korea's quickest and surest path to acquisition of nuclear weapons. The Agreed Framework, therefore, should be preserved and implemented by the United States and its allies. With the Agreed Framework, the DPRK's ability to produce plutonium at Yongbyon is verifiably frozen. Without the Agreed Framework, however, it is estimated that the North could reprocess enough plutonium to produce a significant number of nuclear weapons per year. The Agreed Framework's limitations, such as the fact that it does not verifiably freeze all nuclear weapons-related activities and does not cover ballistic missiles, are best addressed by supplementing rather than replacing the Agreed Framework.

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5. No U.S. policy toward the DPRK will succeed if the ROK and Japan do not actively support it and cooperate in its implementation. Securing such trilateral coordination should be possible, since the interests of the three parties, while not identical, overlap in significant and definable ways.

6. Considering the risks inherent in the situation and the isolation, suspicion, and negotiating style of the DPRK, a successful U.S. policy will require steadiness and persistence even in the face of provocations. The approach adopted now must be sustained into the future, beyond the term of this Administration. It is, therefore, essential that the policy and its ongoing implementation have the broadest possible support and the continuing involvement of the Congress.

Alternative Policies Considered and Rejected

In the course of the review, the policy team received a great deal of valuable advice, including a variety of proposals for alternative strategies with respect to the security problems presented by the DPRK. The principal alternatives considered by the review team, and the team's reasons for rejecting them in favor of the recommended approach, are set forth below.

Status Quo. A number of policy experts outside the Administration counseled continuation of the approach the U.S. had taken to the DPRK over the past decade: strong deterrence through ready forces and solid alliances and limited engagement with the DPRK beyond existing negotiations on missiles, POW/MIA, and implementation of the nuclear-related provisions of the Agreed Framework. These experts counseled that with the Agreed Framework being verifiably implemented at Yongbyon, North Korea could be kept years away from obtaining additional fissile material for nuclear weapons. Without nuclear weapons, the DPRK's missile program could safely be addressed within the existing (albeit to date inconclusive) bilateral missile talks. Thus, as this argument ran, core U.S. security objectives were being pursued on a timetable appropriate to the development of the threat, and no change in U.S. policy was required.

While there are advantages to continuing the status quo—since to this point it has served U.S. security interests—the policy review team rejected the status quo. It was rejected not because it has been unacceptable from the point of view of U.S. security interests, but rather because the policy team feared it was not sustainable. Aside from a failure to address U.S. concerns directly, it is easy to imagine circumstances that would bring the status quo rapidly to a crisis. For example, a DPRK long-range missile launch, whether or not in the form of an attempt to place a satellite in orbit, would have an impact on political support for the Agreed Framework in the United States, Japan, and even in the ROK. In this circumstance, the DPRK could suspend its own compliance with the Agreed Framework, unfreezing Yongbyon and plunging the Peninsula into a nuclear crisis like that in 1994. Such a scenario illustrates the instability of the status quo. Thus, the U.S. may not be able to maintain the status quo, even if we wanted to.

Undermining the DPRK. Others recommend a policy of undermining the DPRK, seeking to hasten the demise of the regime of Kim Jong Il. The policy review team likewise studied this possibility carefully and, in the end, rejected it for several reasons. Given the strict controls on its society imposed by the North Korean regime and the apparent absence of any organized internal resistance to the regime, such a strategy would at best require a long time to realize, even assuming it could succeed. The timescale of this strategy is, therefore, inconsistent with the timescale on which the DPRK could proceed with nuclear weapons and ballistic missile programs. In addition, such a policy would risk destructive war and would not win the support of U.S. allies in the region upon whom success in deterring such a war would depend. Finally, a policy of pressure might harm the people of North Korea more than its government.

Reforming the DPRK. Many other analysts suggest that the United States should promote the accelerated political and economic reform of the DPRK along the lines of established international practice, hastening the advent of democracy and market reform that will better the lot of the North's people and provide the basis for the DPRK's integration into the international community in a peaceful fashion. However much we might wish such an outcome, success of the policy clearly would require DPRK cooperation. But, the policy team believed that the North Korean regime would strongly resist such reform, viewing it as indistinguishable from a policy of undermining. A policy of reforming, like a policy of undermining, would also take time—more time than it would take the DPRK to proceed with its nuclear weapons and ballistic missile programs.

"Buying" Our Objectives. In its current circumstance of industrial and agricultural decline, the DPRK has on occasion indicated a willingness to "trade" addressing

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U.S. concerns about its nuclear weapons activities and ballistic missile exports for hard currency. For example, the DPRK offered to cease its missile exports if the U.S. agreed to compensate it for the foregone earnings from missile exports. The policy review team firmly believed that such a policy of trading material compensation for security would only encourage the DPRK to further blackmail, and would encourage proliferators worldwide to engage in similar blackmail. Such a strategy would not, and should not, be supported by the Congress, which controls the U.S. government's purse strings.

A Comprehensive and Integrated Approach: A Two-Path Strategy

A better alternative, and the one the review has recommended, is a two-path strategy focused on our priority concerns over the DPRK's nuclear weapons- and missile-related activities. We have devised this strategy in close consultation with the governments of the ROK and Japan, and it has their full support. Indeed, it is a joint strategy in which all three of our countries play coordinated and mutually reinforcing roles in pursuit of the same objectives. Both paths aim to protect our key security interests; the first path is clearly preferable for the United States and its allies and, we firmly believe, for the DPRK.

The first path involves a new, comprehensive and integrated approach to our negotiations with the DPRK. We would seek complete and verifiable assurances that the DPRK does not have a nuclear weapons program. We would also seek the complete and verifiable cessation of testing, production and deployment of missiles exceeding the parameters of the Missile Technology Control Regime, and the complete cessation of export sales of such missiles and the equipment and technology associated with them. By negotiating the complete cessation of the DPRK's destabilizing nuclear weapons and long-range missile programs, this path would lead to a stable security situation on the Korean Peninsula, creating the conditions for a more durable and lasting peace in the long run and ending the Cold War in East Asia.

On this path the United States and its allies would, in a step-by-step and reciprocal fashion, move to reduce pressures on the DPRK that it perceives as threatening. The reduction of perceived threat would in turn give the DPRK regime the confidence that it could coexist peacefully with us and its neighbors and pursue its own economic and social development. If the DPRK moved to eliminate its nuclear and long-range missile threats, the United States would normalize relations with the DPRK, relax sanctions that have long constrained trade with the DPRK and take other positive steps that would provide opportunities for the DPRK.

If the DPRK were prepared to move down this path, the ROK and Japan have indicated that they would also be prepared, in coordinated but parallel tracks, to improve relations with the DPRK.

It is important that all sides make contributions to creating an environment conducive to success in such far-ranging talks. The most important step by the DPRK is to give assurances that it will refrain from further test firings of long-range missiles as we undertake negotiations on the first path. In the context of the DPRK suspending such tests, the review team recommended that the United States ease, in a reversible manner, Presidentially-mandated trade embargo measures against the DPRK. The ROK and Japan have also indicated a willingness to take positive steps in these circumstances.

