

WEAPONS OF MASS DESTRUCTION: CURRENT NUCLEAR PROLIFERATION CHALLENGES

HEARING

BEFORE THE
SUBCOMMITTEE ON NATIONAL SECURITY,
EMERGING THREATS, AND INTERNATIONAL
RELATIONS

OF THE

COMMITTEE ON
GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

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WEAPONS OF MASS DESTRUCTION: CURRENT NUCLEAR PROLIFERATION CHALLENGES

TUESDAY, SEPTEMBER 26, 2006

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING
THREATS, AND INTERNATIONAL RELATIONS,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 1:35 p.m. in room 2157, Rayburn House Office Building, Hon. Christopher Shays (chairman of the subcommittee) presiding.

Present: Representatives Shays, Kucinich, Waxman, Lynch, Duncan, Porter, Platts, and Van Hollen.

Staff present: J. Vincent Chase, chief investigator; R. Nicholas Palarino, Ph.D., staff director; Robert A. Briggs, analyst; Kaleb Redden, Presidential management fellow; Karen Lightfoot, minority communications director/senior advisor; Andrew Su, minority professional staff member; Earley Green, minority chief clerk; and Jean Gosa, minority assistant clerk.

Mr. SHAYS. A quorum being present, the Subcommittee on National Security, Emerging Threats, and International Relations hearing entitled, "Weapons of Mass Destruction: Current Nuclear Proliferation Challenges," is called to order.

If the Treaty on Non-Proliferation of Nuclear Weapons, NPT, had not been created nearly 40 years ago and consistently upheld, it is likely there would be many more countries with nuclear weapons. As President Ronald Reagan urged at the 15th signing anniversary of the NPT, "All states should rededicate themselves to achieving the purposes of this important treaty and to ensure its continued vitality."

Since 1968, nearly 190 nations have signed on to the NPT and pledged not to pursue nuclear weapons nuclear weapons in exchange for access to the benefits of peaceful nuclear technology and a commitment by the United States, Russian, France, Britain, and China, all nuclear-weapon states, to negotiate nuclear disarmament.

In 1987 President Reagan encapsulated a key point of the NPT's success when he famously said to then-Soviet Leader Mikhail Gorbachev, "Trust, but verify." The International Atomic Energy Agency, the IAEA, safeguards system verifies compliance with the NPT. This system has been the cornerstone of efforts to prevent the proliferation of nuclear weapons, but a powerful global nuclear threat still remains today. The treaty obviously is not perfect. States such as India, Pakistan, and North Korea have declared the

have nuclear weapons. Terrorist organizations such as Al Qaeda continue to seek chemical, biological, radiological, and even nuclear weapons.

In the face of these threats, rededication to the NPT is especially critical to ensure international peace, stability, and security.

Today we focus on challenges the world community faces from nuclear weapons proliferation and how the nonproliferation regime can be strengthened to effectively counter this threat to our civilization.

We look forward to three panels of distinguished witnesses testifying before our committee today who will answer these questions:

Why has the Treaty on Non-Proliferation of Nuclear Weapons failed to prevent the spread of nuclear weapons?

Second, what steps should be taken to strengthen compliance with the Treaty on the Non-Proliferation of Nuclear Weapons?

We will first hear from Dr. Hans Blix, formerly the chief of United Nations weapons inspection in Iraq and now chairman of the Weapons of Mass Destruction Commission.

On panel two we are joined by Mr. William Tobey, Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy; Mr. Andrew Semmel, Deputy Assistant Secretary of State, International Security and Nonproliferation, Department of State; Mr. Jack David, Deputy Assistant Secretary of Defense for Combating Weapons of Mass Destruction and Negotiations Policy, Department of Defense; and Mr. Gene Aloise, Director, Natural Resources and Environment, Government Accountability Office.

Our third panel of witnesses include Ambassador Thomas Graham, chairman of the Bipartisan Security Group, Global Security Institute; Mr. Baker Spring, the F. M. Kirby Research Fellow for National Security Policy, The Heritage Foundation; Mr. Jonathan Granoff, President, Global Security Institute; Mr. Henry Sokolski, Executive Director of the Nonproliferation Education Center; and Professor Frank von Hippel, Co-Chairman of the International Panel on Fissile Materials.

We welcome all of our witnesses.

[The prepared statement of Hon. Christopher Shays follows:]

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Statement of Representative Christopher Shays
September 26, 2006

If the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) had not been created nearly 40 years ago and consistently upheld, it is likely there would be many more countries with nuclear weapons.

As President Ronald Reagan urged at the fifteenth signing anniversary of the NPT, "All states should rededicate themselves to achieving the purposes of this important treaty and to ensure its continued vitality."

Since 1968, nearly 190 nations have signed on to the NPT, and pledged not to pursue nuclear weapons in exchange for access to the benefits of peaceful nuclear technology and a commitment by the United States, Russia, Britain, France and China—all nuclear-weapons states—to negotiate nuclear disarmament.

In 1987, President Reagan encapsulated a key point of the NPT success when he famously said to then-Soviet leader Mikhail Gorbachev, "Trust, but verify." The International Atomic Energy Agency (IAEA) safeguards system verifies compliance with the NPT. This system has been the cornerstone of efforts to prevent the proliferation of nuclear weapons.

*Statement of Rep. Christopher Shays
September 26, 2006*

But a powerful global nuclear threat still remains today. The Treaty is not perfect. States such as India, Pakistan and North Korea have declared they have nuclear weapons. Terrorist organizations such as al-Qaeda continue to seek chemical, biological, radiological and even nuclear weapons.

In the face of these threats, rededication to the NPT is especially critical to ensure international peace, stability and security.

Today we focus on challenges the world community faces from nuclear weapons proliferation and how the non-proliferation regime can be strengthened to effectively counter this threat to our civilization.

We look forward to three panels of distinguished witnesses testifying before our Committee today who will answer these questions:

- Why has the Treaty on the Non-Proliferation of Nuclear Weapons failed to prevent the spread of nuclear weapons?
- What steps should be taken to strengthen compliance with the Treaty on the Non-Proliferation of Nuclear Weapons?

We will first hear from Dr. Hans Blix, formerly the chief United Nations weapons inspector in Iraq, and now Chairman of the Weapons of Mass Destruction Commission.

On Panel II we are joined by Mr. William Tobey, Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy; Mr. Andrew Semmel, Deputy Assistant Secretary of State, International Security and Nonproliferation, Department of State; Mr. Jack David, Deputy Assistant Secretary of Defense for Combating Weapons of Mass Destruction and Negotiations Policy, Department of Defense; and Mr. Gene Aloise, Director, Natural Resources and Environment, Government Accountability Office.

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F. M. Kirby Research Fellow for National Security Policy, The Heritage Foundation; Mr. Jonathan Granoff, President, Global Security Institute; Mr. Henry Sokolski, Executive Director of the Nonproliferation Education Center; and Professor Frank von Hippel, Co-Chairman of the International Panel on Fissile Materials.

We welcome all our witnesses.

Mr. SHAYS. At this time we will recognize the distinguished ranking member of the subcommittee, Mr. Kucinich.

Mr. KUCINICH. And I would like to yield to the distinguished ranking member of the full committee.

Mr. SHAYS. Absolutely.

Mr. KUCINICH. Mr. Waxman from California.

Mr. SHAYS. The gentleman, Mr. Waxman, has the floor.

Mr. WAXMAN. Thank you both very much, particularly Mr. Kucinich, because I do have a conflict in my schedule and wanted to go ahead of him.

Mr. Chairman, I am pleased you have called this important hearing.

I want to extend a special welcome to Dr. Blix. It is an honor to have you here today.

I would like to focus my opening statement on Iraq. As we all know, President Bush took this Nation to war based on his claim that Saddam Hussein would provide nuclear weapons to terrorists unless the United States forcibly stopped him. Exaggerated claims were also made by Vice President Cheney and Defense Secretary Rumsfeld. On the eve of the war, for example, the Vice President declared Saddam Hussein had reconstituted nuclear weapons, and the Defense Security boasted he knew precisely where those nuclear weapon of mass destruction were located.

Well, all of them proved false. No weapon of mass destruction were found. We learned the President's nuclear claims were based on obviously forged and discredited documents and information, and we discovered Saddam Hussein's relationship with Al Qaeda was actually one of acrimony rather than cooperation.

As a result of the administration's rush to war, the United States now finds itself in an intractable, expensive, and worsening crisis. A string of recent reports suggests that the administration's entire effort in Iraq is coming apart at the seams. For example, yesterday the L.A. Times reported, Army Chief of Staff General Peter Schoomaker took the unprecedented step of withholding a mandatory budget plan as a protest to Secretary Rumsfeld that the Army could not maintain its current activity levels in Iraq. The general is seeking a stunning 41 percent increase over current funding levels.

Also yesterday, the nonpartisan Government Accountability Office issued a report revealing the Pentagon's own auditors have identified \$3.5 billion in questioned and unsupported charges by contractors in Iraq—\$3.5 billion. That is astonishing. That is an amount as much as we have spent on the entire reconstruction of Afghanistan.

Earlier this month, General Mark Scheid, the Chief of Logistics War Plans for Afghanistan and Iraq, complained that Secretary Rumsfeld actually prohibited post-war planning, fearing that the American public would not support a sustained occupation. And when General Scheid argued that this planning was critical, Secretary Rumsfeld said he would fire the next person that said that.

But the most damning indictment, however, came this weekend when press reports revealed that American intelligence agencies completed a national intelligence estimate concluding that the Iraq

war has increased the danger of terrorism against the United States, spawning a new generation of Islamic radicalism.

According to these press reports, all of the administration's 16 intelligence agencies disagree with claims by the President and Republican congressional leaders that the war in Iraq has made us safer. To the contrary, they believe that the war in Iraq has made the threat of terrorism worse by fanning Islamic extremism and providing a training ground for lethal methods that are exported to other countries.

The litany of incompetence is staggering. It is as if a massive category ten version of Hurricane Katrina struck the Middle East, and the Bush administration was called in to handle the response. But no matter how bad things get, the President's reflexive response is "stay the course." And Vice President Cheney, like Michael Brown of this disaster, continues to insist that he would not have done a single thing differently.

Today, I hope that Dr. Blix can shed some light on how the United States can avoid these pitfalls in the future, especially as the Bush administration is confronted with the delicate diplomatic task of coaxing Iran to fully adopt the goals of nuclear nonproliferation and we confront North Korea with the risk of nonproliferation, as well as we fear he may sell his weapons, even nuclear weapons, to terrorists.

Mr. Chairman, I am pleased we are holding this hearing. Let's get some more information and hopefully we won't make the same mistakes again.

[The prepared statement of Hon. Henry A. Waxman follows:]

**Opening Statement of
Rep. Henry A. Waxman, Ranking Minority Member
Committee on Government Reform
Before the National Security Subcommittee
Hearing on Nuclear Nonproliferation**

September 26, 2006

Thank you, Mr. Chairman, for calling this important hearing on the global nuclear threat. I would like to extend a special welcome to Dr. Blix. It is rare for Congress to receive testimony from United Nations officials, and we are honored to have you here today.

I would like to focus my opening statement on Iraq. As we all know, President Bush took this nation to war based on his claim that Saddam Hussein would provide nuclear weapons to terrorists unless the United States forcibly stopped him.

Exaggerated claims were also made by Vice President Cheney and Defense Secretary Rumsfeld. On the eve of war, for example, the Vice President declared that Saddam Hussein had reconstituted nuclear weapons. And the Defense Secretary boasted that he knew precisely where the weapons of mass destruction were located.

All of them proved false. No weapons of mass destruction were found. We learned that the President's nuclear claims were based on obviously forged documents and discredited information provided by friends of Ahmed Chalabi. And we discovered that Saddam Hussein's relationship with al Qaeda was actually one of acrimony rather than cooperation.

As a result of the Administration's rush to war, the United States now finds itself in an intractable, expensive, and worsening crisis. A string of recent reports suggests that the Administration's entire effort in Iraq is coming apart at the seams.

For example, yesterday the *Los Angeles Times* reported that the Army chief of staff, General Peter Schoomaker, took the unprecedented step of withholding a mandatory budget plan as a protest to Secretary Rumsfeld that the Army could not maintain its current activity levels in Iraq. The general is now seeking a stunning 41% increase over current funding levels.

Also yesterday, the nonpartisan Government Accountability Office issued a report revealing that the Pentagon's own auditors have identified \$3.5 billion in questioned and unsupported charges by contractors in Iraq. \$3.5 billion – that's astonishing. That's as much as we've spent on the entire reconstruction of Afghanistan.

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And last week, a book published by an investigative reporter from the *Washington Post* revealed that a Defense Department political appointee, James O’Beirne, directed an organized and systemic screening process to hire Republican loyalists, rather than qualified experts, for key positions at the U.S.-run Coalition Provisional Authority. Pentagon officials allegedly posed blunt questions about who applicants voted for and what their views were on abortion. This may help explain why the CPA made so many critical blunders, such as disbanding the Iraqi Army and providing thousands of recruits for the budding insurgency.

The most damning indictment, however, came this weekend when press reports revealed that American intelligence agencies completed a National Intelligence Estimate concluding that the Iraq war has increased the danger of terrorism against the United States, spawning a new generation of Islamic radicalism.

According to these press reports, all of the Administration's 16 intelligence agencies disagree with claims made by the President and Republican congressional leaders that the war in Iraq has made us safer. To the contrary, they believe that the war in Iraq has made the threat of terrorism worse by fanning Islamic extremism and providing a training ground for lethal methods that are exported to other countries.

This litany of incompetence is staggering. It's as if a massive Category 10 version of Hurricane Katrina struck the Middle East, and the Bush Administration was called in to handle the response. But no matter how bad things get, the President's reflexive response is to just "stay the course." And Vice President Cheney, like the Michael Brown of this disaster, continues to insist that he would not have done a single thing differently.

Today, I hope that Dr. Blix can shed some light on how the United States can avoid these pitfalls in the future, especially as the Bush Administration is confronted with the delicate diplomatic task of coaxing Iran to fully adopt the goals of nuclear nonproliferation.

Thank you, Mr. Chairman.

Mr. SHAYS. I thank the gentleman very much.

At this time Mr. Waxman would have been recognized, so I am assuming, Mr. Kucinich, you now have the floor.

Mr. KUCINICH. I want to thank Mr. Waxman for his statement and for his leadership.

Mr. Chairman, thank you for calling this subcommittee meeting. I think it was on June 6, 2006, our witness Dr. Blix was on Meet the Press and he was asked could the war in Iraq have been avoided. That is a compelling question, not only with respect to the discussion of weapon of mass destruction, but looking at the path the administration has set us upon, a path of preemption and unilateralism, the question could a war be avoided is instructive not only with respect to reflecting on what has passed, but in looking at what is prologued. so we are not only here talking about forensics; we are speaking about the future of the world and our capability to be able to assess what is happening and get what is really going on and be able to, from that point, draw policies for our Nation and the world which are sane and which are true.

Our country has lost credibility. In the last 6 years the U.S. administration has backtracked on international treaties and conventions, the administration misused the threat of weapon of mass destruction to invade Iraq, and the administration has pursued inconsistent approaches to nations who have or are seeking nuclear weapons.

One of the biggest challenges to our nonproliferation goals may, in fact, be our own policies and actions. The U.S. had rejected the Comprehensive Test Ban Treaty, refused to sign the Land Mine Treaty, withdrawn from the ABM Treaty, has not or unsigned the Kyoto Protocol, blocked the Verification Protocol for the Biological Weapons Convention, and this week, at the request of the President, Congress is poised to legalize torture of foreign nationals, despite the Geneva Conventions.

The U.S. administration has established a record of unilateralism that undercuts our Nation's credibility in the eyes of the world. The U.S. invaded Iraq in March 2003, despite the lack of reliable evidence of weapon of mass destruction by U.N. inspectors, and in response this administration championed multiple justifications for the invasion of Iraq, such as regime change and democracy. The evolving justifications led to increased uneasiness in the world about U.S. intentions.

Think about it for a moment. We were told and have been told repeatedly, well, it was just bad intelligence, when, in fact, now we are seeing that there are numerous people throughout the Federal Government who warned the administration that the information they were about to offer to the public as a justification for the war was false, fraudulent, hoax.

And so we are here in part to reassess the awful path that has been taken, policies built on a potempkin village of massive fraud and lies. It is good that Mr. Blix is here. Thank you, because when you ask could the war be avoided, Mr. Blix said on Meet the Press, "I think so. We carried out about 700 inspections. We have been to about three dozens of sites which the intelligence had given us, and in none of these cases did we find any weapon of mass destruction. If we had been allowed a couple of months more we would

have been able to go to all of the sites given by intelligence and found no weapons since there weren't any."

What was the rush to war all about? Somebody owes an explanation to the 2,700 families of American soldiers who gave their life. What was this war about? And what about all of the ones who have been injured? What about the maybe 200,000 Iraqis that have lost their lives and perhaps a million that have been injured. What was it all about? What was the rush about?

The growing lack of U.S. credibility greatly affects the perception of U.S. objections to an Iranian nuclear program. The administration has drawn a hard line on Iran's nuclear intentions, peaceful or not. To date the administration refuses to directly talk with Iran until Iran ceases all enrichment operations, despite the possibility that Iran's enrichment may be for peaceful uses only and therefore legal under the Non-Proliferation Treaty.

The U.S. finds itself lacking credibility in nuclear weapons proliferation. The administration has promoted new nuclear weapons for the United States in the form of bunker busters and new weapons research. The U.S. negotiated a favorable nuclear agreement with India, despite India's refusal to join the NPT and their acquisition of nuclear weapons. The U.S. supports the dictatorship in Pakistan, despite their refusal to join the Non-Proliferation Treaty and despite their acquisition and proliferation of nuclear weapons. And the U.S. refuses to acknowledge Israel's possession of nuclear weapons, despite the obvious implications that has on the surrounding nations' desires to acquire nuclear weapons.