When the review team, led by Dr. Perry as a Presidential Envoy, visited Pyongyang in May, the team had discussions with DPRK officials and listened to their views. We also discussed these initial steps that would create a favorable environment for conducting comprehensive and integrated negotiations. Based on talks between with Ambassador Charles Kartman and DPRK Vice Foreign Minister Kim Gye Gwan in early September, the U.S. understood and expected that the DPRK would suspend long-range missile testing—to include both No Dong and Taepo Dong missiles—for as long as U.S.-DPRK discussions to improve relations continued. The DPRK subsequently announced a unilateral suspension of such tests while talks between the two countries continued. Accordingly, the Administration has taken steps to ease sanctions. This fall a senior DPRK official will likely visit Washington to reciprocate the Perry visit and continue discussions on improving relations. Both sides have taken a bold and meaningful step along the first path. While it is only an initial step, and both sides can easily reverse this first step, we are hopeful that it begins to take us down the long but important path to reducing threat on the Korean Peninsula.

While the first path devised by the review holds great promise for U.S. security and for stability in East Asia, and while the initial steps taken in recent weeks give us great hope, the first path depends on the willingness of the DPRK to traverse it with us. The review team is hopeful it will agree to do so, but on the basis of

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discussions to date we cannot be sure the DPRK will. Prudence therefore dictated that we devise a second path, once again in consultation with our allies and with their full support. On the second path, we would need to act to contain the threat that we have been unable to eliminate through negotiation. By incorporating two paths, the strategy devised in the review avoids any dependence on conjectures regarding DPRK intentions or behavior and neither seeks, nor depends upon for its success, a transformation of the DPRK's internal system.

If North Korea rejects the first path, it will not be possible for the United States to pursue a new relationship with the DPRK. In that case, the United States and its allies would have to take other steps to assure their security and contain the threat. The U.S. and allied steps should seek to keep the Agreed Framework intact and avoid, if possible, direct conflict. But they would also have to take firm but measured steps to persuade the DPRK that it should return to the first path and avoid destabilizing the security situation in the region.

Our recommended strategy does not immediately address a number of issues outside the scope of direct U.S.-DPRK negotiations, such as ROK family reunification, implementation of the North-South Basic Agreement (including reactivation of North-South Joint Committees) and Japanese kidnapping cases, as well as other key issues of concern, including drug trafficking. However, the policy review team believed that all of these issues should be, and would be, seriously addressed as relations between the DPRK and the U.S. improve.

Similarly, the review team believed the issue of chemical and biological weapons is best addressed multilaterally. Many recommendations have also been made with respect to Korean unification; but, ultimately, the question of unification is something for the Korean people to decide. Finally, the policy review team strongly believed that the U.S. must not withdraw any of its forces from Korea—a withdrawal would not contribute to peace and stability, but rather undermine the strong deterrence currently in place.

Advantages of the Proposed Strategy

The proposed strategy has the following advantages:

1. *Has the full support of our allies.* No U.S. policy can be successful if it does not enjoy the support of our allies in the region. The overall approach builds upon the South's policy of engagement with North Korea, as the ROK leadership suggested to Dr. Perry directly and to the President. It also puts the U.S. effort to end the DPRK missile program on the same footing with U.S. efforts to end its nuclear weapons program, as the Government of Japan recommended.

2. *Draws on U.S. negotiating strengths.* Pursuant to the recommended approach, the United States will be offering the DPRK a comprehensive relaxation of political and economic pressures which the DPRK perceives as threatening to it and which are applied, in its view, principally by the United States. This approach complements the positive steps the ROK and Japan are prepared to take. On the other hand, the United States will not offer the DPRK tangible "rewards" for appropriate security behavior; doing so would both transgress principles that the United States values and open us up to further blackmail.

3. *Leaves stable deterrence of war unchanged.* No changes are recommended in our strong deterrent posture on the Korean Peninsula, and the U.S. should not put its force posture on the negotiating table. Deterrence is strong in both directions on the Korean Peninsula today. It is the North's nuclear weapons- and long-range missile-related activities that threaten stability. Likewise, the approach recommended by the review will not constrain U.S. Theater Missile Defense programs or the opportunities of the ROK and Japan to share in these programs; indeed, we explicitly recommended that no such linkage should be made.

4. *Builds on the Agreed Framework.* The approach recommended seeks more than the Agreed Framework provides. Specifically, under the recommended approach the U.S. will seek a total and verifiable end to all nuclear weapons-related activities in the DPRK, and the U.S. will be addressing the DPRK's long-range missile programs, which are not covered by the Agreed Framework. In addition, the U.S. will seek to traverse the broader path to peaceful relations foreseen by both the U.S. and the DPRK in the Agreed Framework, and incorporated in its text.

5. *Aligns U.S. and allied near-term objectives with respect to the DPRK's nuclear and missile activities with our long-term objectives for lasting peace on the Korean Peninsula.* The recommended approach focuses on the near-term dangers to stability posed by the DPRK's nuclear weapons- and missile-related activities, but it aims to create the conditions for lasting peace on the Korean Peninsula in the longer run, as the U.S. seeks through the Four Party Talks. As noted above, the recommended approach also seeks to realize the long-term objectives of the Agreed Framework,

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which are to move beyond cooperation in the nuclear field to broader, more normal U.S.-DPRK relations.

6. *Does not depend on specific North Korean behavior or intent.* The proposed strategy is flexible and avoids any dependence on conjectures or assumptions regarding DPRK intentions or behavior—benign or provocative. Again, it neither seeks, nor depends upon, either such intentions or a transformation of the DPRK's internal system for success. Appropriate contingencies are built into the recommended framework.

Key Policy Recommendations

In the context of the recommendations above, the review team offered the following five key policy recommendations:

1. Adopt a comprehensive and integrated approach to the DPRK's nuclear weapons- and ballistic missile-related programs, as recommended by the review team and supported by our allies in the region. Specifically, initiate negotiations with the DPRK based on the concept of mutually reducing threat; if the DPRK is not receptive, we will need to take appropriate measures to protect our security and those of our allies.

2. *Create a strengthened mechanism within the U.S. Government for carrying out North Korea policy.* Operating under the direction of the Principals Committee and Deputies Committee, a small, senior-level interagency North Korea working group should be maintained, chaired by a senior official of ambassadorial rank, located in the Department of State, to coordinate policy with respect to North Korea.

3. *Continue the new mechanism established last March to ensure close coordination with the ROK and Japan.* The Trilateral Coordination and Oversight Group (TCOG)—established during this policy review and consisting of senior officials of the three governments—is charged with managing policy toward the DPRK. This group should meet regularly to coordinate negotiating strategy and overall policy toward the DPRK and to prepare frequent consultations on this issue between the President and the ROK President and Japanese Prime Minister. The U.S. delegation should be headed by the senior official coordinating North Korea policy.

4. *Take steps to create a sustainable, bipartisan, long-term outlook toward the problem of North Korea.* The President should explore with the majority and minority leaders of both houses of Congress ways for the Hill, on a bipartisan basis, to consult on this and future Administrations' policy toward the DPRK. Just as no policy toward the DPRK can succeed unless it is a combined strategy of the United States and its allies, the policy review team believes no strategy can be sustained over time without the input and support of Congress.