The U.S. has effectively awarded several nations who have recently acquired nuclear weapons. Many of these nations are neighbors of nations that the U.S. is applying great pressure upon. The U.S. must treat its allies and adversaries differently, but if we are to prevent further proliferation anywhere we must oppose it everywhere, even and especially when it concerns an ally; otherwise, the world's tough neighborhoods will get a lot more dangerous due to arms races that our own inconsistencies promote.

We don't know if the U.S. has negotiated with Iran in good faith. There is evidence the administration has not. According to independent accounts in *The New Yorker*, *GQ*, *ABC News*, and *The Guardian*, the U.S. has already put operatives on the ground in Iraq to gather intelligence and prepare targeting for an invasion. It is working with MEK opposition groups to conduct lethal operations and stabilizing operations, and according to this week's *Time Magazine* the Navy has issued deployment orders for mine sweepers to review plans for a possible blockade of the Strait of Hormuz, an Iranian port, all about WMDs.

Before I wrap up, Mr. Chairman, I have a September 25, 2006 *Time* article, "What Would War Look Like." Without objection, I would like it introduced in the hearing record.

Mr. SHAYS. Without objection.

[The information referred to follows:]

1 of 7 DOCUMENTS

Time

September 25, 2006
U.S. Edition

What Would War Look Like?

BYLINE: Michael Duffy; Reported by Brian Bennett/Baghdad; James Graff/Paris; Scott MacLeod/ Cairo; J.F.O. McAllister/ London; Tim McGirk/ Jerusalem; Azadeh Moaveni/ Tehran; Mike Allen; Sally B. Donnelly; Elaine Shannon; Mark Thompson; Douglas Waller; Michael Weisskopf; Adam Zagorin/ Washington

SECTION: WORLD; Pg. 38 Vol. 168 No. 13

LENGTH: 3153 words

HIGHLIGHT: A flurry of military maneuvers in the Middle East increases speculation that conflict with Iran is no longer quite so unthinkable. Here's how the U.S. would fight such a war--and the huge price it would have to pay to win it

A flurry of military maneuvers in the Middle East increases speculation that conflict with Iran is no longer quite so unthinkable. Here's how the U.S. would fight such a war--and the huge price it would have to pay to win it

[This article consists of a complex diagram. Please see hardcopy of magazine or PDF.]

The first message was routine enough: a "Prepare to Deploy" order sent through naval communications channels to a submarine, an Aegis-class cruiser, two minesweepers and two mine hunters. The orders didn't actually command the ships out of port; they just said to be ready to move by Oct. 1. But inside the Navy those messages generated more buzz than usual last week when a second request, from the Chief of Naval Operations (CNO), asked for fresh eyes on long-standing U.S. plans to blockade two Iranian oil ports on the Persian Gulf. The CNO had asked for a rundown on how a blockade of those strategic targets might work. When he didn't like the analysis he received, he ordered his troops to work the lash up once again.

What's going on? The two orders offered tantalizing clues. There are only a few places in the world where minesweepers top the list of U.S. naval requirements. And every sailor, petroleum engineer and hedge-fund manager knows the name of the most important: the Strait of Hormuz, the 20-mile-wide bottleneck in the Persian Gulf through which roughly 40% of the world's oil needs to pass each day. Coupled with the CNO's request for a blockade review, a deployment of minesweepers to the west coast of Iran would seem to suggest that a much discussed--but until now largely theoretical--prospect has become real: that the U.S. may be preparing for war with Iran.

No one knows whether--let alone when--a military confrontation with Tehran will come to pass. The fact that admirals are reviewing plans for blockades is hardly proof of their intentions. The U.S. military routinely makes plans for scores of scenarios, the vast majority of which will never be put into practice. "Planners always plan," says a Pentagon official. Asked about the orders, a second official said only that the Navy is stepping up its "listening and learning" in the Persian Gulf but nothing more--a prudent step, he added, after Iran tested surface-to-ship missiles there in August during a two-week military exercise. And yet from the State Department to the White House to the highest reaches of the military command, there is a growing sense that a showdown with Iran--over its suspected quest for nuclear weapons, its threats against Israel and its bid for dominance of the world's richest oil region--may be impossible to avoid. The chief of the U.S. Central Command (Centcom), General John Abizaid, has called a commanders conference for later this month in the Persian Gulf--sessions he holds at least quarterly--and Iran is on the agenda.

On its face, of course, the notion of a war with Iran seems absurd. By any rational measure, the last thing the U.S. can afford is another war. Two unfinished wars--one on Iran's eastern border, the other on its western flank--are daily depleting America's treasury and overworked armed forces. Most of Washington's allies in those adventures have made it clear they

<http://w3.nexis.com/new/delivery/PrintDoc.do?fileSize=24499&jobHandle=1861%3A120...> 9/25/2006

will not join another gamble overseas. What's more, the Bush team, led by Secretary of State Condoleezza Rice, has done more diplomatic spadework on Iran than on any other project in its 5 1/2 years in office. For more than 18 months, Rice has kept the Administration's hard-line faction at bay while leading a coalition that includes four other members of the U.N. Security Council and is trying to force Tehran to halt its suspicious nuclear ambitions. Even Iran's former President, Mohammed Khatami, was in Washington this month calling for a "dialogue" between the two nations.

But superpowers don't always get to choose their enemies or the timing of their confrontations. The fact that all sides would risk losing so much in armed conflict doesn't mean they won't stumble into one anyway. And for all the good arguments against any war now, much less this one, there are just as many indications that a genuine, eyeball-to-eyeball crisis between the U.S. and Iran may be looming, and sooner than many realize. "At the moment," says Ali Ansari, a top Iran authority at London's Chatham House, a foreign-policy think tank, "we are headed for conflict."

So what would it look like? Interviews with dozens of experts and government officials in Washington, Tehran and elsewhere in the Middle East paint a sobering picture: military action against Iran's nuclear facilities would have a decent chance of succeeding, but at a staggering cost. And therein lies the excruciating calculus facing the U.S. and its allies: Is the cost of confronting Iran greater than the dangers of living with a nuclear Iran? And can anything short of war persuade Tehran's fundamentalist regime to give up its dangerous game?

ROAD TO WAR

The crisis with Iran has been years in the making. Over the past decade, Iran has acquired many of the pieces, parts and plants needed to make a nuclear device. Although Iranian officials insist that Iran's ambitions are limited to nuclear energy, the regime has asserted its right to develop nuclear power and enrich uranium that could be used in bombs as an end in itself--a symbol of sovereign pride, not to mention a useful prop for politicking. Iran's President Mahmoud Ahmadinejad has crisscrossed the country in recent months making Iran's right to a nuclear program a national cause and trying to solidify his base of hard-line support in the Revolutionary Guards. The nuclear program is popular with average Iranians and the elites as well. "Iranian leaders have this sense of past glory, this belief that Iran should play a lofty role in the world," says Nasser Hadian, professor of political science at Tehran University.

But the nuclear program isn't Washington's only worry about Iran. While stoking nationalism at home, Tehran has dramatically consolidated its reach in the region. Since the 1979 Islamic revolution, Iran has sponsored terrorist groups in a handful of countries, but its backing of Hizballah, the militant group that took Lebanon to war with Israel this summer, seems to be changing the Middle East balance of power. There is circumstantial evidence that Iran ordered Hizballah to provoke this summer's war, in part to demonstrate that Tehran can stir up big trouble if pushed to the brink. The precise extent of coordination between Hizballah and Tehran is unknown. But no longer in dispute after the standoff in July is Iran's ability to project power right up to the borders of Israel. It is no coincidence that the talk in Washington about what to do with Iran became more focused after Hizballah fought the Israeli army to a virtual standstill this summer.

And yet the West has been unable to compel Iran to comply with its demands. Despite all the work Rice has put into her coalition, diplomatic efforts are moving too slowly, some believe, to stop the Iranians before they acquire the makings of a nuclear device. And Iran has played its hand shrewdly so far. Tehran took weeks to reply to a formal proposal from the U.N. Security Council calling on a halt to uranium enrichment. When it did, its official response was a mosaic of half-steps, conditions and boilerplate that suggested Tehran has little intention of backing down. "The Iranians," says a Western diplomat in Washington, "are very able negotiators."

That doesn't make war inevitable. But at some point the U.S. and its allies may have to confront the ultimate choice. The Bush Administration has said it won't tolerate Iran having a nuclear weapon. Once it does, the regime will have the capacity to carry out Ahmadinejad's threats to eliminate Israel. And in practical terms, the U.S. would have to consider military action long before Iran had an actual bomb. In military circles, there is a debate about where--and when--to draw that line. U.S. intelligence chief John Negroponte told TIME in April that Iran is five years away from having a nuclear weapon. But some nonproliferation experts worry about a different moment: when Iran is able to enrich enough uranium to fuel a bomb--a point that comes well before engineers actually assemble a nuclear device. Many believe that is when a country becomes a nuclear power. That red line, experts say, could be just a year away.

WOULD AN ATTACK WORK?

The answer is yes and no.

No one is talking about a ground invasion of Iran. Too many U.S. troops are tied down elsewhere to make it possible, and besides, it isn't necessary. If the U.S. goal is simply to stunt Iran's nuclear program, it can be done better and more safely

by air. An attack limited to Iran's nuclear facilities would nonetheless require a massive campaign. Experts say that Iran has between 18 and 30 nuclear-related facilities. The sites are dispersed around the country--some in the open, some cloaked in the guise of conventional factories, some buried deep underground.

A Pentagon official says that among the known sites there are 1,500 different "aim points," which means the campaign could well require the involvement of almost every type of aircraft in the U.S. arsenal: Stealth bombers and fighters, B-1s and B-2s, as well as F-15s and F-16s operating from land and F-18s from aircraft carriers.

GPS-guided munitions and laser-targeted bombs--sighted by satellite, spotter aircraft and unmanned vehicles--would do most of the bunker busting. But because many of the targets are hardened under several feet of reinforced concrete, most would have to be hit over and over to ensure that they were destroyed or sufficiently damaged. The U.S. would have to mount the usual aerial ballet, refueling tankers as well as search-and-rescue helicopters in case pilots were shot down by Iran's aging but possibly still effective air defenses. U.S. submarines and ships could launch cruise missiles as well, but their warheads are generally too small to do much damage to reinforced concrete--and might be used for secondary targets. An operation of that size would hardly be surgical. Many sites are in highly populated areas, so civilian casualties would be a certainty.

Whatever the order of battle, a U.S. strike would have a lasting impression on Iran's rulers. U.S. officials believe that a campaign of several days, involving hundreds or even thousands of sorties, could set back Iran's nuclear program by two to three years. Hit hard enough, some believe, Iranians might develop second thoughts about their government's designs as a regional nuclear power. Some U.S. foes of Iran's regime believe that the crisis of legitimacy that the ruling clerics would face in the wake of a U.S. attack could trigger their downfall, although others are convinced it would unite the population with the government in anti-American rage.

But it is also likely that the U.S. could carry out a massive attack and still leave Iran with some part of its nuclear program intact. It's possible that U.S. warplanes could destroy every known nuclear site--while Tehran's nuclear wizards, operating at other, undiscovered sites even deeper underground, continued their work. "We don't know where it all is," said a White House official, "so we can't get it all."

WHAT WOULD COME NEXT?

No one who has spent any time thinking about an attack on Iran doubts that a U.S. operation would reap a whirlwind. The only mystery is what kind. "It's not a question of whether we can do a strike or not and whether the strike could be effective," says retired Marine General Anthony Zinni. "It certainly would be, to some degree. But are you prepared for all that follows?"

Retired Air Force Colonel Sam Gardiner, who taught strategy at the National War College, has been conducting a mock U.S.-Iran war game for American policymakers for the past five years. Virtually every time he runs the game, Gardiner says, a similar nightmare scenario unfolds: the U.S. attack, no matter how successful, spawns a variety of asymmetrical retaliations by Tehran. First comes terrorism: Iran's initial reaction to air strikes might be to authorize a Hizballah attack on Israel, in order to draw Israel into the war and rally public support at home.

Next, Iran might try to foment as much mayhem as possible inside the two nations on its flanks, Afghanistan and Iraq, where more than 160,000 U.S. troops hold a tenuous grip on local populations. Iran has already dabbled in partnership with warlords in western Afghanistan, where U.S. military authority has never been strong; it would be a small step to lend aid to Taliban forces gaining strength in the south. Meanwhile, Tehran has links to the main factions in Iraq, which would welcome a boost in money and weapons, if just to strengthen their hand against rivals. Analysts generally believe that Iran could in a short time orchestrate a dramatic increase in the number and severity of attacks on U.S. troops in Iraq. As Syed Ayad, a secular Shi'ite cleric and Iraqi Member of Parliament says, "America owns the sky of Iraq with their Apaches, but Iran owns the ground."

Next, there is oil. The Persian Gulf, a traffic jam on good days, would become a parking lot. Iran could plant mines and launch dozens of armed boats into the bottleneck, choking off the shipping lanes in the Strait of Hormuz and causing a massive disruption of oil-tanker traffic. A low-key Iranian mining operation in 1987 forced the U.S. to reflag Kuwaiti oil tankers and escort them, in slow-moving files of one and two, up and down the Persian Gulf. A more intense operation would probably send oil prices soaring above \$100 per bbl.--which may explain why the Navy wants to be sure its small fleet of minesweepers is ready to go into action at a moment's notice. It is unlikely that Iran would turn off its own oil spigot or halt its exports through pipelines overland, but it could direct its proxies in Iraq and Saudi Arabia to attack pipelines, wells and shipment points inside those countries, further choking supply and driving up prices.

That kind of retaliation could quickly transform a relatively limited U.S. mission in Iran into a much more complicated one involving regime change. An Iran determined to use all its available weapons to counterattack the U.S. and its allies would present a challenge to American prestige that no Commander in Chief would be likely to tolerate for long. Zinni, for one, believes an attack on Iran could eventually lead to U.S. troops on the ground. "You've got to be careful with your assumptions," he says. "In Iraq, the assumption was that it would be a liberation, not an occupation. You've got to be prepared for the worst case, and the worst case involving Iran takes you down to boots on the ground." All that, he says, makes an attack on Iran a "dumb idea." Abizaid, the current Centcom boss, chose his words carefully last May. "Look, any war with a country that is as big as Iran, that has a terrorist capability along its borders, that has a missile capability that is external to its own borders and that has the ability to affect the world's oil markets is something that everyone needs to contemplate with a great degree of clarity."

CAN IT BE STOPPED?

Given the chaos that a war might unleash, what options does the world have to avoid it? One approach would be for the U.S. to accept Iran as a nuclear power and learn to live with an Iranian bomb, focusing its efforts on deterrence rather than pre-emption. The risk is that a nuclear-armed Iran would use its regional primacy to become the dominant foreign power in Iraq, threaten Israel and make it harder for Washington to exert its will in the region. And it could provoke Sunni countries in the region, like Saudi Arabia and Egypt, to start nuclear programs of their own to contain rising Shi'ite power.

Those equally unappetizing prospects—war or a new arms race in the Middle East—explain why the White House is kicking up its efforts to resolve the Iran problem before it gets that far. Washington is doing everything it can to make Iran think twice about its ongoing game of stonewall. It is a measure of the Administration's unity on Iran that confrontationalists like Vice President Dick Cheney and Defense Secretary Donald Rumsfeld have lately not wandered off the rhetorical reservation. Everyone has been careful—for now—to stick to Rice's diplomatic emphasis. "Nobody is considering a military option at this point," says an Administration official. "We're trying to prevent a situation in which the President finds himself having to decide between a nuclear-armed Iran or going to war. The best hope of avoiding that dilemma is hard-nosed diplomacy, one that has serious consequences."

Rice continues to try for that. This week in New York City, she will push her partners to get behind a new sanctions resolution that would ban Iranian imports of dual-use technologies, like parts for its centrifuge cascades for uranium enrichment, and bar travel overseas by certain government officials. The next step would be restrictions on government purchases of computer software and hardware, office supplies, tires and auto parts—steps Russia and China have signaled some reluctance to endorse. But even Rice's advisers don't believe that Iran can be persuaded to completely abandon its ambitions. Instead, they hope to tie Iran up in a series of suspensions, delays and negotiations until a more pragmatic faction of leadership in Tehran gains the upper hand.

At the moment, that sounds as much like a prayer as a strategy. A former CIA director, asked not long ago whether a moderate faction will ever emerge in Tehran, quipped, "I don't think I've ever met an Iranian moderate—not at the top of the government, anyway." But if sanctions don't work, what might? Outside the Administration, a growing group of foreign-policy hands from both parties have called on the U.S. to bring Tehran into direct negotiations in the hope of striking a grand bargain. Under that formula, the U.S. might offer Iran some security guarantees—such as forswearing efforts to topple Iran's theocratic regime—in exchange for Iran's agreeing to open its facilities to international inspectors and abandon weapons-related projects. It would be painful for any U.S. Administration to recognize the legitimacy of a regime that sponsors terrorism and calls for Israel's destruction—but the time may come when that's the only bargaining chip short of war the U.S. has left. And still that may not be enough. "[The Iranians] would give up nuclear power if they truly believed the U.S. would accept Iran as it is," says a university professor in Tehran who asked not to be identified. "But the mistrust runs too deep for them to believe that is possible."

Such distrust runs both ways and is getting deeper. Unless the U.S., its allies and Iran can find a way to make diplomacy work, the whispers of blockades and minesweepers in the Persian Gulf may soon be drowned out by the cries of war. And if the U.S. has learned anything over the past five years, it's that war in the Middle East rarely goes according to plan.

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NOTES: See also cover story on page 32 of same issue.; See also additional image(s) in Cover Description file and Table of Contents of same issue.

GRAPHIC: PHOTO: AFP--GETTY ; WAR GAMES; An Iranian submarine trawls the waters of the Persian Gulf during military exercises last April
ILLUSTRATION: TIME Graphic by Joe Lertola and Kathleen Adams
PHOTO: ABBAS--MAGNUM; THE AGITATOR; Ahmadinejad, shown saluting crowds in Ardabil Province, insists on Iran's natural right to nuclear technology

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Mr. KUCINICH. So, in conclusion, according to the Washington Post, U.N. inspectors dispute Iran report by House panel, September 14, 2006. A House Intelligence Committee staff report on Iran has come under scrutiny for making false, misleading, and unsubstantiated assertions about Iran's nuclear program. The final committee staff report "included at least a dozen claims that were either demonstrably wrong or impossible to substantiate," including the gross exaggeration that the level of uranium enrichment by Iranian nuclear plants has now reached weapons grade levels of 90 percent, when in reality the correct enrichment level was found by the International Atomic Energy Agency to be about 3.6 percent.

Worse yet, the DNI reviewed the staff report before publication and these exaggerations remained in the final version.

The administration's conduct at the U.N. would lack credibility if, indeed, it is true that we are following all of the steps necessary for military attack. This subcommittee has attempted to find out. In June our subcommittee held a classified Members briefing at my request to investigate. Unfortunately, neither the Department of State nor the Department of Defense participated. They refused to appear at a classified hearing. Nearly 3 months later the subcommittee has not been able to question State or DOD directly on these reports.

Mr. Chairman, thank you very much for giving me this opportunity to present this. I know that your interest in being here are the interests of the American people.

Mr. SHAYS. I thank the gentleman very much.

Mr. Lynch, thank you.

Mr. LYNCH. Thank you, Mr. Chairman. I want to thank you and also Ranking Member Kucinich for holding this hearing. I would also like to thank Dr. Hans Blix and all of our distinguished panelists today for helping this subcommittee with its work.

Mr. Chairman, it is well known that in the months leading up to the March 2003 U.S. invasion of Iraq the Bush administration consistently asserted and communicated to this Congress as their primary rationale for confronting Iraq that Saddam Hussein's regime's active weapon of mass destruction program posed a "grave and imminent security threat to the United States and to the stability of the Middle East region." However, since the commencement of hostilities in Iraq we have come to find out that the threat posed by Saddam was not imminent, as the current administration asserted, and that the capacity for redevelopment of weapon of mass destruction was virtually nonexistent.

Between November 27, 2002, and the withdrawal of U.N. personnel on March 18, 2003, the U.N. Monitoring, Verification, and Inspection Commission headed by Dr. Blix conducted 731 inspections of 411 sites and, according to the Commission's May, 2003, quarterly report, "In the period during which it performed inspections and monitoring in Iraq, the Commission did not find evidence of the continuation or resumption of programs of weapon of mass destruction." Similarly, as of this date, U.S. forces have not located either WMD or WMD-related sites, according to CRS reports of September, 2006.

In short, our intelligence proceeding the March, 2003, invasion was significantly flawed, leading Dr. Blix to publicly comment that,

“there was not enough critical thinking, neither in the intelligence agencies nor at the Governmental level, prior to military action in Iraq.”

Now, in this subcommittee we have asked on five separate occasions—Mr. Kucinich, myself, and Mr. Waxman, the ranking member of the full committee—that we hold congressional hearings on how we were misled by the intelligence report supplied by the administration and to investigate whether we were deliberately misled in our decision to authorize military force against Saddam Hussein.

But the investigation and inquiry is not merely looking back, it is also forward-looking, because now, almost 4 years later, we are now seeking to address the potential security threat posed by Iran’s nuclear technology activities, and specifically the country’s pursuit of a uranium enrichment program. While Iranian President Mahmoud Ahmadinejad, his public threats against the United States and Israel, continued developments in Iran’s nuclear technology capabilities and Iran’s sponsorship of terrorism do strongly indicate that Iran does pose a serious strategic threat to the U.S.

Significant gaps continue to remain in our intelligence on Iran’s nuclear weapons capabilities. According to the House Intelligence Committee’s August, 2006, bipartisan staff report on the Iranian threat, “We lack critical information needed for analysts to make many of their judgments with confidence about Iran, and we don’t know nearly enough about Iran’s nuclear weapon program.” Furthermore, they continue, “Although it is likely that Iran is pursuing nuclear weapons, there is still a possibility that Iran could be engaged in a denial and deception campaign to exaggerate progress on its nuclear programs such as Saddam Hussein apparently did concerning his WMD programs.”

Mr. Chairman, drawing upon the lessons of our collective experience in Iraq and given the intelligence gaps that remain regarding Iran’s nuclear program, I would suggest at least part of today’s hearing include a discussion on whether arms limitations and disarmament must necessarily include a dialog on how best to facilitate the timely confirmation and gathering of accurate and comprehensive information on WMD threats so that we can better assess a particular state’s nuclear plans, goals, and capabilities and promote the development of effective national and international policy. To this end, I again welcome Dr. Hans Blix and our panelists’ thoughts on how address existing intelligence gaps regarding nuclear proliferation advancements, as well as other means by which to strengthen the nuclear nonproliferation regime. Again, I would like to thank all of you for your testimony.

I yield back the balance of my time.

Mr. SHAYS. Thank you very much.

Mr. Duncan.

Mr. DUNCAN. I have no statement, Mr. Chairman. Thank you for calling this hearing.

Mr. SHAYS. You are welcome.

We will take care of some business.

I ask unanimous consent that all members of the subcommittee be permitted to place an opening statement in the record and that the record remain open for 3 days for that purpose.

Without objection, so ordered.

I ask further unanimous consent that all witnesses be permitted to include their written statement in the record.

Without objection, so ordered.

We have three panels, so it is going to be a fairly long day. This is ultimately about weapon of mass destruction, current nuclear proliferation challenges.

Dr. Blix, we welcome you. I just want you to know that Members may ask questions that are somewhat off the issue here and they are free to ask those questions. What I will be doing on my turn, I will be asking you questions like why doesn't the Nuclear Non-Proliferation Treaty address the issues of nuclear terrorism, how should the Nuclear Non-Proliferation Treaty be amended to address the threat of nuclear terrorism. I just wanted you to know I will be wanting to get in these issues of how has the nonproliferation regime shifted to combat the threat of nuclear terrorism and asking you a variety of other issues of where we need to see amendments to the treaty and what efforts our country should be making.

You may be asked questions about Iraq and you can answer or not answer, depending on your decision.

As you know, we swear in our witnesses. I appreciate your willingness to be sworn in. When you become a diplomat again we won't swear you in.

[Witness sworn.]

Mr. SHAYS. Note for the record our witness has responded in the affirmative.

I thank you, Dr. Blix, because I went to see you a few years ago in Stockholm and wanted to ask the question why did Saddam Hussein want us to think he had weapon of mass destruction, and you were very generous in spending about 2 hours of your time from a vacation. I will never forget that visit, and I am very appreciative that you would have been so generous with your time. I appreciate that you would be here today and say that we are eager to hear your testimony.

Thank you, Dr. Blix. You have the floor.

**STATEMENT OF HANS BLIX, CHAIRMAN, THE WEAPON OF
MASS DESTRUCTION COMMISSION**

Dr. BLIX. Thank you very much, Chairman Shays. I am pleased to be invited by you and by the subcommittee to the Hearing on nonproliferation challenges.

The NPT is a central instrument through which non-nuclear states commit themselves to remain without nuclear weapons, and for the nuclear weapon states, five of them, to commit themselves to prevent a further spread of weapons and to act for nuclear disarmament.

I note with appreciation the efforts that you have made, Chairman Shays and others, to move into the U.S. Congress the resolution 133 of last year, which underlines the importance of the NPT and of the need for disarmament measures on behalf of the nuclear weapon states. And then I remind you that next year is the first preparatory committee meeting for the NPT Review Conference that is to take place in 2010, so I think it is time now to begin to

think what are countries going to say at next year's preparatory meeting.

As the chairman of the WMD Commission, which was an independent commission which was established or financed by the Swedish government, I remain keenly interested in the question of nuclear weapons and the NPT, and as the former Director General of the International Atomic Energy Association, I am responsible for the safeguard system. I also have a continuing interest in it and, of course, as chairman of the Hamlich in New York I have a lot of hands-on experience, shall we say.

I have submitted some written testimony to the Commission and I have also submitted a few corrections in it, which I hope you will take note of, but at this point, Mr. Chairman, I would like to stress the following:

The first point is I think there is a very strong need at the world community, including the United States, to become aware of the erosion that has taken place in the implementation of the NPT, both on the side of non-nuclear weapon states, or states that should have remained non-nuclear, and on the part of nuclear weapon states. Kaufman was talking about the world sleepwalking into a new phase of disarmament, and that commission which I headed and which presented this report, Weapons of Terror, precisely says that we think that there is a need for a revival of the efforts of arms control and disarmament.

I received questions from your commission and I have answered them in my written submission, but here I would like to rather think of chronologically what may be of most of all needed at the present time. And then I would agree with those that say that Iran is an acute case. Iran and North Korea are acute cases and they need to be dealt with acutely. They are on the top of the agenda in the media and I think they should be on the top of our agenda.

In the case of Iran, the commission that I chaired has commented in detail upon it, and we have also commented in detail about North Korea. We agree with those who say that it is desirable that Iran should suspend the enrichment program. The question is how one will get to that, and I think we agree, we say that the first condition is that one should try to create a situation in which the country does not feel a need for nuclear weapons. We, therefore, point particularly to the question of security.

Most countries that have gone for nuclear weapons have done it because they felt a security need. Certainly India looked at China, Pakistan looked at India, Israel looked at the Arab states, and so forth. In the case of Iran, too, one should keep that in mind. And how can one do that?

Well, I think that to compare the efforts made to get North Korea to stay away from nuclear weapons, you find that in the negotiations the North Koreans had been offered assurances about security, and they have also been told that they might get diplomatic relations with both Japan and the United States, and thereby being taken out of the ostracism to which they have, for various good reasons, been subjected. Both of these measures are there in order to assure them that their security would not be threatened, that they would not need nuclear weapons.

I think the same thinking would be needed in the case of Iran. From what we have seen about the offered diplomatic negotiations, there has been nothing held out about either security or diplomatic relations.

These are the two most acute cases, but if I go in the order of acuteness then I would say that the Comprehensive Test Ban Treaty is next in line. It is now celebrating its tenth anniversary. The Commission thinks that there could be a positive domino effect if the U.S. were to ratify. We, frankly, directly urge the United States to reconsider the position it has when the Senate rejected the Comprehensive Test Ban Treaty. We think that if the U.S. were to ratify it, then very likely others would follow—China, India, Pakistan, Iran, etc.

At the present time I think there is particular importance in getting the U.S. and China, because the two countries are involved in the negotiations with North Korea and it would be highly desirable that North Korea ratify the CTBT, because if they don't the treaty cannot enter into force. That ought to be an element in the negotiations, but it might be hard, both for the U.S. and for China, to urge the North Koreans to ratify the CTBT so long as they, themselves, have not done so.

Next in line on my list would be the Fissile Material Cutoff Treaty; that is to say, the treaty that will demand prohibit the production of plutonium and rich uranium for weapons purposes. The United States has recently tabled a draft on that subject in Geneva at the Disarmament—well, not in the Disarmament Conference, because it is not meeting as such, but, at any rate, for the conference.

That draft, which I think has been welcomed, nevertheless misses one important point, that is verification. It always used to be felt and the U.S. supported in the past such a treaty with verification, and this draft does not contain it.

I think when we look at the negotiation that has been done between the United States and India, you will appreciate that it is a severe lack in that draft submitted by the U.S., because if India, under this agreement with the United States, would be able to import nuclear fuel, there is also a possibility—I am not saying that it is a reality, but the possibility that they could use their own uranium for making more material for weapons. And if there is no agreement on the prohibition on making more material for weapons and no verification of it, then there is certainly a risk that both Pakistan and China would not trust such an agreement, and hence an FMCT with verification would be very important and we would hope that the U.S. would amend its proposal in this direction.

Next the ultimate point would be Biological Weapons Convention which will come up for a review conference later this year, toward the end of this year, where there are no provisions about implementation. This is certainly a weakness in the convention and the Commission that I headed came to the conclusion that we would need a multifaceted instrument for the implementation of it, including a secretariat, including also means of verification.

And the last point, Mr. Chairman, that I mention is the Space Treaty. Next year there will be a conference on the Outer Space Treaty, and we know that not long ago some states in Geneva

wanted to take up the issue of space weaponization and it was turned down. There were two states that were against it, the United States and the U.K. Accordingly, since the conference operates by unanimity, they could not land on the work program.

There is relatively little public discussion in the world about the risk of weaponization of space, but there is a lot of money spent on it, and the Commission which I headed takes up the issue and points to the need that we also embark on that.

So all these measures, I think if movements were made of them that would also help to strengthen the Non-Proliferation Treaty.

Thank you.

[The prepared statement of Dr. Blix follows:]

**To the House Government Reform Committee
Subcommittee on National Security, Emerging Threats, and
International Relations**

Congress of the United States, House of Representatives

The subcommittee has been kind to invite me to a hearing on 26 September 2006 on the subject of
Weapons of Mass Destruction: Current Nuclear Proliferation Challenges

I shall be glad to attend and testify.

In 2003 I returned to my home country, Sweden, after having served for a little more than three years as Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) whose task it was to identify and eliminate weapons of mass destruction in Iraq. On my return home I was asked by the Swedish Foreign Minister, Ms. Anna Lindh, who was later tragically murdered, to establish an international commission to examine ways in which the world could counter and eliminate the threat of weapons of mass destruction. I accepted the offer.

The Weapons of Mass Destruction Commission was mainly financed by the Swedish Government but worked completely independently. On 1 June 2006 it presented a report unanimously adopted by its fourteen members: "*Weapons of Terror. Freeing the World of Nuclear, Biological and Chemical Arms.*" The report (available at www.wmdcommission.org) deals extensively with the subject of the hearing to which you have kindly invited me. My answers to the questions will naturally be inspired by the reasoning and conclusions of the Commission that I chaired. However, the answers are mine and the Commission bears no responsibility for them.

In reply to nine questions which have been specified in your invitation I send you the attached written testimony.

Yours Sincerely

Hans Blix

US Congress hearing Blix attachment Sept 06

Attachment to letter by Hans Blix

1. What steps should be taken to strengthen compliance under the Nuclear Non-Proliferation Treaty?

The NPT may be said to aim at making the world free of nuclear weapons. Non-nuclear weapon states were invited to commit themselves to remain free of nuclear weapons and five nuclear weapon states were invited to commit themselves to negotiations aiming at nuclear disarmament. The parallel invitations also constituted a bargain. Non-nuclear weapon states would not make commitments, which would be immediately operative, unless the nuclear weapon states committed themselves to move toward disarmament.

To achieve the aim of a nuclear weapon free world through the treaty two things would be required: **universality** of adherence and **full compliance** with commitments.

The treaty has been adhered to by more states than any other arms control agreement, but it failed to attain universality. **India, Israel and Pakistan** did not join and are deemed to have nuclear weapons. In addition, **North Korea** has withdrawn from the treaty. On the other hand, **South Africa** did away with its nuclear weapons and joined the treaty as a nuclear-weapon free state.

It is improbable that **India and Pakistan** would abandon their nuclear weapons except in the context of all other nuclear weapon states doing the same. **Israel**, which does not acknowledge having nuclear weapons, has supported the concept of a zone (including Israel) free from weapons of mass destruction in the Middle East. A movement away from nuclear weapons by the five nuclear weapon states parties to the NPT would in all likelihood be joined by India, Israel and Pakistan.

North Korea has declared that it possesses nuclear arms. Negotiations have been pursued to induce North Korea to abandon its indigenous nuclear programme by offering the country assurances about its security, diplomatic relations to end isolation and economic assistance.

As to **compliance**, nearly all **non-nuclear weapon states parties** to the NPT have a good record – verified through IAEA safeguards. However, Iraq, Libya and North Korea (before it withdrew) sought clandestinely to develop nuclear weapons in violation of their commitments.

Iraq was found out through the IAEA inspections carried out in 1991 after the Gulf War and its material capabilities for making nuclear weapons were destroyed.

Libya's efforts secretly to move to nuclear weapons were discovered through intelligence and subsequent inspections. The elimination of the program was secured through negotiations conducted by the US and the UK.

North Korea agreed in 1992 to freeze its nuclear program but must be assumed to have continued secretly to work on a weapons program in the absence of extensive inspection. Current negotiations aim at bringing such program to an end, bringing North Korea back to the NPT as a non-nuclear weapon state and establishing effective **verification of its future compliance**.

Iran claims to be in full **compliance** with the NPT and to pursue a program to enrich uranium exclusively to obtain an indigenous source of fuel for its nuclear power program. Brazil and Japan are other non-nuclear weapon states which have indigenous enrichment programs. However, many governments suspect Iran intends – **in non-compliance** with its NPT commitments – to use the enrichment programme to develop nuclear weapons.

Many efforts have been and are being spent seeking evidence of past and present Iranian intentions. At this stage such efforts seem largely futile. Whatever the intentions of the regime (or parts of it) might have been in the past or may be now, they could change in the future. On the other hand, if Iran were induced to suspend its efforts to develop an industrial scale enrichment program, any nuclear weapon program would be pushed off for the amount of time it would take to restart the enrichment programme and produce the amount of highly enriched uranium required for a weapon.

Currently, there is a need to learn if it would be at all possible to induce Iran to suspend the enrichment program and, if the answer is yes, which the inducements would need to be. As in the case of North Korea there is a

search for effective inducements. Differently from that case, however, security assurances and future official relations have not been reported as inducements offered.

A large number – if not all – of the non-nuclear weapon states parties to the NPT consider that the **nuclear weapon states parties** are seriously **failing in compliance with their commitments** under the treaty to move to nuclear disarmament. They acknowledge the importance of agreements reached and the reduction in nuclear arsenals but point to the end of momentum in the arms control and disarmament field, the lack of constructive negotiations and, indeed, set-backs in the last decade.