5. *Approve a plan of action prepared for dealing with the contingency of DPRK provocations in the near term, including the launch of a long-range missile.* The policy review team notes that its proposed responses to negative DPRK actions could have profound consequences for the Peninsula, the U.S. and our allies. These responses should make it clear to the DPRK that provocative actions carry a heavy penalty. Unless the DPRK's acts transgress provisions of the Agreed Framework, however, U.S. and allied actions should not themselves undermine the Agreed Framework. To do so would put the U.S. in the position of violating the Agreed Framework, opening the path for the DPRK to unfreeze Yongbyon and return us to the crisis of the summer of 1994.

Concluding Thoughts

The team's recommended approach is based on a realistic view of the DPRK, a hardheaded understanding of military realities and a firm determination to protect U.S. interests and those of our allies.

We should recognize that North Korea may send mixed signals concerning its response to our recommended proposal for a comprehensive framework and that many aspects of its behavior will remain reprehensible to us even if we embark on this negotiating process. We therefore should prepare for provocative contingencies but stay the policy course with measured actions pursuant to the overall framework recommended. The North needs to understand that there are certain forms of provocative behavior that represent a direct threat to the U.S. and its allies and that we will respond appropriately.

In this regard, it is with mixed feelings that we recognize certain provocative behavior of the DPRK may force the U.S. to reevaluate current aid levels.

Finally, and to close this review, we need to point out that a confluence of events this past year has opened what we strongly feel is a unique window of opportunity for the U.S. with respect to North Korea. There is a clear and common understanding among Seoul, Tokyo, and Washington on how to deal with Pyongyang. The

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PRC's strategic goals—especially on the issue of North Korean nuclear weapons and related missile delivery systems—overlap with those of the U.S. Pyongyang appears committed to the Agreed Framework and for the time being is convinced of the value of improving relations with the U.S. However, there are always pressures on these positive elements. Underlying tensions and suspicions have led to intermittent armed clashes and incidents and affect the political environment. Efforts to establish the diplomatic momentum necessary to withstand decades of hostility become increasingly difficult and eventually stall. Nevertheless, the year 1999 may represent, historically, one of our best opportunities to deal with key U.S. security concerns on the Korean Peninsula for some time to come.

Senator LUGAR. Well, thank you all very much. Let me just make some comments and commence the questioning. Secretary Carter, in the book that you and Secretary Perry have authored, and you have reiterated these priorities today, you have mentioned an "A," "B," and "C"-list category. The "B"-list theater wars, for which much of our defense establishment was created and continues to be maintained, you put, interestingly enough, in the "B" category, and I think correctly so.

At least my own analysis would jive with that, but I would just mention that we are going to have monumental hearings, debates, days, maybe weeks on the floor, all discussing the defense budget, most of which will deal with Category "B."

The secretaries of defense have periodically suggested base closings, so that we could utilize the savings for research and development we need to be conducting. Congress has resisted because some view the defense budget as a jobs program or a community building program. It reflects what all of you have said: We are in a period of relaxation, in which we deal with the conventional issues each year, plus or minus an issue.

At the other end of the scale, we are exercised for the moment, with a supplemental appropriation in the House, dealing with Kosovo, and maybe the drug war in Colombia. Those both fit under Category "C" in your book that you have mentioned, because they affect the national security interests of the United States, and in a sense, our European allies. Europe is always important, and certainly the drug issue in the United States is important, but not in terms of annihilation of the country or of civilization.

We come to Category "A," and this becomes very murky for the public, quite apart from members of Congress, as to what proliferation really means. As Secretary Rumsfeld has said, our intelligence means of keeping track of all of this have not kept track at all. We should not be surprised that we are often surprised. There may be very little warning.

Around here, even as we discuss portions of the Rumsfeld report dealing with North Korea and that situation, we discuss whether it is 2005, or 2008, or when this will develop. The fact is that we are continually surprised by developments. It may not fit the normal conventional development of anything that we do.

Given that, as Secretary Rumsfeld said, you take a look and see what you can stop, what you can delay, and what you finally track as inevitable. Each of you has, in a way, indicated that that is what we have had to do, and when we are continually surprised. As a result, we try to play a catch-up game and do the best we can improvising.

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But, our government, both executive and legislative branches, are not well suited to do this very well. You have cited, from your own experience, Secretary Carter, the earlier years of the Nunn-Lugar program, in which the policy may have been valid, but the government was really not set up to implement the policy effectively.

So as a result, some monies that were appropriated were never spent, because it was physically impossible to move forward. As a result, those funds not spent by the end of the fiscal year were taken off the table and the projects were terminated or delayed.

A well-managed corporation would handle things in this way. But in our checks and balances system we do, and we must adapt and improve our processes and policies to complete the job.

But at this moment, in my judgment, and I think our government is not really set up to deal with "A," "B," and "C" in this way. We are working hard on the C's with great frustration. The B's rumble along. And the "A," which we all agree is the major threat, is not very well understood.

Now, let me pay tribute to the Chairman of this committee, Senator Helms, and the ranking member, Senator Biden, who thought up the idea of these hearings, and the able staffs. This subject is clearly not the minds of most people, and I appreciate that; and it seems to me it is very important that the forum for you three gentlemen and others is provided so that somebody publishes papers and somebody asks questions of you that might get somebody interested in this subject.

As responsible Americans all of us have to be interested, but the fact is that there is still a minimal amount of interest in what we are talking about this morning, and we are talking about the fate of the country.

This hearing is not overloaded with people and press, and as a matter of fact, even the internal TV system does not cover this room. So maybe some microphone picks up a little bit of it, but here we are talking about the fact that the whole country might be destroyed and how we deal with this threat. And our efforts garner minimal interest.

Having said that, the fact is, life does go on, and some of us have responsibilities. Each of you three have had a lot of it at various times. Senator Biden and I this morning are trying to assume our portion of it.

So in that spirit, let me ask you some specific questions about our government. What should be done at the State Department—for example, applications for export licenses are piled up there now, largely because of an intramural battle because the Commerce Department was found to be unreliable, presumably willing to sell anything to anybody at any time. As a result, we move things over to State, where they move very slowly.

Our space-launch companies and others involved in the satellite business routinely complain that they have not only lost the business, there is no prospect of ever getting it under these circumstances. Maybe they should not have it. Maybe we just tell our defense firms to sort of get lost, because clearly we are going to restrict all of this.

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You have suggested that the next administration must sort of sort this out. But how do you do it? Despite all the admonitions by this committee and others to look at the problem, nothing is accomplished. What should we do?

How does this issue relate to what we are talking about today? What are the legitimate interests of American business? Do we want our defense people doing business abroad, and do they need to have markets in order to succeed? Does anybody have any comment about the State Department? Ash?

Secretary CARTER. I will take a crack not only at the State Department shop, but at the entire system, Mr. Chairman. This is a case where in the case of export controls, not only is the program which implements policy I think less than it should be, but the policy itself is less than it should be. Let me make a comment on each of those.

I think it is true, and on the basis of the observations I have made of the system, that simply in terms of basic management, doing things electronically rather than on paper, giving the participants in the process the adequate training, because they are dealing with quite complex technological things, the career path upward, rather than a career path to nowhere.

If you want to have a system that competently administers such a complex idea as export controls really are, you need one that is managed and staffed in a way that encourages expertise and dedication, and with no intended slight at the people who do it, I do not think they have been managed in that way. So simply, mechanically, the system could use a lot in the way of streamlining.