The report of the Weapons of Mass Destruction Commission describes a large number of measures that could be taken in order to move on in the field of nuclear arms control and disarmament – from moving nuclear weapons away from hair trigger alert to examining how states can adapt their defense programs to a life without nuclear weapons.

There is little doubt that action to bring the **Comprehensive Test Ban Treaty** into force is the item **highest on the agenda**. There is very strong global support for the treaty, which has been ratified by 135 states including France, Russia and the UK. However, for entry into force the treaty still needs ratification by ten states, notably China, the US, North Korea, India, Pakistan, Israel or Iran. It gives some hope that there is bipartisan support in the US congress for ratification. No other measure in the field of arms control could help more to dispel the current gloom and despair about arms control and to give hope than an entry into force of the CTBT. Continued reliance on the current moratorium is risky. Media have reported suspicions that North Korea might move to nuclear tests. The agreement now sought with North Korea must ensure that North Korea ratifies the CTBT. Yet, this might be difficult to demand, so long as two of the leading negotiating states have not, themselves, ratified.

There are many other items that should be on a new active agenda for arms control and disarmament in compliance with Art. VI of the NPT. Let me just mention a treaty providing a verified prohibition of the production of enriched uranium and plutonium for weapons (FMCT); the withdrawal of nuclear weapons to the countries that own them; non-first use declarations; measures to prevent an arms race in space.

2, Why has the Nuclear Proliferation Treaty failed to prevent the spread of nuclear weapon?

First of all we should perhaps clarify that while in the domestic sphere citizens are obliged to abide by the laws, whether or not they agree with them and are likely to be punished if they do not comply, states may join or not join, ratify or not ratify treaties, depending upon their will and the advantages and disadvantages they see. Hence, to attract adherence and compliance to treaties it is of importance to create such conditions that states want to join.

Through the NPT non-nuclear states could signal to neighbours and the world that they would not become nuclear threats and they could receive such signals. They could obtain commitments by the nuclear weapon states parties that these would negotiate toward nuclear disarmament. They would thereby participate in what they may have seen as a positive global development toward peace. They could further expect easy conditions to obtain peaceful nuclear technology.

For most states the cost they would pay as parties to the NPT was limited: a commitment not to acquire nuclear weapons and international verification. In most – but not all – cases they did not see any security reasons to forego the nuclear weapon option. In any case it was very often one that was beyond their technical ability. It is not surprising, therefore, that the treaty has gained such vast adherence.

Before addressing the shortcomings of the treaty we should note its considerable successes. For instance, all countries in the **Southern hemisphere** are free of nuclear weapons. Recently, a zone free of nuclear weapons was declared by countries, which are parties to the NPT in Central Asia. Not all the states which have joined the treaty were self-evident candidates. Many would be able to make nuclear weapons and many are big or medium sized states, e.g. Algeria, Argentina, Brazil, Germany, Japan, South Africa. Many are located in areas of tension, e.g. Egypt and other Arab states, Turkey and Viet Nam. It should also be noted that when the Soviet Union was dissolved, **Byelorussia, Kazakstan and Ukraine** received guarantees about security, handed over their nuclear weapons to Russia and joined the NPT.

The fulfillment of the aim of the NPT – making the world free of nuclear weapons – raised the need for **universal adherence**. The three states that have not joined – India, Israel and Pakistan – have most likely decided to stay outside because they judged that their respective **security situations** required nuclear weapons. They will hardly abandon their nuclear weapons except in a global or possibly – in the case of Israel – a big regional company.

In the view of the Weapons of Mass Destruction Commission nuclear weapons may be particularly dangerous in some hands but constitutes a **danger in anybody's hands**. Pakistan is a volatile state. Its possession of nuclear weapons underlines the need for the whole world to move away from the nuclear weapons.

Just as security considerations are important behind some states' non-adherence such considerations may also figure among the factors which have led some states' failure to comply. **Iran's enrichment program** appears to go back to the 1980s. If there were intentions to acquire nuclear weapons or getting closer to the option, these might well have been based in suspicions that Saddam Hussein in Iraq was working to develop nuclear weapons and that Iran's security required a response. The suspicion would have been right.

It is conceivable that the rulers of **North Korea and Libya**, two countries that for various – understandable – reasons have been ostracized, have thought they would be less likely to be attacked if they possessed nuclear weapons. They might also have sought recognition as significant players or thought they could force concessions in return for abandoning the weapons. It is difficult, on the other hand, to see that **Iraq** under Saddam Hussein had any security need to develop nuclear weapons. Iraq did not expect any attacks from Israel or Iran. It is more likely that Saddam Hussein sought nuclear weapons as a tool for an expansionist Iraqi policy and perhaps a threat against Israel.

3. Why do some countries lack confidence in the non-proliferation regime?

There is the possibility that some state party may withdraw and develop nuclear weapons. As experience shows there is also the possibility that some state will clandestinely seek to develop these weapons. The IAEA verification system detected that North Korea did not correctly report how

much plutonium it had produced, but it was whistle blowers who first pointed to Iran's non-declared enrichment program and intelligence that detected Libya's nuclear programme. The Iraqi programme was neither detected by IAEA safeguards, nor by intelligence, nor was it reported by any defectors. It became known with the first IAEA inspection after the Gulf War.

With a stronger inspection system in the IAEA secret programs stand a much greater risk of detection or, at least, suspicion. Intelligence is also of great importance. Defectors do not generally come to international organizations and intelligence has enormous resources for surveillance of various kinds. Intelligence does not, on the other hand, have the right that international inspection has, to enter facilities on the ground and demand documentation and explanations. Governments should make full use of both sources of information.

4. How does unilateralism versus multilateralism approaches to global security affect prospects for the abolition of nuclear weapons?

In the view of the Weapons of Mass Destruction Commission a multilateralist approach to global security and disarmament is indispensable. No single country, however powerful, can successfully play the role of a world sheriff. The resources will not be enough. The NPT exemplifies the multilateralist approach. South Africa unilaterally renounced nuclear weapons but the three states which did not join the treaty will abandon their nuclear weapons only in company with the other nuclear weapon states. Influencing North Korea and Iran is also hardly possible through a unilateralist approach.

5. To what extent have non-proliferation sanctions affected the policies of rogue regimes?

The sanctions inflicted on **Iraq** after the Gulf War in 1991 were draconian and probably important to influence the regime to eliminate the weapons of mass destruction it had already in the early 90s. Moreover, these sanctions impoverished the country, which impeded – but did not exclude – further weapons developments. One must not forget, however, that the sanctions on Iraq carried a horrible cost for the Iraqi people.

The sanctions imposed on **Libya** may well have over time influenced the regime and contributed to the settlement it eventually made with the US and UK.

Broad economic sanctions on **Iran** would probably bring support that might otherwise not be available to the government and be perceived by Iranian public opinion as punishment by the big and rich countries.

6. What stricter international controls over fissile material should be implemented to keep the material out of the hands of terrorists?

For quite a number of years the controls over fissile material have been strengthened all over the world and this is a process that is not costly and that should continue. While one cannot exclude the possibility that terrorists may seek to acquire or develop nuclear weapons and try to make use of them, the enterprise to make such a weapon and organize delivery of it would be a rather big one. Experience – which may not be a guide to the future -- shows that simpler means have been preferred. It is for that reason that there is a greater concern about ‘dirty bombs’, i.e. bombs containing radioactive material such as cobalt or cesium, which will not cause fission but if spread through a conventional explosion could contaminate a central area of a city and spread terror. Hence, stricter control over such material is practically important. The more so as it is found in many places in society, e.g. hospitals and industry.

7. Why has the international community failed to adopt “no-first use” policies?

The majority of states in international community would gladly see the adoption of such a rule and it is often requested. However, it is the states possessing nuclear weapons that have the ability to declare such policies and – with the exception of China – they do not. We have rather seen a retrograde evolution in that several nuclear weapon states appear ready to threaten to use nuclear weapons in retaliation for any use of other weapons of mass destruction, such as biological or chemical. This is giving a wider scope for the use of nuclear weapons when the development should go in the opposite direction. The BC weapons have existed a long time without this doctrine.

8. What steps should be taken to strengthen nuclear material and technology export controls?

Export controls are important means of making it more difficult for any state or non-governmental group bent on developing nuclear weapons or “dirty bombs”. They have been applied by exporting states for a long time and may be in need of greater transparency and openness. They have often been criticized as cartels or closed clubs. Nevertheless, Resolution 1540 of the Security Council requires states to put in place effective export controls and urges all states in a position to do so to help. The ability of the network organized by the Pakistani scientist A.Q , Khan to export nuclear equipment showed the need both for legislation and administrative means of implementation. With a growing number of suppliers in more countries greater alertness is needed.

The Proliferation Security Initiative (PSI) is a kind of export control mechanism, under which a number of states have agreed to cooperate by exchanging intelligence and by readiness to interdict and seize illicit international shipments of WMD related items. While the authors of the initiative claim great success, many states have been suspicious of the initiative and suggested that it should be operated under the authority of some international organization. It is possible that the activity has some deterrent effect. The world has not been given much information to judge how useful this initiative has been.

9. How successful are cooperative threat reduction programs in stemming proliferation of nuclear material?

For a very long time there have been programs promoting the conversion of nuclear research reactors to the use of low enriched uranium rather than highly enriched uranium. To ensure that fissile material is securely protected in storage and transport is equally practically important. The measures are not controversial and they may well be worth the resources spent on them.

Mr. SHAYS. Thank you very much, Dr. Blix.

Doctor, the bottom line is you focus on weapon of mass destruction and they include chemical, biological, radiological material, and nuclear; is that correct?

Dr. BLIX. Yes.

Mr. SHAYS. But today we are going to focus pretty much on the nuclear side.

Dr. BLIX. OK.

Mr. SHAYS. At this time I would recognize Mr. Duncan for 10 minutes. We are going to do the 10-minute rule.

Mr. DUNCAN. Well, I won't take up that much time, Mr. Chairman, but I do thank you for recognizing me at this point.

One thing I am curious about, Dr. Blix, how hard or how easy is it to make nuclear waste? So many people in our country seem to have the opinion that just somebody, some very small group like two or three people, if they knew what they were doing, they could make a suitcase nuclear bomb and carry it over here some way. I am just curious as to how you would respond to that. I wonder. I assume it is a very difficult thing that would involve many people, but I am just wondering about that.

Dr. BLIX. Mr. Chairman, I am a lawyer and I am not very good at making nuclear weapons, but I did read some time ago about some Ph.D.'s in California that had been given a year to try to do it and it was claimed, at any rate, that they were able to do so within the span of a year. Nevertheless, we see what Iraq has tried and we see what the North Koreans have been trying, and the Iraqis had come to the stage of enriching uranium at very old-fashioned methods before they switched onto centrifuge. It took them a long time.

There are some doubts as to whether the North Koreans really have a nuclear weapon. They have declared that they have them, but there are some people who think that they have found it difficult to do it with plutonium, that this might be a reason that they have switched and want to have enrichment. They have been active for a great many years. I was, myself, in North Korea in the beginning of the 1990's, and saw the reprocessing plant, and they have been at it for a long time.

Now, it is reported that the Iranians' enrichment program started some time in the 1980's, in the late 1980's. They then speculate why would they do it. My guess would be that they were suspicious about Iraq. They were right. I mean, that was the time when Saddam Hussein actually was working on it. But this is now 20 years ago, and the report was last spring that they had succeeded in enriching some gram quantity, a milligram quantity, 3.5 percent, so it cannot be all that easy to do it.

Mr. DUNCAN. Well, the more general question then, which do you think is the more dangerous threat for a nuclear weapon, a rogue nation or a terrorist group?

Dr. BLIX. I think rogue nations, to use your term, is much the more danger, greater danger, because states, on the whole, have much greater capacity. It requires a lot of infrastructure if you are to build it up yourself by starting from enrichment.

Now, considerably some group could steal a weapon somewhere. Well, then they would avoid all that problem. But in the disar-

mament community I think there is more concern when it comes to terrorists that they might go for dirty bombs. Dirty bombs are not based upon fission, an explosion, but they are based upon putting together cesium or cobalt or some such stuff which is radioactive, and you combine that with explosives and set it off somewhere in an urbanized area. Then you can have a lot of contamination and a lot of terror certainly happening.

These materials, cesium and cobalt, are things that are pretty much spread over the world in industry and hospitals.

Mr. DUNCAN. Now, how many nations have what you would describe as major weapon of mass destruction?

Dr. BLIX. Well, if you count them all, if you include the biological and chemical, then you come fairly high up in number. I don't know whether it is 35 or 40 or 50 or something.

Mr. DUNCAN. Right.

Dr. BLIX. But when you confine yourself to the nuclear, then you have eight or nine, depending upon whether you include North Korea.

Mr. DUNCAN. Eight or nine have nuclear weapons?

Dr. BLIX. Five original centers, if I use the expression, and then, in addition to that, India, Pakistan, and Israel, and then maybe North Korea.

Mr. DUNCAN. So the United States and most of our allies, then you would have the rogue nations such as North Korea, if they have it?

Dr. BLIX. I think there is some misunderstanding that the world is full of would-be proliferators, that any country would like to have it. I don't think that is the case. If you look at the map and you ask yourself, well, what about Egypt, what about Syria, what about Turkey? I think when you begin to look at the concrete cases you become a little more skeptical. I mean, longer-term, yes. It is not a matter. And if Iran were to move ahead and if North Korea were to move ahead, that could have domino effects in the longer term.

I think it could also have longer-term effect if we do not get an objective effort at arms control and disarmament, if they simply say that they will be constructing new types of nuclear weapons, if the U.K. takes a decision that they will prolong their Trident program far into the next century, and if the military doctrines will allow a greater fighting use for nuclear weapons, then we may also have a new risk such as we had when the NPT was drafted once.

Mr. DUNCAN. Which countries in the Middle East are signatories to the treaty?

Dr. BLIX. Well, I think all apart from Israel are.

Mr. DUNCAN. All of them except Israel?

Dr. BLIX. Yes.

Mr. DUNCAN. All right.

Thank you very much, Mr. Chairman.

Mr. SHAYS. Would the gentleman yield time to me?

Mr. DUNCAN. Sure. I yield back.

Mr. SHAYS. Dr. Blix, I would like to just focus first on the issue of I would like to separate the material versus the weapon, itself. My concern isn't a suitcase bomb, because I think that tends to be more sophisticated. My concern isn't the weapons at the head of a

missile. That is very sophisticated. But I have gone to Los Alamos and I have seen a nuclear weapon constructed with pretty basic material. It is not sophisticated. It was fairly large. It was pretty awkward. But my view is a terrorist doesn't care how big it is, how inefficient it is. As long as they can get a nuclear explosion, they have achieved their objective.

So I want to separate the capability to make the weapon and the challenge in getting the weapons grade material. Which is your biggest concern on the part of not a rogue nation but on the part of people within potentially a rogue nation.

Dr. BLIX. Well, the focus of international tension has been more on the material, on enrichment. We see today very active discussion about limitation of enrichment in the world.

The thought is that there will be more nuclear power used in the world, and I agree and I support that notion, but the fear is expressed at the same time that then there will be a need for more enrichment capability. And if you have enrichment capability to 3 percent, you also have it to 93 percent, so there is a justified concern about that, an active discussion in which the U.S. Government has some ideas, Mr. Abardi in India has come forward, the international fuel bank, and so forth.

I think this is valid and an important discussion that will take a good deal of time, and that is the major focus.

Now, when it comes to the missile, the ready-made things, their request is delivery, and you refer to the suitcase bombs. I remember we discussed it in our commission and it was not rejected that small, small nuclear weapons could exist. The Russian general—I think Libid was his name, was talking about that and was denied at the time by Russian authorities. However, apparently they can become rather small. I think it is a particular reason why one would wish to eliminate so-called tactical nuclear weapons. We differentiate between the strategic weapons, which are bigger and use missiles, or the tactical ones. You have had nuclear artillery, have had nuclear mines. They cannot be very big. And, of course, if they are stored in any manner that is not secure, then they would pose great risk.

We were proposing in this report that for the European theater, European and Russian theater, that there should be no nuclear weapons at all in western Europe, that all nuclear weapons should be in countries that own them, so that U.S.-made nuclear weapons would be withdrawn from the European continent. But at the same token, that the Russians should withdraw their tactical nuclear weapons into central storage into Russia.

All in all we think that one should go further on with the destruction of tactical nuclear weapons. The agreement between Bush and Gorbachev in the early times was not a binding agreement. Our Commission think that it should be made such.

Mr. SHAYS. When I was confronted with weapons grade material, when I held plutonium in my hand it was warm to the touch but I could still hold it. When I held enriched uranium, it didn't generate the type of heat and it was small. It seemed to me a huge concern that it could get outside the hands of the government that actually produced it.

With North Korea, we negotiated a treaty to stop their plutonium program, and then this administration recognized they were doing enriched uranium. It strikes me that enriched uranium is a bigger concern, given its capability of detonation. Am I correct? I mean, I am talking about a terrorist getting hold of weapons grade material. Wouldn't our biggest concern be enriched uranium?

Dr. BLIX. Well, we know that North Korea has plutonium. We cannot be absolutely sure that they have weapons, but they have plutonium. The IAEA inspections that we set in motion early in the 1990's concluded and showed that they had more plutonium than they had declared. That was how the whole crisis began. And then an agreement was reached with the so-called agreed framework under which they would freeze their nuclear program, and they did not make any more plutonium during the 1990's until that agreed framework sort of collapsed. And when it collapsed the world also began to suspect that they were going for enrichment, and they declared so at one time but they withdrew the statement. It is still suspected that they did.

Mr. SHAYS. But the question I have—and I want to turn it over to Mr. Kucinich—is I am talking about the weapons grade material getting in the hands of a terrorist, not a rogue nation using a more sophisticated plutonium weapon. My question to you—and if you don't have an opinion, that is OK—isn't our concern, when it relates to terrorists, that the more-easily detonated weapon is one using enriched uranium, and that would be our biggest fear in terms of terrorists getting hold of it?

Dr. BLIX. I am not sure I hear every word. I am a little poor in hearing. But I understand that you are asking about the differentiation between an enriched uranium involvement and plutonium involvement.

Mr. SHAYS. Right, and which is a weapon of choice for a terrorists, which weapons grade material would be?

Dr. BLIX. I think enriched uranium.

Mr. SHAYS. Right.

Dr. BLIX. That is the judgment I have of experts.

Mr. SHAYS. Because if you get plutonium it needs to be a more-sophisticated weapon, right?

Dr. BLIX. Yes. That is my understanding.

Mr. SHAYS. Right. And our concern or my concern is that terrorists have the capability to build a weapon that could detonate enriched uranium. They would have a harder time creating a weapon for plutonium. That was basically—

Dr. BLIX. Yes. That is my understanding. It is harder to make a bomb with it, but the advantage is that it is smaller.

Mr. SHAYS. Well, the advantage of any sophisticated weapon is that it is smaller, but a sophisticated weapon is important if you want to put it on the tip of a missile, but if you are willing to stick it in a room you don't give a darn how big it is or in a big van. You don't care its size, you don't care its looks, you don't care how streamlined it is, you don't care about anything other than can you get this thing to create a nuclear explosion.

Dr. BLIX. I would agree with you.

Mr. SHAYS. OK. Let me call on Mr. Kucinich.

Mr. KUCINICH. Again, I want to begin by thanking once more the chair of this subcommittee. I think that, despite the fact, Mr. Chairman, that you and I may have our differences on some of these issues, I want to say that without—and I think this needs to be said, in fairness—without your active participation and your active efforts, there wouldn't be much public oversight at all in this House of Representatives, and I just want to make sure that is said because, you know, we are in a political environment here where it needs to be recognized when people have the courage to open up discussions at times that it might not be the most politically opportune for the administration.

I want to begin by again thanking Dr. Blix. Dr. Blix, you spoke about space weaponization, which is an issue that I have been concerned about for years. As a matter of fact, there is a bill that I have introduced in the last few Congresses to ban the weaponization of space that now has 35 cosponsors.

Are you familiar with the administration plan called Vision 2020? Mr. Chairman and Dr. Blix, Vision 2020 in its literature is about the weaponization of space and claims that it is the destiny of the United States to achieve "the ultimate high ground," which is domination from space.

Could you explain to this subcommittee why such an ambition may be counterproductive?

Dr. BLIX. Well, I think that any such measure is likely to draw countermeasures from the other side. I am old enough to have participated in the creation of the Outer Space Committee of the United Nations, and the conclusion of the Outer Space Treaty, which sought to insulate and to immunize space from weaponization, and where the parties even commit themselves to pursue the exploration of space in a manner that would not lead to any contamination. But that sort of cautionary attitude that we had those days seems to be gone altogether when we are talking about the risk of even placing weapons there.

The risk of anything going off by mistake and debris spreading in that area is one that I think has not been much discussed publicly and which might be a disaster. We have an army of engineers who are using space for our mobile phones and GPS and all of it and investing billions if not trillions of money in it, and then we have another army of engineers who are busy to find out how we can shoot down, how we can destroy it. I think all that requires much more of the public discussion, and I was sorry that this item was not agreed to be discussed in Geneva at the present time.

Mr. KUCINICH. You have never seen any evidence that there are weapons of mass destruction on the moon, have you?

Dr. BLIX. On the moon?

Mr. KUCINICH. Right.

Dr. BLIX. No. I think that is an area where they had prohibited. Nuclear weapons are prohibited in various environments, of course.

Mr. KUCINICH. I think that your recommendation 45 about calling on states to renounce the deployment of weapons in outer space is something that this Congress and the next Congress is going to have to have intensive hearings on.

I noted your discussion about what happens when nations aspire to gain nuclear weapons. We are talking about Iran. Do you think

that it would be in the interest of the United States to have direct talks with Iran or any other country that had the ambitions, stated or assumed, for nuclear weapons?

Dr. BLIX. Yes. I think so. I think that the negotiations that have been carried out by the Europeans, the U.K., France, and Germany have been geared in the right direction.

First of all, I have told the Iranians that they need not go for enrichment to have fuel for their reactors. They can have national assurance of supply. Although Iran has had poor experiences of such assurance of supply in the past, I think there could be arrangements made under which Russia and others would assure them of supply. I don't think that there really is strong economic reasons for Iran to go to an enrichment program. It would be much cheaper for them to buy enriched uranium in the international market as Sweden or Switzerland does. I think it is probably the assurance of supply that could be a relevant factor.

Iran does not have very much uranium in the ground, so eventually they would be dependent upon import, anyway.

The Europeans then I think have taken the intelligence stand of yes, we will offer you an assurance of supply. That is the first point.

But moreover I think they have also been wise in stating that we will actually support a peaceful nuclear program in your country. We will be ready to sell you reactors, but only the peaceful sector, but thereby, nevertheless, underlying in that, we are not against Iran as a high technology country. We are not trying to suppress a developing country here from coming into the modern age. I think that is a wise step, as well.

And then there is economic good that they are offered membership to the World Trade Organization and the investment, and so forth, but what has been missing, I think, so far is any talk about assurances of security.

Mr. KUCINICH. You know, that is the next point, and that is that if you are going to seek to avert some kind of a crisis from building, first, direct talks; second, there has to be assurances that you are not going to attack the country; is that correct?

Dr. BLIX. Yes.

Mr. KUCINICH. Because if Iran thought that the United States was going to attack it, what type of behavior would most likely occur with respect to nuclear issues?

Dr. BLIX. Yes. I think that one is likely to get better results with an offer of security than with threats of attack.

There is one further element, Mr. Congressman, that I think is relevant. That is this business about preconditions. I mean, the Security Council has said now in a resolution that they demand of Iran that they should suspend the enrichment program, and thereafter there is a willingness to sit down and to discuss what could they be given.

Well, think of a game of cards. Who wants to toss away your trump card before you sit down to play? So it seems to me that is very understandable from the Iranians' point of view that here is their leverage, that they might continue with enrichment, and they are apparently now ready to sit down to discuss that. Whether in

the last resort they would go along I don't know, but I certainly think that ought to be explored.

Mr. KUCINICH. As I am sure you are aware, the Intelligence Committee of the U.S. House of Representatives released a staff report last month on Iran entitled Recognizing Iran as a Strategic Threat: an Intelligence Challenge for the United States. Subsequent to its release, the IAEA responded that the report contained erroneous, misleading, and unsubstantiated information. Are you familiar with the report?

Dr. BLIX. Yes.

Mr. KUCINICH. I understand that the report's author used both open and classified U.S. intelligence information to reach the conclusion that Iran was actively pursuing a nuclear program and presented a formidable threat to the U.S. I am concerned about the gross exaggerations made in the report. For example, the staff report stated that the uranium enrichment level at the Natans Pilot Fuel Enrichment Plant was at "weapons grade levels." Now, according to the IAEA, the enrichment level at that plant is only 3.6 percent. Do you believe that a 3.6 percent enrichment level is weapons grade?

Dr. BLIX. No, of course not.

Mr. KUCINICH. And how many centrifuges would be required to enrich uranium to weapons grade level?

Dr. BLIX. I really don't know how many. It depends on how long time working in centrifuges.

Mr. KUCINICH. Could it take thousands?

Dr. BLIX. Yes, it could. Yes. Very likely. They have what is cascade now of 168 centrifuges, or something like that, but with that they cannot do very much.

Mr. KUCINICH. Now, this report also insinuated that IAEA safeguards inspector, Christopher Charlier, was removed from his position for raising concerns about Iran's nuclear program and concluding that Iran sought to acquire weapons. My question is, What are the rights and duties of Iran toward allowance of safeguards and inspectors within its territory?

Dr. BLIX. Well, it was mistaken on behalf of the investigators. The reality is that under the safeguard system the recipient country can veto and say no to any inspector. They have a right to do so. They don't have that under the OPCW, the chemical sphere, and I think it is pity that they have it in this nuclear sphere, but that is a reality with which the acting general of the IAEA will have to live. So I think the Iranians raised an objective to Mr. Charlier and then he had no choice. He had to drop him from active inspection, which doesn't mean that he doesn't work on the issues in the IAEA. I don't know whether he does.

Mr. KUCINICH. How many IAEA inspectors, if you know this, have currently looked at Iran's program in accordance with their safeguards agreement?

Dr. BLIX. According to the newspaper that I saw, they have about 200 inspectors whom Iran has approved.

Mr. KUCINICH. Is that a large number?

Dr. BLIX. Normal. Normal number.

Mr. KUCINICH. That is normal.

Mr. Chairman, are we going to have another round of questions?

Mr. SHAYS. We will have another round. I haven't yet used my time, and my colleague from Massachusetts hasn't used his first round. I will go to you first and then I will conclude with my round and then we will do another round.

You have the floor, sir.

Mr. LYNCH. Thank you, Mr. Chairman.

Dr. Blix, again I want to thank you for being here today.

The minority has asked on five separate occasions to have hearings on the intelligence on weapon of mass destruction prior to the invasion of Iraq. We have asked on five occasions and we have yet to get permission from the leadership of the majority.

You have written a book about that period that is central to our inquiry, and so I would like to just as you, you have written a book describing your experiences as the head of the U.N. inspection team in Iraq in 2002 and 2003, the period that we are desirous of looking at. The book is called, *Disarming Iraq*, and it provides, I think, a fairly astute and keen insight into the weeks and months directly before the war. I would just like to ask you a couple of questions about your observations.

One of the most interesting and probably the most disturbing parts of your book is your description of how the Bush administration manipulated the intelligence in order to make its case for the war. As we all remember, the centerpiece for the Bush administration's case for war was that Saddam Hussein, while he didn't have the launching capabilities for a nuclear strike against the United States, the fear here in Washington and elsewhere was that if he constructed a nuclear weapon he could deliver it to terrorists who could then work its way into the United States.

This is what you say in your book. I will quote the passage here. It is at page 270. You say that, "If there was any one weapons area where all, including the U.S., had felt Saddam was disarmed, it was the nuclear area. It took much twisted evidence, including a forged uranium contract—" the Niger document, I presume—"to conjure up a revived Iraqi nuclear threat, even one that was somewhat distant. It is far more probable that the governments were conscious that they were exaggerating the risks they saw in order to get the political support they would not otherwise have had."

This would be a central part of our inquiry if we were allowed in other forums.

Could you tell me more about this, about what the effect of the credibility of the U.S. Government became as a result of these, as you described, exaggerations?

Dr. BLIX. In the autumn of 2002, when we started our inspections in Iraq—and I will say also that I don't think Saddam would have gone along with inspections if it had not been for the military buildup by the United States. I am not a passivist. I am not someone who says that you must never use military pressures.

Mr. LYNCH. I understand.

Dr. BLIX. I think that had a positive effect. But in that autumn of 2002 they wanted to describe the Iraqi threat in stark terms in order to get support for the pressures they wanted and eventually the war that they waged. But already that autumn you had American experts like David Albright here in Washington who said that the well-known aluminum tubes that were described as were being

used in centrifuges, that it was very doubtful whether that was true.

We heard about the uranium contract with Nigeria, but my colleague, Elbarday, succeeded me when I was in charge. I was not in charge. But I was somewhat skeptical about it when I heard about it because import of yellow cake that was very long—yellow cake is a long way from a nuclear weapon. I ask myself why would they want to have yellow cake. That was my layman's reaction.

It took a long time before the IAEA got a copy of this agreement, and it took them, I think, less than a day to see that it was a forgery. I know all the debates and I read some about them here in Washington about the Valerie claim and Mr. Wilson and so forth. What I would like to stress is that my colleague and friend Elbarday, he sat in the Security Council next to me before the war broke out and he said that we have had this contract and I can tell you that is not authentic. That was diplomatic language, it was not authentic. It was a forgery. So it was something that was known before the war.

When I write in my book that I think that they did not exercise sufficient critical thinking about it, and I think that in the autumn of 2002 one should ask oneself with very critical thinking what is this. As it seems at any rate it was known within then, there were doubts, skepticism within the administration about the validity of the contract; nevertheless, as I said somewhere else, I think, they chose to replace question marks by exclamation marks.

Mr. LYNCH. Just to followup on that, we are talking about a very, very critical decisionmaking process within our Government, within the U.S. Government. I was a new Congressman at the time, sat in on dozens of briefings with Secretary Powell at that time, the National Security Advisor, Condoleeza Rice, went to the White House and sat with CIA Director Tenant, met with the joint chiefs. All of the info that we were getting was consistent with the fact that there was an imminent threat from Saddam Hussein.

Additionally, in the interest of a broad base of information, I sat with David Kay, who I believe was the chief weapons inspector under the Clinton administration before you, sir.

Dr. BLIX. No.

Mr. LYNCH. Certainly in that time after the first Gulf War when they were removing materials.

Dr. BLIX. No.

Mr. LYNCH. So maybe not just before you, but some time prior, and Martin Indike, who was also a Clinton administration official in the Middle East, as well. All of that information was in harmony. It was all wrong, but it was in harmony.

Given the perspective that you had and have, how do you reconcile that, that all of that information was going in a totally different direction? And we are not talking about one or two facts; we are talking about a steady drumbeat of information fed to the press, fed to the Congress that led inexorably to an invasion, and now, in retrospect, given the hard facts, given the lengthy inspections on the ground there, the physical verification, and then reexamination of information that we have been given previously—the Nigere documents, the tubes, all of that—do you have any further thoughts on that?

Dr. BLIX. Yes, I think that, to me, one of the lessons of the intelligence and Iraq affair is that one should take international verification and inspection more seriously. I think there was a tendency to disregard what comes out of an international organization and to give automatic credence or much greater credence to national intelligence. I am not against national intelligence. I have met many of them. I have great regard, respect for many of them, put their lives at stake, and so forth, and I think it is necessary in the age of terrorism. I am not against it. But I simply think that here you have a government sitting on the center. They are interested in what is going on in rogue countries or elsewhere. They get streams of information. They get streams of information from their own intelligence and they also get the information from international inspection, from the chemical people and from the nuclear people. They can compare.

They operate with very different sources. The intelligence, they have a lot of defectors. They spend billions of dollars to listen to our telephone conversations, etc., and some things are sifted out of this. That may be valuable. International organizations do not receive the defectors. They don't go to them. They can't give asylum. They go to the country. But they are on the ground. They can go into the buildings. They can ask for documents and they can ask for explanations.

Hence, I think the government that sits there and has both sources, they should rely on both sources. I think that in the case of Iraq, regrettably they did not pay so much attention to it, or at least they didn't appear to pay much attention to what the international inspections said.

Even now when you look at Iran we hear various stories and speculations that, well, we can listen to that, but most of the information that has come out of Iran, nevertheless, comes from the IAEA investigation of it.

Mr. LYNCH. Thank you.

I yield back, Mr. Chairman.

Mr. SHAYS. Thank you.

Dr. BLIX. Can I add, Mr. Chairman, something about the costs, also? If I remember rightly, the cost of the IAEA safeguards inspection per year was certainly far below \$100 million when I was there. I think it is still below \$100 million per year. When you think about the intelligence cost to look after Iraq, Iran, North Korea, I think you will see that is a very good bargain to have international inspection.

Mr. SHAYS. Let me take my 10 minutes for the first round and just ask you, actually, before I start my set of questions, do you give the United States credit for having impact on Libya? And then I am going to ask you, does the United States get any credit in outing Iran and North Korea, in your opinion, to the fact that they were moving forward with a program that should concern us?

I have maybe a view that Europe didn't seem to think Iran was moving forward and North Korea wasn't moving forward, so set me straight if I am wrong, but I would like to get your opinion.

Dr. BLIX. You asked about Libya?

Mr. SHAYS. First, yes.

Dr. BLIX. Well, I don't know enough about the background of it. Libya was always one of those places where you felt there was a little smoke coming out. I was there, myself, once and I saw the research reactor, which was in rather miserable condition at that time.

Mr. SHAYS. I am not suggesting that they were advanced, but they were moving forward with a program?

Dr. BLIX. Yes, it is clear that they did, and it was not the IAEA that discovered it.

Mr. SHAYS. Right.

Dr. BLIX. This came rather through intelligence, and then they intercepted their ship which contained, I think, various equipment.

Mr. SHAYS. And so my question is, you know, with all the beating up that the United States gets, do we and others deserve a little credit in turning that around? They gave us their program, as well as other weapon of mass destruction program, and I use the Israelis as the harshest critics. They said this is a turn-around that is for real.

Dr. BLIX. Yes. It may well be that the U.S. has the credit. How much goes to the U.S. and how much goes to the U.K. I cannot tell you.

Mr. SHAYS. Fair enough.

Dr. BLIX. But the two of them together, yes.

Mr. SHAYS. Does the United States deserve any credit for calling the question on North Korea, because the sense was North Korea stopped their program. They negotiated. They just were doing another program which to me just spoke totally against the spirit of their agreement. Does the United States deserve any credit in confronting and exposing the fact that North Korea was, in fact, moving forward with a program?

Dr. BLIX. Well, the U.S. satellites had picked up the reprocessing plant in North Korea before the IAEA was there. We were allowed to carry out safeguard inspections.

Mr. SHAYS. I am not putting criticism on the IAEA. That is not my point.

Dr. BLIX. No. I realize that. But I think that the first discovery that they were not honest came through the Agency.

Mr. SHAYS. So the United States is basically saying we have a problem here. So my next question is, What kind of credit does the United States deserve in terms of saying Europe, you basically said Iran is not moving forward with the program, we disagree. Who basically deserves credit in calling the question on Iran?