But there is another point about export controls, which Secretary Hadley touched on, which is really the conceptual crisis there. We used to say during the Cold War that the trick to export controls was balancing economic incentives on the one hand and security incentives on the other, and that is still true, but that is not the principal dilemma today.

The principal dilemma today in administering export controls is to know what is controllable, what is practically controllable. Let me try to sharpen that by looking out 20 years from now.

Twenty years from now, almost all of the technology of importance to military systems will originate in a globalized, commercialized technology base. Twenty years ago, almost all the technology of importance to military systems originated in defense or defense-related companies that were American, so old world American defense, new world commercial global. So we need to ask ourselves in that environment how we administer expert controls, and I would make a simple analogy that I think should be our guide.

In the old world, when everything was in identifiable places, if you wanted to keep the technological edge, which is the American way of waging war, you put a hermetic seal around that which was ours and made sure nobody else got it. That is not practical in the new world. In the new world, you need something that I would analogize more to an immune system.

Your immune system—nature does not protect you from infection by telling you you should not breath, and you should not eat, and you should not come in contact with anything else. Instead, your

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immune system has a mechanism for looking for threats and responding adaptively to threats. We need an immune system and not an hermetic seal for the future.

A last observation on export controls, in that world, where everybody has access to much of the technology upon which military prowess can be based, we will continue to have the best military technology, because we are the best at exploiting, at adapting.

We are running faster than our opponents, who have access to the same technology. So we need an agile Department of Defense that can feed upon the global technology base better than others. Thank you.

Secretary RUMSFELD. I will make a comment on the question of what should be done about the Department of State. I do not disagree that management, staff, electronics, and a variety of things can be done to improve it. But when you see something that is not working, frequently there are some underlying reasons that are bigger and broader than that. In this case, I would submit it is a lack of clarity, a lack of understanding, a lack of agreement. When you do not have agreement as to what the priorities ought to be, then it is very difficult for discretion to be used, because there is constantly a tug of war.

In this instance, for example, we were talking about the three tiers, if you were going to triage. It is not static. What belongs in one tier today may not belong there the next year, or in five years. The world is dynamic. It is constantly changing.

Competence to deal with these issues, an enormously complex set of issues, is not in the State Department. It is no one place. It is spread across government, and quite honestly, it is outside of government, increasingly outside of government. People in government can understand what is going on in the private sector intellectually, but it is difficult for them to understand three-dimensionally.

I did not when I was in government, and I was certain I did. I could talk about it. I could use the words. But until you get out there and see what delay does to a company, how it sucks the energy out of people who have everything at risk. Not so much the big companies that have lobbyists and all kinds of representation here in town but the smaller companies that do not have that.

Now, government has to be involved in this issue, there is no question. This is not something you privatize. This affects, as you say, the future of our country. But we are not close to having the right organizational arrangements. The right organizational arrangements will flow if we provide clarity as to what it is we are trying to do and what our priorities ought to be. And today, we do not have that kind of an agreement. So I agree with you. However, one thing I do not think I agree with is that we ought to be thinking about the next administration.

I think we ought not piddle away another eight, ten, twelve months. Time is passing. Things are happening out there in the world. It would be a mistake to not have that kind of a review take place now, so that information is available for the new administration.

Secretary HADLEY. I will be very brief. There is a terrific report, which you have seen, and I think actually Ash may have served on

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this panel, the Defense Science Board Task Force on Globalization and Security, which lays out very clearly the new context for export controls.

The second is a historical footnote. I think the last major review of export controls was 1990–1991, and then we had a task force led by the Joint Chiefs of Staff to look at the military environment and identify what kinds of capabilities were going to be critical, and that we could protect, and that we should protect, and it led to a streamlining and focusing of the list. I think that needs to be done again.

I think DOD needs to be part of it, but we need to do it in a way that brings in the knowledge and understanding from the commercial world as well, for the reasons that these folks have spoken. That is what really needs to be done. It has not been done for ten years.

Senator LUGAR. Those are very, very helpful answers. Let me turn to Senator Biden, because he is going to have a time constraint.

Senator, would you proceed?

Senator BIDEN. Mr. Chairman, let me state a broad proposition and see whether you all agree with it. One of the things that has been clear in the last two years, actually, in my view, is that, as I alluded to in my opening statement, there is a lack of consensus on a whole range of these issues.

I think, Mr. Secretary, you are dead right, I mean we can organizationally change everything in this administration, the next administration, Democrat, Republican, whatever it is, and until we figure out what the hell it is our policy is, and get a consensus on it, I think it is awfully hard, not suggesting that we do not have to structurally change the way in which we deal with these issues.

I am going to ask a few structural questions, but before I do, I want to ask a broader question. In the last four years, on the part of Democrats and Republicans, outside think tanks, lean left, right, and center, there has been sort of the following conundrum that has become pretty clear in the politicizing of this issue, and that is, you either view these days as pro business or not, based upon your view on export controls. There is very little in between.

I have observed this. I have done, quite frankly, gentlemen, more work on this on the telephony issue, as chairman of the Judiciary Committee for years, than I have on this issue, but the same thing, I watch, for example, what happens.

To go to Silicon Valley and sit with these guys and say, hey, look, there has to be maybe some key here, whereas, if there is a probable cause that some terrorist act is taking place, or in the making, and/or a federal judge says there is probable cause that a crime is being committed, that the FBI should be able to tap these, and they say, no, no, no, there is no way we can do anything, because if you do that, they are not going to buy our computers, they are going to buy somebody else's computers, they are going to buy someone else's equipment, and, therefore, even though we have the key, and only to the encryption, and only with a federal judge, cannot have it at all.

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So the line kind of gets drawn, you either are pro business or you are pro law enforcement here.

The same kind of thing is happening in export controls. I deal with a few small companies in my state, Mr. Secretary, and they are very, very anxious that things not move to State, that it stay in Commerce, and so on. And the same with regard to the issue of strategic doctrine, the way we debate it, not you all, we debate it, you are either pro defense, or you are pro nonproliferation.

I mean we have actually had very intelligent witnesses come before us and say, hey, look, proliferation, the game is over, there is nothing you can do about proliferation, the only thing you can do is defend, so let us move in that direction.

There are others who have come and said, hey, look, you cannot think about, you cannot even think about a thin missile defense, a thick missile defense, theater missile defense, it all is contrary to the move toward nonproliferation, therefore, it is a—so one of our problems, and Mr. Secretary, you, having been on this side of the bench before, know that these take on a life of their own.

So my first question relates to the possibility that you think exists that we could actually get some bi-partisan consensus in the form of, I do not know how to do this, that says there is a connection. The reason I was impressed, Steve, by your article was, you make a very clear connection between proliferation, arms control, and defense. I mean it is not like you have either/or choices.

What is your sense among the think tank folks, the people, Mr. Secretary, who you called on in the Rumsfeld Commission, the, quote, "experts," the scientists, the foreign policy types, the defense policy types, as to whether or not there is an ability to generate a consensus, not about every single piece of the puzzle, not whether or not we use an Aegis option, as opposed to the option we are considering now for North Korea and missile defense, not whether or not—not having to choose among them, but reaching some consensus about the combination of all the pieces.