Dr. BLIX. I think the Europeans were concerned about the enrichment program, but they did not assert that it was a program intended for nuclear weapons. I think they had moved somewhat in that direction after some of the evidence that has come up, the fact that the Iranians were receiving documents about research and then centrifuges.

Mr. SHAYS. Do you have any sympathy for the United States and the Brits, given that we basically helped bring attention to three countries that were moving forward with a nuclear program?

Dr. BLIX. I think we should all be concerned about that, and I certainly—

Mr. SHAYS. But do you give the United States any credit for its efforts in each of those?

Dr. BLIX. Yes.

Mr. SHAYS. Because you deservedly have reason to be concerned about Iraq. Let me ask you, finally, the outing of the father in Pakistan of their nuclear program, who basically is responsible for outing and calling Pakistan on the fact that they were incredibly culpable in spreading a knowledge of a nuclear program to other countries? Who deserves credit for that?

Dr. BLIX. As far as I know the discovery came in the context of the Libyan affair—

Mr. SHAYS. Right.

Dr. BLIX [continuing]. When they intercepted the ship and then they tried to find out where did the material come from. That was intelligence.

Mr. SHAYS. Yes, that was intelligence. Again, it is the United States, Great Britain maybe more than the United States—

Dr. BLIX. Yes.

Mr. SHAYS. So I just want to say, when I think of that I say well good for you, United States. Good for you.

Dr. BLIX. I agree with you. I think both intelligence and inspection are desirable, both.

Mr. SHAYS. Right.

Dr. BLIX. I am not against intelligence, but I am against an exaggerated and non-critical examination of it.

Mr. SHAYS. Fair enough. Let me ask you, I want to focus on the Non-Proliferation Treaty as it relates to terrorism. I basically conclude—and tell me if you agree—I basically conclude that the terrorists are not going to be able to create weapons grade material. The question is are they going to be able to get it from some country. That is where my fear is. But I have no question about the capability of terrorists to be able to create a very inefficient, large, bulky weapon that could create a nuclear explosion. So my question isn't with whether they can build it. I think they can and I think they will. Really the question comes to this whole hearing: how do we make sure that weapons grade material doesn't get into their hands?

Europe is not totally in agreement with it, but the 911 Commission said we are not fighting terrorism, we are confronting Islamist terrorists. They were pretty clear about it. It was ten members, Republicans and Democrats, Liberals and Conservatives. They all agreed on that one point. We are confronting Islamist terrorists.

I basically conclude you are not going to find them in Iceland. Our basic concern is in the Middle East, candidly, and obviously through Pakistan and so on.

I want to know, do you find that the Non-Proliferation Treaty in any way addresses the concern of nuclear terrorism, basically a nuclear weapon and a weapons grade material getting in the hands of terrorists? If you think it does, tell me how it does. If you think it doesn't, tell me where it doesn't.

Dr. BLIX. Well, sir, treaties are concluded between states and between governments, and I would take the view that a country that has adhered to the Non-Proliferation Treaty is obliged not only to make sure that it doesn't, itself, require nuclear weapons, but is re-

sponsible for what is happening within its territory. If one had any uncertainty about that, I think that the resolution adopted by the Security Council, 1540, would dispel any such uncertainty. That enjoins the countries, parties to the treaties, to make sure that also individuals in their country are respecting the treaty, so I think we have to look to the governments for this. But the effect of 1540 also—and this is the possibility of states helping countries to set up machinery for the implementation of the treaty.

Mr. SHAYS. What would your position be if Pakistan has basically experienced a coup in which radical Islamists—I am not saying terrorists, but radical Islamists—take it over, very sympathetic to terrorist organizations?

Dr. BLIX. I think Pakistan is about more dangerous spots in the world. It is a very volatile country with a lot of people with extreme views, so it is not an entirely unrealistic fear that we have about it.

Mr. SHAYS. But in terms of our capability to respond, I guess the question is how would we respond. I will just tell you my bias. I know we found no weapon of mass destruction in Iraq. I believe we would. I believe that not finding them, having voted to go there, along with 295 other Members of Congress, I lost credibility with my constituents because I said we would find them, but I sure as hell don't blame the President of the United States for my vote. That would be like a former Governor blaming the generals for supporting the war in Iraq saying he was brainwashed. I made my vote based on my research. Period. Case closed.

But this subcommittee also conducted the hearing on the Oil-for-Food-Program, and we learned that Saddam undersold his oil and got kickbacks and overpaid for commodities and got kickbacks, and the report said no weapon of mass destruction and Saddam Hussein basically bought off the French and the Russians in the Security Council. Terek Assiz made it very clear that Saddam never thought the United States would ever remove Saddam from power because of his support with the French and the Russians. It gets to my question. It sounds to me like we are in an untenable position if, in fact, we have to have everyone sign off before we would take action against a country that could, in fact, very willingly transfer weapons grade material to terrorist organizations.

What I am going to ask, my last question, In this real world that we live in, how do we deal with that? Do we wait for the French to give us permission, the Russians to give us permission, the IAEA to say with all its members we want inspections? I don't even know what inspections would achieve, because the bottom line is Pakistan has the weapons and they can choose to show you the ones they have and choose to not show you others that they have.

That is what I wrestle with. Tell me, in this world that my daughter is going to grow up in, how we deal with that kind of scenario under the systems that you have so much respect for.

Dr. BLIX. Well, I think you have described another perspective which one cannot totally exclude. So far I think we have seen all the governments that have nuclear weapons have been averse to having any of those going into the hands of terrorists, and certainly Saddam, with all his brutality, did not tolerate any terrorism, did not contribute any weapon of mass destruction to them.

But when you mention Pakistan, which is also in my mind, is that the only country in which you can have a regime change with a very different—

Mr. SHAYS. No. It is the one I just chose to give.

Dr. BLIX. No. I agree with you.

Mr. SHAYS. I chose them because the father of their nuclear program was very willing to export his knowledge to some very troubled areas of the world.

Dr. BLIX. Yes. But you could also have a case in which some other big country with nuclear weapons can, perhaps not to give terrorists, but you would have a totally different threat picture.

Mr. SHAYS. I would like Mr. Kucinich to have his time and my last round. When I come back, I really want to just kind of nail down what the options are. I want to basically nail down whether the NPT meets the need in this terrorist age or whether it needs to be amended and how it should be amended.

And let me just say I will defer that, because I want Mr. Kucinich to have the time. I have my red light and I have gone on 2 minutes beyond.

Mr. Kucinich, you have the time.

I am sorry, Mr. Platts, do you choose to ask any questions into the first round?

Mr. PLATTS. Mr. Chairman, if I could ask just one?

Mr. SHAYS. Sure.

Mr. PLATTS. Hopefully it has not been asked. I apologize for my late arrival.

Mr. SHAYS. You can ask. You have the right to ask any question you want, sir.

Mr. PLATTS. Thank you, Mr. Chairman.

Dr. Blix, I certainly appreciate your service to citizens throughout the world and the important work you have done.

In your written testimony, your answers talking about Iran specifically and use of economic sanctions and how it worked regarding Iraq versus Libya, and then specifically Iran, and you talk about that if we imposed economic sanctions, as is being discussed at the U.N. Security Council, that it would maybe more empower the Iranian government. The way I read your answer, maybe kind of embolden them with stronger public support.

What would you suggest? How do we deal with a country like Iran, or if it was North Korea, if the sanctions are not the way to do it because it is going to strengthen that government as opposed to undercut their ability to move forward with nuclear weapon development? What would be your best suggestion in the alternative?

Dr. BLIX. Personally, I do not think that the threat of economic sanctions is a very smart way of approaching them. I think that the carrots which have been put on the table, the assurance that they will not be attacked, that the economic advantage would be great, that they will have an assurance of supply is a far better method, and that they will more be nationally offended by the threat of sanctions, and that, if anything, a vast number of people in Iran who may be skeptical about their government will rally to a government to a hard line position when they feel that it is under pressure.

There is some notion I read in the papers that you must have both carrots and sticks, and, as it were, sticks and threats are indispensable, but to my mind you have carrots and you have absence of carrots from the other side. That is also a sort of punishment.

I think in the case of Iran that will better. Above all, I don't think that they have tried all the carrots they could call. We are pointed to the quest of security. We are pointing also to relations, to be not friendly, that the rest of the world will show friendship, but simply accept them and deal with them.

We also point to one other possibility mentioning that if you look at the Middle East as a particular tense place, maybe they could copy the idea from the Korean peninsula where the north and the south are agreed that neither north nor south will have either enrichment or reprocessing. The Middle East, if one were to agree that none of the countries in that area would have either enrichment or reprocessing, that would mean that Israel would also have to give up reprocessing, more reprocessing. They wouldn't affect the bombs that we assume they never, but they would have to give up.

I think that if one exercises one's imagination about the Iranians, maybe there can be more that will attract them to a suspension of enrichment, which is not a very economic interest anyway.

Mr. PLATTS. Thank you, Dr. Blix. Thank you, Mr. Chairman.

Mr. SHAYS. Thank you. We are going to go another round and maybe not take the full 10 minutes each, but whatever.

Mr. Kucinich, we will start with you.

Mr. KUCINICH. Thank you very much, Mr. Chairman.

This discussion again about WMDs reflects back on decisions that were made that took this country into war and a presumption of a nation having WMDs, and it is also prospective in terms of what kind of a policy do we have to help to reign in proliferation.

I think that there are many Members of Congress who voted to take this country into war who did it based on what they felt was the right thing to do based on the evidence that was presented to them. We see WMDs being at the center of this discussion with respect to Iraq, but now we know that the case that was presented to the Congress was one where there were certain people in the government presenting a case that they basically already made the decision to go to war, notwithstanding any evidence that was brought forward from even within that very administration.

For example, the attempt to conflate 9/11 with Iraq, the attempt to beat the drums and say Iraq had weapon of mass destruction, even though there was plenty of information available at the time—international community had their doubts, weapons inspectors had their doubts, people inside the administration had their doubts—we pursued a policy of attack based on lies, tried to connect Al Qaeda with Hussein. It was wrong. Iraq had nothing to do with the anthrax attack. Iraq was not trying to get uranium or aluminum tubes for the purpose of processing uranium. They weren't buying yellow cake from Niger. That was a hoax. The mobile weapons labs that the Secretary of State talked about at the United Nations, hoax.

So here it is. We didn't have to go to war. There is a way to use diplomacy to avert nuclear escalation.

Now, Dr. Blix, it goes without saying that an attack on another nation will de-stabilize a government, but if you de-stabilize a government does that increase the risks of nuclear proliferation by non-state actors within that government's territory?

Dr. BLIX. It depends on much material they have in the territory. We haven't talked at all about the cleaning up operations and the threat reduction programs that will convert research reactors from high-enriched uranium to low-enriched uranium, and so forth. There are a great many very useful, practical, not very controversial measures that are taken in this area.

Mr. KUCINICH. Does it go without saying, though, that if you weaken a state you increase the power of non-state actors within that state?

Dr. BLIX. It may happen that if you de-stabilize a government that there will be a greater scope for non-state actors. That is possible. I don't think it is axiomatic that it will happen though.

Mr. KUCINICH. Do you believe Iran is trying to develop nuclear weapons?

Dr. BLIX. I think there have been some indications pointing in that direction, but I don't think it is conclusive. I think that after the experience we have had in Iraq one should be a little careful to jump to the conclusions. I think that constructing a 40-megawatt heavy water reactor is something they could have avoided if they want to avoid suspicions, because that is a very good plutonium producer.

And I don't think that necessarily hiding the program is conclusively showing that they have weapons. It was illegal. It was a violation of the safeguards agreement, yes. But having feared that they could be sabotaged, that there could be bombing maybe, they kept it secret for that purpose. I don't think it is conclusive, but it is certainly an indication. There are others, but I don't think it is conclusive.

Mr. KUCINICH. Then would you say there is indisputable evidence that the Iran program is an imminent threat to the security of the region or of the United States?

Dr. BLIX. They will certainly increase the tension in the Middle East if they proceed with a program of enrichment. There is a lot of talk about trying to explore the intentions of the Iraqis, and if they have an intention to go for weapons then it is contrary and it is a violation of the NPT. If they don't have that intention, it is not a violation.

However, I think at this point the intention is immaterial. There is no use in searching for the intention, because it could damage them if you found really good, strong evidence that they intended to go for weapons. But if you don't find it, it is not going to help anyway. Everybody is going to say they can change the intention. If we accept today that they don't have intention, then in 2 years time they could change the intention. I think that I side with those who feel that it would be desirable that one persuade Iran to stay away from the enrichment program. They do not have really economic needs for it. One can cover the assurance of supply, but the security I think still is something that has not been broached, and if one tries to impose sanctions or harsher methods before those cards have been tried, then I think one is doing it prematurely.

Above all, Mr. Chairman, I think that we haven't discussed the question of preventive strikes and preemptive action, which are unilateral actions. The U.N. charter says that if there is an armed attack then you have the right to exercise self defense in the case of an armed attack or even imminent armed attack.

Now, in the case of the Iraq in 2002, no one could say that we were facing an imminent attack.

Mr. KUCINICH. So Iraq was not an imminent threat?

Dr. BLIX. Absolutely not. And in the case of Iran today, with a country that has produced perhaps a gram quantity of uranium of 3.5 percent, one cannot say that is a threat.

Mr. KUCINICH. Iran is not an imminent threat?

Dr. BLIX. It is not a threat today. It could become later on. But I think that there is another article in the U.N. charter in chapter six—not chapter seven, chapter six—about situations that can develop into threats, and that I think is the chapter that they should use.

There is also the possibility of using force under the authority of the United Nations, not unilateral force. These are two different things. The Security Council can decide and can authorize military action even if there is not an armed attack, so the Security Council has much broader authority than individual member states have.

Mr. KUCINICH. Have you ever heard of a report that 3 years ago Iran offered a dialog with the United States including full cooperation on nuclear programs?

Dr. BLIX. No, I am not familiar with it. I might have read about it.

Mr. KUCINICH. Mr. Chairman, for the record I would like to introduce a copy of this for this hearing. It is from the Washington Post on June 18, 2006. The headline is, "In 2003 U.S. Spurned Iran's Offer of Dialogue. Some Officials Lament Lost Opportunity." First graph says, "Just after the lightning takeover of Baghdad by U.S. forces 3 years ago, an unusual two-page document spewed out of a fax machine at the Near East Bureau of the State Department. It was a proposal from Iran for a broad dialog with the United States, and the fax suggested everything was on the table, including full cooperation on nuclear programs, acceptance of Israel, and the termination of Iranian support for Palestinian militant groups.

I think that the discussion that Dr. Blix has brought up here about direct talks may put us in a position where we can reconcile what may have been lost opportunities with being able to capitalize on some new thinking.

I'd like to put this on the record.

Mr. SHAYS. We will put this on the record, without objection. Thank you.

[The information referred to follows:]

In 2003, U.S. Spurned Iran's Offer of Dialogue
Some Officials Lament Lost Opportunity

By Glenn Kessler
Washington Post Staff Writer
Sunday, June 18, 2006; A16

Just after the lightning takeover of Baghdad by U.S. forces three years ago, an unusual two-page document spewed out of a fax machine at the Near East bureau of the State Department. It was a proposal from Iran for a broad dialogue with the United States, and the fax suggested everything was on the table -- including full cooperation on nuclear programs, acceptance of Israel and the termination of Iranian support for Palestinian militant groups.

But top Bush administration officials, convinced the Iranian government was on the verge of collapse, belittled the initiative. Instead, they formally complained to the Swiss ambassador who had sent the fax with a cover letter certifying it as a genuine proposal supported by key power centers in Iran, former administration officials said.

Last month, the Bush administration abruptly shifted policy and agreed to join talks previously led by European countries over Iran's nuclear program. But several former administration officials say the United States missed an opportunity in 2003 at a time when American strength seemed at its height -- and Iran did not have a functioning nuclear program or a gusher of oil revenue from soaring energy demand.

"At the time, the Iranians were not spinning centrifuges, they were not enriching uranium," said Flynt Leverett, who was a senior director on the National Security Council staff then and saw the Iranian proposal. He described it as "a serious effort, a respectable effort to lay out a comprehensive agenda for U.S.-Iranian rapprochement."

While the Iranian approach has been previously reported, the actual document making the offer has surfaced only in recent weeks. Trita Parsi, a Middle East expert at the Carnegie Endowment for International Peace, said he obtained it from Iranian sources. The Washington Post confirmed its authenticity with Iranian and former U.S. officials.

Parsi said the U.S. victory in Iraq frightened the Iranians because U.S. forces had routed in three weeks an army that Iran had

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failed to defeat during a bloody eight-year war.

The document lists a series of Iranian aims for the talks, such as ending sanctions, full access to peaceful nuclear technology and a recognition of its "legitimate security interests." Iran agreed to put a series of U.S. aims on the agenda, including full cooperation on nuclear safeguards, "decisive action" against terrorists, coordination in Iraq, ending "material support" for Palestinian militias and accepting the Saudi initiative for a two-state solution in the Israeli-Palestinian conflict. The document also laid out an agenda for negotiations, with possible steps to be achieved at a first meeting and the development of negotiating road maps on disarmament, terrorism and economic cooperation.

Newsday has previously reported that the document was primarily the work of Sadeq Kharazi, Iran's ambassador to France and nephew of Iranian Foreign Minister Kamal Kharazi and passed on by the Swiss ambassador to Tehran, Tim Guldemann. The Swiss government is a diplomatic channel for communications between Tehran and Washington because the two countries broke off relations after the 1979 seizure of U.S. embassy personnel.

Leverett said Guldemann included a cover letter that it was an authoritative initiative that had the support of then-President Mohammad Khatami and supreme religious leader Ali Khamenei.

Secretary of State Condoleezza Rice has stressed that the U.S. decision to join the nuclear talks was not an effort to strike a "grand bargain" with Iran. Earlier this month, she made the first official confirmation of the Iranian proposal in an interview with National Public Radio.