I do not want to put words in the Chairman's mouth, but I think it is kind of where he is and where I am, we may come down differently on pieces of it, but that is not how it is being debated up here. That is not how it is being debated out there, with the talking heads on television, the people who come before our committee.

I realize that is a very broad question, but maybe you could just—first of all, does it make sense? Do you think we could make much progress, unless we reach that kind of generic consensus, and if you do not, then how do we get about the point down to, where I think you are dead right on, until we have a policy, all this other stuff does not matter much. I realize that is very rambling, but maybe you could talk to me about it, if there are any thoughts you have.

Secretary RUMSFELD. Well, let me begin. Our commission had Republicans and Democrats, uniformed ex-military and former civilian officials, people that were young and not so young, technical people and non-technical people.

Every time we found that people were seeming to come to different conclusions, we said, look, this is not theory, this is fact. Let

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us have another hearing. Let us get people back in the room and talk about it.

Ultimately, as Larry Welch said, the facts overrode our biases, preferences, and opinions; and we ended up all agreeing on very complicated matters. Now, how did it happen?

Senator BIDEN. Can I stop you there for just a second, because this is—I am going to get very specific. You have reached a clear consensus on the threat.

Secretary RUMSFELD. Exactly.

Senator BIDEN. What I did not get a sense of from the commission report, and having spoken to Welch at length, for example, you mentioned his name, the way your commission report is characterized by those who have not read it all is that the threat is so severe that it is worth jettisoning all of the arms control or nonproliferation regimes out there if we have to, to meet the threat. That is how it is characterized.

For example, let me be precise.

Secretary RUMSFELD. I have never heard that—

Senator BIDEN. No. That is how—let me explain what I mean by that.

The theory being that the threat was made so clear by the Rumsfeld Commission, that if, in fact, the Russians do not agree to an amendment to the ABM, if it means that we are going to have to give up on START II and START III, if it means that we have to abandon ABM, so be it.

That is the context in which it is being argued, not by you, at least not that I am aware of, but by those who are pushing and believe that that is a better option, those who believe—because what we do not—we have two kinds of folks up here who are knowledgeable about arms control and about strategic doctrine, and they tend to fall in one or two categories, with notable exceptions.

Either ABM is a bad deal, period, we should get out of ABM, it does not matter. I mean regardless of what the threat is, ABM is a bad deal. But they use the threat as their compelling rationale to abandon ABM.

For example, there are many, Mr. Secretary, who believe that it is very worrisome that the President may very well negotiate an amendment to ABM, and they do not want that to happen, because ABM is alive. So that is what I mean by the context in which it is placed.

There was very little discussion, not that there should have been, but there was very little discussion by the Rumsfeld Commission of what the world looks like if there are 800 or 1,000 strategic weapons in China, and if Japan does go nuclear, and if—maybe none of this happens. Maybe it would happen anyway. But you understand the context in which—I mean I am not being—I do not say this to be critical, because I am not.

I am just trying to explain to you, just like you said when you—I am not in the business world, even though I think I understand the jargon, I talked to everybody, I think I know what the private sector is facing. The truth is, I do not, and like you said, you thought you knew the answers until you were out there.

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I think people back on the other side of the equation think they know the politics of this and what is happening here, and they are not sitting here, and do not understand what the drivers are up here.

Secretary RUMSFELD. I do not disagree at all. There is no question that I am not an expert on the politics as I used to be when I was involved in it every day. I do not think—

Senator BIDEN. Oh, by the way, I think you are a hell lot more informed in the politics than I am in the business, so I am not suggesting that—

Secretary RUMSFELD. But the reality is that there are a lot of very reasonable people who are not all tangled up in theology that is outdated on these subjects. And when they sit down in a room and look at things, ultimately, honest people admit that those are the facts. It is perfectly possible to do that in this area.

I have seen some of the testimony you have received. There are some very bright people, some very knowledgeable people. The two people who have just testified here today have—

Senator BIDEN. Now, let me ask you this question.

Secretary RUMSFELD [continuing]. —a very good grasp of this subject.

Senator BIDEN. I am sorry I am not being articulate enough to try to get—and this is the last try I will make.

If Senator Lugar—and I am not being facetious when I say this—if Senator Lugar were elected president, and he were foolish enough to ask me to be his Secretary of State, the first thing I would do, and I mean this sincerely, is give you a call and say, without any fanfare, can you reassemble your commission for a private meeting with me, because I want to report to the president on the following.

I have read your report, I understand the threat, but I want to pose the following question to your commission members.

If the option that President Lugar is faced with is abandoning ABM, abandoning START II, abandoning any prospect, therefore, for START III, and being a *tabula rasa* on whether or not—what impact that will have on China, and India, and an arms race in Asia, if that is the option he is given, what would your commission members recommend?

This thin missile defense system, with that abandonment, or not, because that is the real world, as you know better than, Mr. Secretary, having been a secretary. That is what the next president may be faced with.

Nobody on your commission, or any other commission, that I am aware of, has said, given those options, the option papers, like you do it all the time when you are Secretary, option one, missile defense, as outlined, the following response, what does the President choose?

Option two, amend ABM. They go along with it. An amendment, it means this. Option three, do not amend ABM, cannot get it done, stick with it, do not deploy.

I mean what are—they are real, as you said, real-life things. The President of the United States calls me and asks me my opinion, and he does. I mean that may worry you all, but he does, and I

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sit there, and honest to God, Mr. Secretary, I do not know with any certainty what to tell him.

What happens, Joe, if I am—he did not ask me this—but what happens, Joe, if I am faced with, from September, a decision. You put me on a fast track here, you guys in the Congress.

I had your former commission members come in and saying, "You know, look, the testing is going on. I have been asked to be on this outside commission to overlook the testing." He says, "Let us get something straight. All the testing being done, even if the tests went off on time, and even if it works, it only works from two azimuths. You cannot tell me that it will work."

It does not mean the system works. We cannot test it, how it may be used. It does not mean I am against it, but let us just be straight about what it does mean.

I sit down with other people, Mr. Secretary, and they say, people in the Defense Department now, people out of the Defense Department and former administrations saying, hey, look, the easiest option is a hell of a lot better than the option you are talking about now, more doable, more certain. I do not know why we took it off the table.

All those are the things we get wrapped up in up here, but we do not get wrapped up in the President of the United States, you are faced with the option, end of START, end of ABM, and with deployment of the system. What is the right choice? That is what I am getting at.

Secretary HADLEY. I think if you had that option, you should do just what you said. I did not serve on the Rumsfeld Commission, but I talked to a lot of people who did, and they are very complimentary of the service of the chairman, and one of the things I am told he did was, he made them get into the facts—

Senator BIDEN. Yes.

Secretary HADLEY. —kept them in the facts, and then kept them meeting after meeting, working over the issues, and they developed this remarkable consensus among a wide range of views. Going into that session, they got a consensus. I think you can do that. It is hard work. It takes a strong chair, and it takes a lot of time.

On the issue you talked about being pro defense or pro nonproliferation, I chaired a group in 1995, a council on foreign relations task force, very broad range of people, did roughly the same thing, not as effectively as he did. We got a report where we got people really to agree that some commitment to defenses was not undermining nonproliferation, but would actually reinforce nonproliferation—

Senator BIDEN. I happen to agree with that.

Secretary HADLEY. —and we got a rather robust list of measures that this fairly diverse group would agree on. I think there is room for that kind of thing, and, indeed, a crying need for that kind of effort, but it requires a strong chairman and a lot of time to force people really to get into the details, and work at it not once a quarter, but once a week.

Secretary CARTER. If I may, let me just second that, because Secretary Rumsfeld cannot say this himself, but there are a lot of commissions established and a lot of panels, and the Rumsfeld Com-

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mission has a reputation in the circles in which I travel of being the most effective commission in reporting on any important issue in a long time, so you could not want better people than that to assemble.

Secretary HADLEY. Now, for one other thought on your broad point, which troubles me a lot, and I am afraid I do not have a good answer for it, and it does not fall in my area of expertise, but it has to do, Senator, with the salience of these issues out there in the country in which we live. Everybody in this room is a believer; otherwise, they would not be here.

Senator BIDEN. Nobody even knows we are having this debate.

Secretary HADLEY. Exactly right. They are trading their dot-coms stocks out there—

Senator BIDEN. You bet.

Secretary HADLEY. —and we are worried about the fate of the world, and we just do not get it. That is a deeply troubling problem to me, and I feel that although there are debates within the community that cares, the importance of those debates is small in comparison to the great gulf that separates those who care from those who do not care at all.

Senator BIDEN. I do not think it is that they do not care, I think they either think there is no threat, as the Secretary said, he said—Mr. Secretary, you said two things in the very beginning. You said two significant things have changed, and I could not agree with you more.

The two significant things were: One, do not fool with us. Conventionally, we have demonstrated it. And I would argue that the perverse impact of our overwhelming display of power in Kosovo did not even put a rift with our allies. I think that is the reason why you have this new French proposal that is being embraced for an alternative force within the context of NATO, because they cannot catch up.

The second one was, people think, well, you know, everything is okay. There is not a problem. I mean let us move on. I do not think it is they do not care, they just do not know. By the way, the other part is, I talk to my colleagues who say, this is slam dunk, if we all agreed on a national missile defense, this is slam dunk.

Hey, I do not know about you, I am not a bad politician. I represent a state that is mostly Republican. I get elected pretty well over the years, and I know my state pretty well. I want to tell you, I get to pick which side of the argument I want in this election, in my state where I am running. Do I want to do $30 billion front end for this new system, and then promise to do more, or do I want to say, why do we need it? I know which one I would take.

I think my Republican friends are missing the political boat on where the politics of this are. I may be wrong, but I know which debate I would take in my state. The point is they have not even thought about it when we present the bill to them on this stuff.

I mean they do not even think about it. I do not mean that should not drive us one way or another. I really mean it, it should not be the driver, but what I do think it does reflect is that we have not arrived at any consensus, and one of the reasons why, and I will end with this, Mr. Chairman, one of the reasons why we do

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not talk about it much, I mean you and I talk about it all the time, most of our colleagues, they do not know from shinola about this. I mean they do not.

And it is not because they are uninformed or not bright guys and women. It is not up on the table, you know; it is not up there yet. So what do they do? They get faced with a political judgment.

Are you for a defense system or are you against it? After that, they have not quite thought it through, because it is not up there yet.

So if there is any way we could have a Rumsfeld Commission that was tasked to answer two or three very practical questions that the President of the United States is going to have to decide, not merely the threat as it exists in North Korea, Iran, and Iraq, and what their capabilities will be, but what is the threat overall to our strategic balance, if the equation changes by our actions, so a president has at least a plate. I know just as a plain old Senator, I like the staff to give me options that I choose from.

I sure would like, if I were the president, to sit there and have people like you, Don, having said, okay, look, given the option, I still think it is better to go ahead and build this system, notwithstanding the fact—and I would want to classify it.

I would not want this an open discussion or anything, because, obviously, if they conclude we do not have the will to do it, then no one is going to amend anything anyway to deal with this. I mean it is a very tricky device.

But anyway, that is where I keep, after all these hearings, after spending as much time as I possibly can trying to understand it, I get down to thinking that we need more input from people like you on where the rubber is meeting the road right now on some of the decisions we have to make.

Senator LUGAR. Well, I think the comments you have made, Senator Biden, are very important. I suspect that some fateful decisions are about to be made by the President—

Senator BIDEN. Yes.

Senator LUGAR. —and if in your colloquies with him, he is in need of some further options and guidance, we need to consider additional recommendations. Maybe we need to task the panel today to assist us, but it is a serious issue, and I appreciate your raising it in that way.

Senator BIDEN. I did not mean to imply that I am his main source. I mean I do not want it to go out of here that he calls Biden when he wants to know what to do, but in truth, I am sure I am one of fifteen people he has asked their view about, both the politics of it, the efficacy of what has happened. For example, one of the questions raised, Mr. Chairman, is: What happens if he gets a deal? Can it get passed this year?

One of the reasons I have suggested putting off the decision is, I think it puts us in an awful position. He gets a deal at the end of the day, with all due respect, Mr. Chairman, not to you, but to your party, I am not at all certain that we are going to have an amendment to an ABM treaty that is going to get the two-thirds vote, you know, an overwhelming vote, even if it is negotiated.

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I think the last thing I want to have happen, a new president of Russia, actual hard-baked agreement, a consensus reached between them, an agreement submission here, and rejection. They are the kind of questions I get asked, as well as, what do you think, but I am not his main guy, so you can rest easy that I am not the one he is listening to on this.

Senator LUGAR. Well, without extending this colloquy beyond where it should go, the problem, as I see it, Joe, is that the President might get a deal, and you may be right, the Congress is not really prepared to deal with it, because we are tied up in the appropriations cycle, or a variety of other reasons.

This really makes it incumbent upon the President and his people to begin to engage some members of the Congress in some preparation for this. In other words, we all know some decisions are going to have to be made. There are fateful negotiations proceeding with the Russians, maybe with others. It should not come then as a total surprise to us that some of this is plopped on the table, and someone anticipates some activity is going to occur.

Senator BIDEN. As you know, we are doing that with that special commission you and I have been put on that is chaired by Thad Cochran and Bob Byrd, so we are trying that, but it is—anyway, I just—

Senator LUGAR. It needs some energy.

Senator BIDEN. Yes.

Secretary RUMSFELD. Senator Biden made a comment earlier about the discussions he has in Silicon Valley with business people. They say this will happen somewhere else. It is a fair comment, and I would like to comment on it.

The tools we have used in the past tended to be used at a time when the world was quite different than it is now becoming. When I was at G.D. Searle, and deciding where I wanted to do research and development, we had R & D facilities in England, in France, in the United States. I could sit in my office and say, I will do this there, or there. Where would I go? Well, I would go where the environment was hospitable.

Today, I know a company that has scientists in probably eight or ten different countries, large numbers of them, a number of them in Russia. They can decide what they want to do where.

I know another company that is a virtual company. They have scientists from Vladivostok to Palo Alto. They do not even know each other. So the point that you are told by those people is real—

Senator LUGAR. I agree, it is.

Secretary RUMSFELD [continuing]. —Competence can move off shore, if an environment is created that is not hospitable to having that competence in our country. It is a very real serious problem with respect to the subject we are here to talk about, proliferation.