"What the Iranians wanted earlier was to be one-on-one with the United States so that this could be about the United States and Iran," said Rice, who was Bush's national security adviser when the fax was received. "Now it is Iran and the international community, and Iran has to answer to the international community. I think that's the strongest possible position to be in."

Current White House and State Department officials declined to comment further on the Iranian offer.

Paul R. Pillar, former national intelligence officer for the Near East and South Asia, said that it is true "there is less daylight between the United States and Europe, thanks in part to Rice's energetic diplomacy." But he said that only partially offsets the fact that the U.S. position is "inherently weaker now" because of Iraq. He described the Iranian approach as part of a series of efforts by Iran to engage with the Bush administration. "I think there have been a lot of lost opportunities," he said, citing as one example a failure to build on the useful cooperation Iran provided in Afghanistan.

Richard N. Haass, head of policy planning at the State Department at the time and now president of the Council on Foreign Relations, said the Iranian approach was swiftly rejected because in the administration "the bias was toward a policy of regime change." He said it is difficult to know whether the proposal was fully supported by the "multiple governments" that run Iran, but he felt it was worth exploring.

"To use an oil analogy, we could have drilled a dry hole," he said. "But I didn't see what we had to lose. I did not share the assessment of many in the administration that the Iranian regime was on the brink."

Parsi said that based on his conversations with the Iranian officials, he believes the failure of the United States to even respond to the offer had an impact on the government. Parsi, who is writing a book on Iran-Israeli relations, said he believes the Iranians were ready to dramatically soften their stance on Israel, essentially taking the position of other Islamic countries such as Malaysia. Instead, Iranian officials decided that the United States cared not about Iranian policies but about Iranian power.

The incident "strengthened the hands of those in Iran who believe the only way to compel the United States to talk or deal with Iran is not by sending peace offers but by being a nuisance," Parsi said.

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Mr. KUCINICH. Have you seen any statements from Iran with respect to their intentions of the use of nuclear power? Have you heard any statements about it?

Dr. BLIX. Yes. They have made many of them.

Mr. KUCINICH. Have you heard them say that weapon of mass destruction do not have any place in the defensive doctrine of the Islamic Republic?

Dr. BLIX. Yes.

Mr. KUCINICH. Do you give any credibility to that?

Dr. BLIX. Well, Mr. Afsanjami, whom I met on two occasions, said the same thing to me, that this would be contrary to their religion. However, as an international inspector I certainly would not take such statements just for granted, but I think we have to look at all the facts.

Mr. KUCINICH. Well, verification certainly is one of them.

Dr. BLIX. Yes.

Mr. KUCINICH. And what kind of confidence-building measures could be introduced to take us to a point where we could reopen inspections, get verification, and avert another war?

Dr. BLIX. I think if negotiations were to go forward, maybe there would be an opportunity of that, because at the present time the Iranians are only accepting inspection under the old type of safeguards. They did for a long time accept the inspection under the strengthened safeguards regime, and that was as a confidence-building measure. And when the case of Iran was moved to the Security Council against their protest, that was when they said all right, we will now also not accept these more-intrusive inspections. So I think if there were to be some relaxation or some negotiations, maybe as a part of those negotiations and part of the deal that they would have to accept more-intrusive inspections if there were to be such.

Mr. KUCINICH. I thank you Dr. Blix.

Mr. Chairman, this is really the crux of my concern about our policies toward Iran. I mean, Dr. Blix has made the case that direct talks in connection with the guarantee of not attacking. My concern is that we have seen a lot of information on the record that covert action has been generated against Iran, that the Strategic Air Command has selected 1,500 bombing targets that enable deployment toward the Strait of Hormuz is in the offing. We have seen the Subcommittee on Intelligence report that appears to be somewhat tricked up with respect to its assertions about the level of weapons grade uranium enrichment.

So rather than go through all that again, it seems to me it would be a lot better for the world if we at least tried direct talks and tried to find a way that you could get the kind of inspections and verifications that can de-escalate this conflict.

I thank Dr. Blix and thank you, Mr. Chairman.

Mr. SHAYS. Thank you very much.

Dr. Blix, I will be having some questions, but Mr. Van Hollen is here and I want to make sure that he is recognized for 10 minutes.

Mr. VAN HOLLEN. Thank you, Mr. Chairman. I am sorry to be a little late. I was on the floor of the House speaking on a bill before the Congress.

I want to begin by thanking you, Dr. Blix, for your service at the United Nations as the head of the weapons inspection effort in Iraq, and only say that I wish the United States had listened to you more carefully, and I believe that if we had taken heed of your request for additional time so that weapons inspectors could complete their work we would not be in the situation we are in in Iraq, so I thank you for your service and I also thank you for getting it right, despite lots of pressures from lots of different places to try and spin the information in ways that certain people would like to have it spun. So thank you for being a straight shooter on that.

Let me just ask you, with respect to the efforts to secure fissile material, nuclear material, around the world, I would like you to give us an assessment, if you could, of where we are. In the United States we have the Nunn-Luger program to try and buy up what we commonly refer to as loose nukes with the former Soviet Union. There are obviously other sources of fissile material around the world.

The bipartisan 911 Commission, when they gave their final report card to the Congress with respect to nonproliferation efforts, they gave the U.S. Government a D, a failing grade, when it came to the effort to secure weapon of mass destruction.

I would like, if I could get it, your assessment, not necessarily with respect to only U.S. efforts, but our worldwide efforts to get a handle on this material. Thank you.

Dr. BLIX. Well, sir, I would hate to grade the efforts. We have seen such efforts for a very long time. I mentioned a while ago the conversion of research reactors from the use of high-enriched uranium to low-enriched uranium. That has been going on from the time that I was at the IAEA, and it is a long time now since the cold war ended and money and efforts have been put into Russia in order to secure the material, put better locks on the doors, etc., and to move back into Russia and material that was abroad. In Kazakhstan and other places there was quite a dramatic expedition for Kazakhstan. I think the latest case I read about was some place in former Serbia, former Yugoslavia, where there was material. So I think that has been doing on for some time, and certainly the situation ought to be much better now than it was 10 years ago.

But, as I said a while ago, I don't think it is a terribly expensive program compared to many other things that we do in the nuclear field, and therefore I favor the threat reduction programs and the other measures that are being taken. I think they are money well invested. I do not feel quite as alarmed as some of my colleagues are. The risks are not zero, but the world has been active and the U.S. has been very diligently active for a long time, and I express my appreciation for that, too.

Mr. VAN HOLLEN. If I could just followup, Mr. Chairman, on that issue, in addition to just sort of continuing the program at its current pace, do you have any recommendations for what we should do to speed up the process of trying to track down these different sources? I guess let me ask you this: do you have a fair amount of confidence that we have, No. 1, identified all these sources, the existence of loose nuclear material, No. 1? And, No. 2, do you have a high level of confidence that it is being guarded, protected in a

way that it is not stolen or made off with by people who we don't want to have it fall into their hands?

I just try to get a rough assessment, because, as I said, the bipartisan Commission gave us just last December a D in the U.S. Government in this area, and I am curious as to what additional measures, if any, you think we should be taking.

Dr. BLIX. You have probably looked at more material than I have, but I think I would have been more lenient in my grading of it. I mean, Russia was off to a fairly regimented state, and I think the communist system kept fairly good control, but there could have been sloppiness in that regime, as well. But considering that they have been active for such a long time now, I would feel a little less worried about it.

Mr. VAN HOLLEN. In the interest of time, Mr. Chairman, I know we have a couple more panels here.

Mr. SHAYS. Thank you very much.

Mr. Platts, do you have any questions?

Mr. PLATTS. No.

Mr. SHAYS. OK. Let me not take my full 10 minutes, but let me first ask you the scenario. There may not be a good answer, but the question is: what does the world do when a nation, say like Pakistan, for instance, is under the command of a coup, a very Islamic state sympathetic to potential Islamist terrorists? What are the mechanisms available to contain the weapons grade material before there is the possibility of it getting in the hands of terrorists?

Dr. BLIX. I don't think I have a good answer to give you, Chairman Shays, on that. It would be a very severe situation.

A little moment ago I said that the U.N. charter allows states to take action, military action, in self defense against an armed attack, and that is interpreted nowadays to be an imminent threat from an armed attack. But beyond that, if the world wants to take an armed action of some kind, the Security Council can authorize it.

Mr. SHAYS. The challenge we have, candidly, is that, you know, it just takes one no vote from the permanent members of the Security Council, and we saw that very clearly from our standpoint that France and Russia were not entirely without conflict, to say it in a gentle way, about any movement in Iraq even if Saddam had weapons. That is the challenge. The oil for food program was pretty clear about its consequence. So not necessarily, but it is something that obviously would you agree the world is going to have to wrestle with, and would it be better to wrestle with the mechanism before that happens or wait until it happens?

Dr. BLIX. Well, I would feel a little less pessimistic about the Security Council. After all, we have seen that in the case of Iran the Council has, even though it is only a minute quantity of uranium that has been enriched, the Council, with the support or acceptance by the Russians and the Chinese, has gone along with threatening of a sanction.

Mr. SHAYS. Let me ask you this: is there any doubt in your mind where the Iranians are headed?

Dr. BLIX. Yes.

Mr. SHAYS. There is doubt?

Dr. BLIX. See, I don't think it is conclusively shown. I pointed to indications such as the 40-megawatt reactor. But I think, especially after the experience in Iraq, I don't want to jump to conclusions, and frankly I don't think that it matters very much what their intentions are.

Mr. SHAYS. Let me ask you, though, short of sanctions—I realize this is the stick, but short of sanctions—it seems to me sanctions are one step before actually using military force.

Dr. BLIX. Yes.

Mr. SHAYS. What is surprising to me is the lack of willingness on the part of the western European nations to use sanctions.

Dr. BLIX. I share that view. I think the threat of sanctions is counterproductive vis-a-vis Iran now. I think that they are much more likely to make the Iranians dig down their heels and be feeling that they are being treated unfairly, and that the carrots are more effective.

Mr. SHAYS. OK.

Dr. BLIX. If I may return to the other situation which you described, which is a scary one when you have perhaps a country like Pakistan or other countries and you have a coup and you have some people who seem very dangerous in power, that I am saying that the Security Council would have to grapple with it. I am not so pessimistic about the possibility of coming to agreement in the Security Council when they were able to come to an agreement even in the case of Iran. I think that they might also come to agreement in how they would wrestle with the situation. It is by no means a given that Russia or China would take that with equanimity.

Mr. SHAYS. Do you think that Iran has a unique situation, given its wealth and particularly natural gas and oil, as well? do you think that gives them a bargaining chip that may compromise sound decisions on the part of western Europe, in particular, and other nations dependent on energy?

Dr. BLIX. I am not quite sure I get it.

Mr. SHAYS. The question is this: is the challenge with Iran that in some cases those nations that don't want them to move forward with a nuclear program have the concern that Iran, given its incredible wealth of natural gas and oil, are in a position to manipulate Europe, in particular, and Europe is somewhat compromised by the fact that we are dealing with a nation that has this economic energy resource that they can use as a bargaining chip?

Dr. BLIX. I don't think that the French or the Russians are very much influenced by the economic relations with Iran. I think the Russians are sincere when they say that they are also very eager that Iran should not move to nuclear weapons. They are neighbors with Iran. So I wouldn't immediately ascribe some oil motivations on their part for going slowly.

I think the Europeans, too, have wanted more to go for the carrots than for the sticks, and on that—

Mr. SHAYS. And admittedly I am not from Europe and I have limited knowledge, but I read that action candidly as, in part, the fact that they are very dependent on energy from that part of the world.

Dr. BLIX. We all are.

Mr. SHAYS. Well, we all are indirectly, in some cases directly. We all are.

Dr. BLIX. Yes.

Mr. SHAYS. But the sense that we get, living where we live here, is that we can't get the Europeans to be definitive enough. The Iranians know it and know that we are divided, Europe and the United States, and believe that a United States embargo is basically inconvenient but not destructive. Their big concern is what Europe does. My concern is, if Europe doesn't step up and doesn't confront Iran, they almost force the worst alternative, which is armed conflict, which I think is unlikely, but it strikes me that is where they push us if they, in fact, aren't willing to use the one tool that could have impact.

Dr. BLIX. But you are really visiting the possibility of an escalation before one has exhausted the various cards. In my view there are still cards available. They should be tried. I cannot guarantee you that they will work in the end, but I think they must be tried before you contemplate some further action.

Mr. SHAYS. Given we didn't find weapon of mass destruction in Iraq, I know our credibility has been hurt, but in the end let me ask this last question then. What is the consequence of an Iran with a nuclear weapons program? Tell me the consequence. Is it something that I should be willing to accept? Do you anticipate Saudi Arabia and Egypt responding? Do you anticipate that its impact would be minimal or quite significant?

Dr. BLIX. I think the impact of a North Korea moving on or the domino effects there could be more serious, because we already saw the reactions in Japan on the North Koreans testing missiles, which did not hit any Sea of Japan, I think they were, where they expected them to be. But if they move on and if Japan were to abandon its policy, which is very strongly rooted, and I think it would move a lot to move Japan away from nonproliferation, but if it were to, then I think that the tension in the Far East between China—

Mr. SHAYS. Let me—

Dr. BLIX. That is, I think, a more serious perspective, getting back to the point where you are.

Mr. SHAYS. Let me just say, though, more serious concerned to very serious is still both serious. So how do you rate Iran? If they get a nuclear program, do you anticipate Egypt and Saudi Arabia, in particular—

Dr. BLIX. There is a different time perspective. I mean, Japan is a country that has enormous amounts of enriched uranium and plutonium sitting on it, and in the Middle East you don't have that.

Mr. SHAYS. Let's forget North Korea because I am going to concede North Korea would be hugely detrimental.

Dr. BLIX. In the Middle East the countries there—Egypt, Saudi Arabia, Syria, Turkey—they are not at that level. They have a long way—

Mr. SHAYS. But would it compel them to get to that level?

Dr. BLIX. Well, that is a speculation. I don't think—

Mr. SHAYS. Well, that is what we have to do in this business. We have to speculate. I mean, that is part of—we do have to speculate. I mean, in my travels to the Middle East—and they are frequent,

very frequent—we have a sense that Cutter has already basically come to the conclusion that Iran is going to be a far more dominant power, may have a nuclear program, and we are already seeing Al Jazeera even be far more sympathetic to Iran than they were before. That is what we are seeing. We call that hedging your bets.

How do Saudi Arabia and Egypt hedge their bets? Do they start to develop a nuclear program or do they just cave in to and accept Iran has it and they don't?

Dr. BLIX. Well, we have seen no signs of their moving in that direction.

Mr. SHAYS. OK.

Dr. BLIX. It would take a long time before they would be able to do so. But I share your view. I mean, my starting point that it would be desirable to persuade Iran to stay away from it and that we have many carrots. There are many carrots that could still be used for that purpose.

Mr. SHAYS. Well, I didn't intend to use my 10 minutes, but you are such an interesting man. Let me do this. Is there any question that we should have asked you that we didn't? I mean, we have a number, but we are not going to ask. We will write you a question or two, if you don't mind responding, but is there anything you want to put on the record?

Dr. BLIX. You touched upon one issue which is also close to my heart, and that is that of energy. Under the areas of the world which are dangerous, really dangerous, Middle East and Central Asia is also getting fairly tense, and they are areas in which you have a lot of oil and gas resources, I think that trying to restrain the consumption of oil and gas is an important, very important mission. Of course, most people talk about it in terms of hydrocarbons and in terms of global warming and emission or carbon dioxide, and I share that completely. I think I am more worried long-term about global warming than I am worried about weapon of mass destruction long term. I think we can solve the second issue.

However, this means that going for peaceful nuclear power is a good thing; that we need to rely on it. I am not against wind power and not against solar power, but you are not solving energy problems of Shanghai or Calcutta by these; therefore, I am in favor of the Chinese developing their nuclear. When I was IAEA I tried to give maximum assistance to the Chinese in the field of safety and waste disposal. I think the same way of the Indian program. Many of my friends in the disarmament area are very averse to the Indian program, and I can also see and I have pointed out here the dangers in the field of proliferation with India, but basically to assist India to get the latest technology to develop nuclear power for energy, which will reduce somewhat their demand for fossil fuels, I think is possible.

Mr. SHAYS. You raise the question. I am so sorry to just have to extend this, but do you compliment the United States on our outreach to India, or are you critical to our outreach to India as it relates to nuclear?

Dr. BLIX. Both.

Mr. SHAYS. OK.

Dr. BLIX. And the Commission takes that view. We say it is not our job to discuss energy within the Commission. Some people

would have been negative to that. But on the nonproliferation side, yes there are dangers, and we feel that they could be remedied, I think, if the U.S. were to go ahead with a convention prohibiting the production of fissile material for weapons purposes. If they joined that, if it were verification, then Indian enrichment plant and reprocessing plants would also be under inspection and there would not be a risk that Pakistan and China would fear that India would accumulate more weapons and hence the risk that Pakistan and China would also increase.

Mr. SHAYS. OK. That is the criticism. What is the positive?

Dr. BLIX. That is a criticism, yes.

Mr. SHAYS. Give me the positive. Since you have both, let's make sure we put on the record the positive. What is the positive?

Dr. BLIX. The positive side, organizing the energy side, that India would have access to the most modern technology for peaceful nuclear power and therefore would restrain its thirst for oil.

Mr. SHAYS. OK. Thank you so very, very much for being here.

Is there any last point you want to make or are we all set?

Dr. BLIX. No. I was grateful for the credit that we got as inspectors and that we were looking for the truth. We did not assert that there are no weapon of mass destruction. We have been criticized by some people saying you could have saved the situation by saying there were none, but we were actually working as inspectors should. We looked at the ground, we—

Mr. SHAYS. Are we talking about Iraq?