How do you manage that situation? In my view, the only way you can do it is to work with other key countries, and to make sure that we know what is important and why it is important, and use our political capital, our time, and energy on that, and not run around trying to stop things that are out of the bottle.

Senator LUGAR. Just on that point, Secretary Rumsfeld, you made the point, or maybe one of your colleagues did, that we are

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a country that can adapt. Just to be the devil's advocate, why do we have controls over any of this intellectual property? Given this virtual company, with the site at Vladivostok, and elsewhere, all communicating and working together, but not knowing each other. While at the same time we have applications for export licenses waiting for action in the State Department. Why would you not just scrap the need for export licenses, and say, in essence, we are stronger, because we have more intellectual ferment here and greater freedom and the capital to deploy. Why not just sell our good ideas to the rest of the world knowing that in all likelihood we will stay ahead of the competition. Philosophically, is there a case to be made?

Secretary RUMSFELD. I think there is a case to be made for that. As everyone here has said, that has to be a part of how we are arranged. It does not mean it is all, because I do think there is still an important role for efforts to avoid proliferation, but the world is not and has never been static.

For every offense, there has been a defense, and for every defense there has been an offense. Things are moving, evolving, and becoming more sophisticated.

We, above any nation on earth, have the ability to live in this world, but we need to make the necessary investments so that we can live in reasonable safety, and that we can do. The cost is less, in my view, if we, at the same time, make an effort against proliferation, and do these other things as well, but we certainly cannot just rely on antiproliferation efforts, because the world is moving under us. We are going to have to invest in defense.

Some say we cannot afford it. We are spending three percent of GNP and heading south. We can afford to do anything we need to do to provide for the security of our people. And we ought to.

Senator LUGAR. Let me ask two questions that deal specifically with the Russian situation. One I asked the panel the other day, and let me ask it again of you.

In Russia, after various Nunn-Lugar efforts, we have corralled their chemical weapons in seven areas. Secretary Carter has been involved there, and knows where they are.

Russia has signed the Chemical Weapons Convention. Diplomacy worked, and they are cooperating with us on discovering the best way to destroy these dangerous weapons. But we still face a Russian stockpile of 40,000 metric tons that is no closer to destruction than is was at the end of the cold war.

Now, last year, as a part of the Nunn-Lugar program, it was suggested that we destroy 500 tons per year of the 40,000. Some in the House of Representatives suggested that the Russians made these weapons, let them clean them up. In other words, the utilization of taxpayer funds from America in fulfilling Russian obligations under the CWC was not a very good idea.

There were other arguments as to how we would destroy these weapons, but the fact is these weapons still pose a threat to America. The 40,000 metric tons of chemical weapons are still there, untouched.

Now, given all the things we have talked about today—the development of Russia, the proliferation problem—do the 40,000 metric

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tons mean anything to our security, and if they do, what should our policy be? It does not appear that the Russian budget this year is going to be any better than the last one, and even 500 tons per year is a small effort. Should we do more? Should we do less? Should we get into it at all? In the real world, this is left over, and it is dangerous stuff, and it is very deadly. What advice would you have? Ash?

Secretary CARTER. Well, I think you are quite right that the existing stocks are very large, they are much larger than the existing Nunn-Lugar program aims to eliminate itself, but I would still argue that the program has a value, and the value lies in keeping the government of Russia focused on this international obligation, which it has, which in the fullness of time it is going to need to carry out, yes, it is in straightened circumstances now, but eventually they need to get around to it, makes us a partner, rather than an antagonist of them in this process. That is good for us in the long run.

It creates a collaborative environment between our experts in that field and their experts in that field, which has spillovers into other cases, proliferation elsewhere in the world of chemical weapons, protection against chemical attack, counterterrorism involving chemical weapons.

The point was made earlier, I think, by Secretary Hadley, that without the cooperation of Russia and also China, that large producers and large stocks of intellectual capital in these weapons of mass destruction fields, without their cooperation, we cannot win the war against proliferation around the world.

So this is an opportunity to have that as collaborators, and to make small, but tangible contribution to keeping them on the rails, eventually to getting rid of all that, that 40,000 tons. For all those reasons, I think the program is appropriate and should be supported.

Secretary HADLEY. I think it is not an issue of priority. I think it ought to have a high priority. I think it is an issue of effectiveness. I mean I am no politician. You folks are. There is a problem of having money go to Russia, but particularly, people do not want to be—I think the American people do not want to be played for a sucker.

So one of the things that is difficult is, I think we have only imperfect visibility into the Russian CW programs and BW programs. We have been struggling with them on BW for a long time, with a lot of priority, and we still do not have visibility there.

So the kinds of questions you want to ask are, will the money go to the right folks to actually destroy these stocks? Are these real stocks out of weapons that are being destroyed? There are some people who say 40,000 metric tons is a very low estimate of what is really out there in Russia?

Senator LUGAR. Low estimate?

Secretary HADLEY. Low estimate. That there is more there than the 40,000 tons they have declared. Are we sure that what we are not doing is, in fact, feeding their industry, you know, they make more CW and we destroy it?

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So I think the issue is not priority. I think the issue is effectiveness and visibility in the program. I may be out of date. I struggled with this issue in 1991 and 1992. It may be different from then now, but I think that is really the issue, is can we do it in an effective way that is defensible to the American people so that we are not being played for a sucker.

Senator LUGAR. Plus the fact that the argument is made that if we supply those funds, then their use the funds for something else.

Secretary HADLEY. Right.

Secretary CARTER. Well, I would like to comment on that, because I think Secretary Hadley is absolutely right, that we can only participate in this Nunn-Lugar program, or any Nunn-Lugar program, with the Russians, with the understanding that we have the appropriate visibility into the uses to which the funds are committed.

In the case of chemical weapons, and even more so in biological weapons, I think the Russian governments going back to the Soviet governments have been deceptive in that regard, and we have been peeling back an onion there.

But it is the case, to my knowledge, that in all of the Nunn-Lugar programs, the process of audits and examinations is sufficient so that we know where our assistance is going. Remember, these programs do not take the form of us giving cash to them, which they then go and spend in some way. In the case of the chemical weapons destruction program specifically, we are building a facility to destroy chemical weapons.

Now, it is hard for them to divert a facility designed to destroy chemical weapons. There is nothing else they can do with that assistance except what we intend for them to do. So I think a program has been and can be built to meet the strictures that Secretary Hadley rightly would impose on it.

Senator LUGAR. Eighty-three percent of the funds are paid to American contractors.

Secretary CARTER. That is true, too.

Senator LUGAR. But let me just ask a question on the biological weapons issue. A year ago I visited one of the biological plants, and met with directors of thirteen others. Take Secretary Hadley's point that there may be more than 13, but, nevertheless, it was somewhat of a revelation there were 13. The directors had a common problem, no money, and a lot of scientists in white coats, and staff, and no place to go. So they were interested in us, because we have money and opportunities for commercial partnership.

Now, the Russian government still denies they were involved in biological weapons in anyway, even while we are visiting the former production plants viewing large amounts of weapons in storage. While I was there a scientist asked me to look through a microscope and see Anthrax. I would not know what Anthrax looked like. They assured me that was what was on the slide crawling around.

Having said that, I came back and suggested privately to some American pharmaceutical firms that there might be an opportunity for a merger or an acquisition. The Russian scientists showed me e-mails that they were sending to U.S. firms, universities, and

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think tanks. This is an interesting proposition, but a very difficult one.

In the real world, if an American firm was to buy the place that I visited, they are not really sure what they have, given commercial law in Russia, adjudication of these disputes, where equities lie, and so forth. Yet at the same time, if we are thinking of bolder measures, it occurs to me that U.S. commercial investment should be pursued, if not by pharmaceutical firms, chemical firms.

In other words, we are busy supporting the scientists. They get stipends, 17,000 of them, to do things that are peaceful, and that is internationally supported. But, nevertheless, these scientists are in a quandary. The central government is saying, continue on, but the central government has no money to support any of this. They are looking to us for another path and new peaceful opportunities.

Do any of you have any creative suggestions in the biological arena. I know it is much more murky, and Russia is still in denial on many of these subjects.

Secretary CARTER. Well, in my judgment, whether the Nunn-Lugar program should try to make inroads into the Soviet former BW program, in my judgment, the answer to that, that is not really a question of whether, but how.

To the question of whether, I would say absolutely, we should be trying to make inroads, but we have to proceed a little bit delicately, because the assessment I would make of the residue of their BW program is that there are some people who are associated with those facilities, because that is where they have spent their entire lives and careers, and they have nowhere else to go.

There are others who are there, because they came to believe in the course of their careers in the unique value, military value of biological weapons, and are still committed to that. So we should not imagine that there are not different camps in that complex.

What you would like to do is have some way of supporting those who would like to take their skills elsewhere, eroding the loyalty of those who are still committed to a biological weapons program, stopping people from ending up in Tripoli, or Pyongyang, and staying where they are. I think these are objectives that a carefully structured Nunn-Lugar program aimed at the biological weapons complex could have.

I think it ought to have the same rules that the rest of the Nunn-Lugar program has, which is that we get visibility into the results of any assistance we offer, that we see concretely what we are getting, that is what we are getting in all the other Nunn-Lugar programs, but biological weapons—if what I said earlier is true, biological warfare in the long run will be seen as a much more fearsome type of warfare, even the nuclear warfare.

This is the largest, most sophisticated program the world ever saw. They kept going long after we stopped, and it has to be a central security concern to the United States to make sure that this complex has a destiny which is different from a destiny which causes it to be defeat of proliferation, some other destiny. If we have the opportunity to participate in that cooperatively, with Russians who will cooperate with us, it is a hell of a bargain.

Senator BIDEN. I just want to second, if they are sending e-mails to companies, chemical companies, they sure have a lot of feelers

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out other places. It just seems to me to be kind of a no-brainer. Within the context that you and Ash—the way you have set up Nunn-Lugar and the way Ash talked about it, and Steve talked about it, about transparency—I mean I just do not—I do not quite get why that is difficult.

By the way, again, on the politics of it, I do not know many Americans who would say it is a bad deal, even if they are, quote, "using us," if the end result is we are destroying their chemical weapons, or their biological weapons, if that occurs.

Mr. Chairman, I know they are three incredibly busy men. I have three questions for each that are not very—will not take much to answer, but I have to leave now to be at another place at 11:30. I would like to ask that they would be able to be submitted to the witnesses, and at your leisure. This is not one of those things I am looking for you to have to give back anytime soon.

I would like Mr. Secretary, for you to—because I know you—I am flattered that you take seriously the considerations, the questions, and the suggestions that are made by some of us up here, I would like you to seriously consider maybe for me to be able to pick up the phone and call you in a couple of weeks as to whether or not there is a way to figure out, whether or not you do it, or someone else does it, that there be a bipartisan group of experts who deal with even some narrower option points that might be available to this president or the next president about what reasonable options occur, because as I talked to people, when I was out, Ash, at the conference, I found that the strongest supporters of a robust national missile defense system had to say honestly, well, I do not know what will happen in terms of proliferation if we do this And maybe we say the consequences are worth the risk, I mean even if those things occur.

I keep going to the intelligence community and saying, "Okay, tell me, what do you think is going to happen in these other places," and they look at me like I have asked them about is there a God.

I mean they say, "Well, they might do this anyway," and I say, "Well, wait a minute now, they might"—I mean—and I just think to myself, the next President of the United States, whoever it is, is going to be sitting there and I do not get the sense that we have a real handle on this.

You do not even have to take my call, but in the next couple of weeks, I am going to pick up the phone and maybe just brainstorm with me, and I promise it can be off the record. I will not repeat anything you tell me. You can tell me to go away.

I would like to ask, Mr. Chairman, that I would be able to send in a couple of questions, and hope that you are able to, and count me in, if you so choose, pursue ways in which to deal with the whole threat reduction issues that goes beyond what we are talking about here, some of which is under way, and I have a couple of questions about that.

Senator LUGAR. Senator Biden, your questions will be submitted to the witnesses—

Senator BIDEN. I apologize for leaving, gentlemen. Thanks a million.

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Senator LUGAR [continuing]. —and the witnesses should respond to the questions, and likewise should respond to the telephone calls that you might make.

Senator BIDEN. You have an option not to take the call. Mr. Chairman, I should not say this, I will never forget one time, I was a young Senator, and the Senator from Arkansas, a powerful chairman of the appropriations committee, had just passed away, and he was the number two guy on the Judiciary Committee, and I went to then-Chairman Eastland—and you will get a kick of this, Don.

I said, "Mr. Chairman, the Senator had chaired the criminal law subcommittee. I would very much like to chair that committee, and I wonder if I could get your support."

He looked at me and he said, "Son, you count."

I said, "I beg your pardon, Mr. Chairman."

He said, "You count."

I said, "Count?" I said, "No, no, no, I have not done that," meaning have I surveyed the other members, and I said, "No, but I will go do that," and I said, "Well, when I get the results, should I send you a letter, Mr. Chairman?"

I will never forget what he said. He said, "Son, a piece of advice. Never send a chairman a letter he does not want to receive." [Laughter.]

Senator BIDEN. Well, you can put the telephone call in that category, if you would like to. [Laughter.]

Senator LUGAR. Let me add that last year legislation was passed to require the State Department to do a study on export licensing, so that we might have a database on their efforts and timeliness on export licenses.

The State Department stoutly resisted doing any study on this subject. This committee does have oversight over the Department, but in the real world I suspect that if they do not want to do the study they will find countless ways not to do the study or to delay it for extended periods of time.

So I reiterate the request today, using this hearing as an opportunity, we must find a way to improve our efforts at considering export licenses. I agree with Secretary Rumsfeld, we ought to act quickly. Sometimes, maybe in despair, we say there will be an election, and there will be another administration, another fresh start, but we need to move now.

There are nine months left in this year, and a lot is going to occur. So despite whatever discouragements there may be, we need to proceed, and we will do so.

Let me just thank each of our witnesses for their testimony, likewise, for the published works that you have been responsible for, and have meant so much to our foreign policy and the security policy of the country.

The hearing is adjourned.

[Whereupon, at 11:30 a.m., the hearing was adjourned.]

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S. HRG. 106–655

THE FORMULATION OF EFFECTIVE NONPROLIFERATION POLICY

HEARINGS

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED SIXTH CONGRESS

SECOND SESSION

MARCH 21, 23, 28, 30, 2000

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