Dr. BLIX. In Iran I think they are also being entirely professional. I think the IAEA has done—I haven't followed in such detail, but we act as international civil servants. The job of civil servants is to compile a dossier for the decisionmakers, the Security Council or the government. We were not politicizing. We were trying to be very factual and professional, and I think there is a great value in that.

While criticism of the intelligence community has been that they are bent, in some cases, bent a little to the interests of the decisionmakers, we did not do that.

Mr. SHAYS. I think that is clear. Again, we appreciate your very noble work and your long service to your country and to the United Nations and to this issue, in particular. You are a man of great distinction and you honor our subcommittee by your presence here. We thank you so much.

We will have a 1-minute recess and then we will get to our next panel.

[Recess.]

Mr. SHAYS. Our second panel is William H. Tobey, Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy; Mr. Andrew K. Semmel, Deputy Assistant Secretary, International Security and Nonproliferation, Department of State; Mr. Jack David, Deputy Assistant Secretary of Defense for Combating WMD and Negotiations Policy, Department of Defense; and Mr. Gene Aloise, Director, Natural Resources and Environment, Government Accountability Office.

This is a panel of four members. We appreciate their presence. I am going to thank the Executive Department for their willingness

to have a legislative member sit in so we did not have to have four panels. That makes it move a little more quickly.

We will start with Mr. Tobey, and we will go to Mr. Semmel and then Mr. Jack David.

Mr. David, it is my understanding that this may be your last official act serving for the Government; is that correct, sir?

Mr. DAVID. Yes, sir, unless there is something in the next 2 days that you have in mind.

Mr. SHAYS. Well, let me just say all of us thank you for your service to our country. I just want to applaud you. Thank you very much.

Mr. DAVID. Thank you very much.

[Applause.]

Mr. SHAYS. Let me welcome all of our witnesses. I thank you for your extraordinary patience. We didn't think this first panel would go as long as it did, but in hindsight we probably should have.

I hope that you feel free to respond to anything you have heard asked during the first panel. Your full statement will be submitted for the record.

We will, again, start with you, Mr. Tobey.

I think I need to say for the record that two of our witnesses happen to be from Connecticut. Mr. Tobey, actually you are a constituent, so that makes it very awkward for me. And Mr. Jack David, you are also from Connecticut, but not from the District, less awkward. Welcome to both of you.

Mr. Tobey, you have the floor.

STATEMENTS OF WILLIAM H. TOBEY, DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR PROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION, DEPARTMENT OF ENERGY; ANDREW K. SEMMEL, DEPUTY ASSISTANT SECRETARY, INTERNATIONAL SECURITY AND NON-PROLIFERATION, DEPARTMENT OF STATE; JACK DAVID, DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR COMBATING WEAPON OF MASS DESTRUCTION AND NEGOTIATIONS POLICY, DEPARTMENT OF DEFENSE; AND GENE ALOISE, DIRECTOR, NATURAL RESOURCES AND ENVIRONMENT, GOVERNMENT ACCOUNTABILITY OFFICE

STATEMENT OF WILLIAM H. TOBEY

Mr. TOBEY. Thank you, Mr. Chairman. I should actually perhaps point out that when I am not in New Canaan I am in Bethesda, Maryland.

Mr. VAN HOLLEN. I was going to say I am a little confused because I thought Mr. Tobey was my constituent.

Mr. SHAYS. Well, let me ask you this: where do you vote?

Mr. TOBEY. I vote in Maryland, but when the President nominated me he said of Connecticut.

Mr. VAN HOLLEN. We won't take it any farther then.

Mr. SHAYS. No, he has friends in the District. Let's leave it at that.

OK, Mr. Tobey, we will get back to business.

Mr. TOBEY. Thank you, Mr. Chairman.

Mr. SHAYS. And we will strike out all that we said from the record when we get a chance.

OK, you are on. Mr. Tobey, welcome to this hearing. You have the floor.

Mr. TOBEY. Thank you, sir. Thank you for the opportunity to testify on a vital topic. I offer summary remarks and ask that my written testimony be submitted for the record.

Under President Bush's direction the United States has taken many steps to meet this complex and dangerous threat on proliferation. Last week I accompanied Secretary Bodman to Vienna to attend the General Conference of the International Atomic Energy Agency. It is clear that the work of the IAEA and the effectiveness of the Nuclear Non-Proliferation Treaty and its associated instruments is a major international concern.

Over the past 35 years the NPT has scored important victories, but serious challenges remain. Examples include the violations of Iran and North Korea, the dispersion of sensitive nuclear technologies by proliferation networks and terrorists seeking WMD capabilities.

It is the goal of the United States to address these challenges in ways that strengthen and supplement the Non-Proliferation Treaty. In my testimony today I will highlight our efforts to reduce and protect nuclear stockpiles, to strengthen the nonproliferation regime, and to promote the Global Nuclear Energy Partnership.

In the area of nuclear reductions our record is undeniably strong. Since 1988 the Department of Energy has dismantled more than 13,000 weapons and has completed the dismantlement of most non-strategic nuclear weapons. By the end of 2012 the stockpile will be at its smallest level in several decades.

Mr. SHAYS. Mr. Tobey, I am embarrassed to say after 10 years this is the first time I think I have ever failed to swear in a panel. The only one we have never sworn in was the senior Senator from West Virginia because I chickened out, but I am not intimidated by any of you. I need you to stand and swear you in. I am so sorry.
[Witnesses sworn.]

Mr. SHAYS. You are reading from your written statement. We know that all of your statement is the truth and you are sworn in and everything that proceeded is the truth, and you are on. I am so sorry to interrupt you.

Mr. TOBEY. Certainly, sir.

We have also removed 374 metric tons of highly enriched uranium from Defense stocks, converting 92.2 metric tons to low-enriched uranium and reserving 17.4 metric tons to support the President's proposal on reliable access to nuclear fuel.

Our efforts with Russia to secure nuclear materials are also without precedent. We have eliminated more than half of 500 metric tons of highly enriched uranium from Russian weapons in an agreement running through 2013. The United States and Russia have committed to dispose of 34 metric tons each of excess weapons plutonium. Under the Bratislava Initiative agreed by President Bush and by Russian President Putin in 2005, we are accelerating by 2 years, to 2008, the securing of weapons grade fissile materials in Russia. These materials will be out of circulation and protected against theft.

Second, I would like to highlight is our work to improve the nuclear nonproliferation regime within the existing NPT framework and through new mechanisms. In his speech of February 11, 2004, President Bush challenged the world's leading nuclear suppliers to strengthen controls on the most sensitive nuclear technologies and enrichment and reprocessing to assure fuel supplies to states with reliable access at reasonable cost, so long as those states forego enrichment and reprocessing technologies and are in good standing with their nonproliferation commitments. These initiatives are under discussion in the Nuclear Suppliers Group and at the International Atomic Energy Agency.

In addition to strengthening international arrangements, the Department is working with more than 70 states worldwide to prevent illicit trafficking of nuclear materials and WMD technologies and to update international guidelines for the physical protection of nuclear materials and facilities.

Third, I would like to highlight an initiative that President Bush recently announced, the Global Nuclear Energy Partnership. Through GNEP we propose new measures in proliferation-resistant technologies that will facilitate achieving the NPT's twin goals: promotion of peaceful nuclear uses and prevention of nuclear proliferation. Our aim is to provide energy and security using mechanisms that allow states to avoid the burdens associated with long-term storage of spent fuel in uranium enrichment programs that serve no rational economic or energy purpose.

Finally, I would note that President Bush and President Putin at St. Petersburg launched the global initiative to combat nuclear terrorism. This initiative provides the means to carry out the mandates of U.N. Security Council Resolution 1540. While great progress has been made to prevent proliferation, much more work needs to be done, and the Department of Energy is committed to addressing the nonproliferation challenges of our changing world and we look forward to working with Congress and our international partners in accomplishing still more in the future.

Thank you.

[The prepared statement of Mr. Tobey follows:]

Statement of William Tobey
Deputy Administrator for Defense Nuclear Nonproliferation
National Nuclear Security Administration
U.S. Department of Energy
Before the House Government Reform Committee
Subcommittee on National Security, Emerging Threats, and International Relations

Weapons of Mass Destruction: Reviving Disarmament

Thank you for the opportunity to testify today on a topic vital to our national security.

The proliferation of weapons of mass destruction represents the most serious threat to the United States and the international community. The threat, while not new, is growing, and taking on new and more complex and dangerous dimensions. Under President Bush's direction, the U.S. government has taken many steps to meet the evolving threat that we face.

Last week, I accompanied Secretary Bodman to Vienna to attend the General Conference of the International Atomic Energy Agency (IAEA), which is celebrating its fiftieth anniversary. The IAEA was born out of the need to foster peaceful uses of the atom and guard against its diversion to weapons. Fifty years is a useful point to assess the international nonproliferation regime and the challenges that face it. The questions raised by the Subcommittee are important, and I welcome the opportunity with my colleagues from the Departments of State and Defense to address them.

There are not two nuclear energies: one peaceful and another for military use. Many of the materials and facilities needed to produce power are the same as those used with nuclear weapons. Managing this situation has been one of the great global challenges of the last fifty years, and remains one today.

The good news is that the Nuclear Nonproliferation Treaty (NPT) has scored critical victories over its 35-year history. There are not twenty or thirty nuclear weapon states today as predicted in the 1960s. South Africa dismantled a nuclear weapons program and joined the NPT where it remains a party in good standing. Argentina and Brazil also joined the NPT after many years of pursuing enrichment and reprocessing capabilities outside of safeguards. Ukraine, Kazakhstan and Belarus chose to forego nuclear weapons left on their territories after the Soviet collapse; each acceded to the NPT, making the choice – the correct choice – to part with nuclear weapons under difficult circumstances. Most recently, Libya made the strategic decision to renounce its nuclear and other WMD programs and is now re-engaging with the international community.

Yet norms alone are not sufficient to prevent proliferation. Iran and North Korea are pursuing nuclear capabilities in violation of their nonproliferation and safeguards obligations. Clandestine nuclear trading networks, including those led by A.Q. Khan, aided these programs and dispersed sensitive nuclear technologies. After 9/11, meeting the danger of nuclear terrorism has also gained in primacy and urgency. Organizations and individuals with violent, subversive aims will seek the most violent, indiscriminate weapons to achieve those aims.

We also find countries criticizing the United States for failing to take meaningful steps towards disarmament. Some of these same states see in our Iran policy proof that we seek to inhibit peaceful uses of nuclear energy. I respectfully disagree. We are significantly reducing the U.S. stockpile from its heights during the Cold War, and have offered new policy proposals to secure the safe expansion of nuclear energy on a scale not seen in history.

Nuclear Reductions

In the area of nuclear reductions, our record is known and undeniably strong, but a few facts deserve repeating.

- The Department of Energy has dismantled more than 13,000 weapons since 1988.
- Under the 2002 Moscow Treaty, operationally deployed U.S. and Russian strategic nuclear warheads will not exceed 1,700 to 2,200 each by December 31, 2012.
- In 2003, the Department of Energy completed dismantlement of most non-strategic nuclear weapons, limiting our stockpile of these systems to less than one-tenth of Cold War levels.
- Finally, in May 2004, President Bush approved a plan that will cut the U.S. stockpile by almost one-half from the 2001 level. By the end of 2012, the

Department of Energy's disarmament efforts will have reduced the stockpile to its smallest level in several decades.

In addition to weapons dismantlement, the Department of Energy is making tremendous progress to reduce and eliminate fissile material made surplus to defense requirements. Again, a few points are worth mentioning:

- In 1994, the United States removed 174 metric tons of highly enriched uranium (HEU) from defense stocks. As of July 2006, 92.2 metric tons of this total had been converted to low enriched uranium.
- The United States last year announced that 17.4 metric tons of excess HEU would be set aside to support fuel assurances for states that refrain from pursuing national enrichment and reprocessing programs and abide by international nonproliferation norms.
- In 2005, the Department withdrew an additional 200 metric tons of HEU, declaring that this material would no longer be available for use in nuclear weapons.

These are unilateral actions that contribute to nonproliferation and improve our security posture by eliminating proliferation-attractive materials. Our work in partnership with Russia and others to secure nuclear materials left over from the Cold War provides equally compelling evidence of the strong commitment of the United States to the NPT's goals. Let me offer a few highlights:

- We are eliminating 500 MT of Russian weapons HEU in a 20-year agreement through 2013. More than half of this material has been eliminated to date – enough for roughly 10,000 nuclear weapons;
- The United States and Russia committed to dispose of 68 metric tons of excess U.S. and Russian weapons-grade plutonium (34 metric tons each);
- We are accelerating by two years, to 2008, securing weapons-grade fissile materials in Russia. This includes HEU and weapons-grade plutonium in civilian facilities and military warhead storage sites; and
- We are helping Russia to close down its remaining three plutonium production reactors.

These are significant achievements.

Building On and Off of the Regime

The NPT does not address nuclear terrorism. “Terrorism” does not appear in the text of the NPT or in any IAEA safeguards agreement. Nuclear terrorism was not seen as a significant military danger at the time of the NPT’s drafting. Moreover, given that the NPT encourages peaceful civilian nuclear programs, proliferators have been able to acquire nuclear technology within the parameters of the Treaty and could use this technology for nuclear weapons purposes or as cover for their clandestine nuclear weapons programs. Clearly, actions are needed to prevent abuses of the NPT regime.

In his February 11, 2004 speech, President Bush warned against proliferators, such as Iran and North Korea, cynically manipulating the NPT to pursue nuclear weapons under the cover of peaceful programs. To address this problem, the President challenged the world's leading nuclear suppliers to ensure that states have reliable access at a reasonable cost to fuel for civilian reactors, so long as those states forego the most sensitive nuclear technologies – enrichment and reprocessing. The President also called on the Nuclear Suppliers Group (NSG) to strengthen controls on enrichment and reprocessing technologies to ensure they do not spread beyond those states already having “full scale, fully functioning” enrichment and reprocessing plants.

We continue to work with our partners in the NSG to adopt new controls and policies for enrichment and reprocessing technologies, and to support other critical actions, such as endorsing the Additional Protocol as a new condition of supply.

President Bush's comprehensive strategy to combat proliferation also includes new approaches beyond the NPT that address state and non-state proliferation, for example: the Proliferation Security Initiative (PSI) to interdict trade in WMD materials and technologies to and from state and non-state actors of proliferation concern; UN Security Council resolution 1540, which requires states to adopt strict export controls with civil or criminal penalties, adopt and enforce laws to prohibit the manufacture, acquisition or transfer of WMD and establish controls to secure at-risk materials; and the recently announced Global Initiative to Combat Nuclear Terrorism. The Global Initiative calls on all states concerned with the nuclear threat to international peace and security to make a

commitment, consistent with relevant international frameworks, to develop partnership capacity to combat nuclear terrorism and proliferation on a determined and systematic basis. We now have both the legal mandate and the international framework to take effective action to prevent proliferation. Additionally, many of the Department of Energy's own programs are already addressing the problem of nuclear terrorism, including the Second Line of Defense Program and the Global Threat Reduction Initiative. Working in close concert with our USG interagency counterparts and foreign partners under the framework of existing efforts, we will continue to build upon the "defense-in-depth" strategy to further reduce the threat of nuclear terrorism.

Effective action implies both political will and capacity. Through our international safeguards, physical protection, export control and border security programs, the Department is providing technical expertise to assist our partners in building this capacity and the infrastructure to prevent proliferation. Our nonproliferation and nuclear security programs involve more than 70 countries – or more than a third of all UN members, and our budget to support these activities has more than doubled since 9/11.

In addition to strengthening national nonproliferation programs, we are updating international obligations and guidelines for the physical protection of nuclear materials and facilities. In July 2005, an amendment to the Convention on the Physical Protection of Nuclear Materials and Facilities (CPPNM) to broaden the scope to cover all civilian nuclear materials and facilities was adopted by diplomatic conference, and is now in the process of being ratified by states parties to the CPPNM. The amendment also included stronger provisions for criminal penalties and prevention of sabotage. In addition, we

plan to recommend updates to the international physical protection guidelines in IAEA INFCIRC/225. These guidelines must be adjusted to meet the evolving threat environment.

Global Nuclear Energy Partnership

The Department's programs that build nonproliferation infrastructure contribute to a related goal – preparing conditions for the safe and secure expansion of nuclear energy. In the coming decades, as electricity requirements to meet economic growth targets worldwide soar, nuclear energy is expected to make a substantial comeback. This conclusion is gaining increasing worldwide acceptance.

To enable the more widespread use of nuclear energy in ways that support nonproliferation, the United States has proposed the Global Nuclear Energy Partnership ... or GNEP. Through GNEP, we propose to establish the basis for greater international access to the peaceful uses of nuclear energy and a strengthened nonproliferation regime.

GNEP would seek to promote proliferation-resistant reactors designed to meet the needs of developing economies, utilizing advanced technologies that make it difficult to remove materials or modify facilities without detection by the IAEA or the host state.

The GNEP technologies will require further development, but we are very eager to build international support for the principles underlying GNEP and establish a fuel supply framework involving suppliers and recipients. As a first step, the United States is urging

IAEA endorsement of a concept for back-up supply put forward by six “enrichment” states – the U.S., France, the U.K., Germany, the Netherlands, and Russia. As noted, the United States has also set aside materials for a nuclear fuel reserve and we encourage others to join us, as Russia has proposed to do through the establishment of an international fuel service center at a Russian facility. Diversity in back-up supply mechanisms will promote confidence that supply disruptions, unrelated to nonproliferation violations, will be addressed quickly.

Through GNEP, our aim is to provide energy and security, using mechanisms that allow states to avoid the cost, safety, security, and safeguards burdens associated with long-term storage of spent fuel and uranium enrichment programs that serve no rational economic or energy purpose.

Looking to the Future

The last fifty years have seen amazing advancements in nuclear technology, as well as an alarming growth in interest by terrorists and rogue states in nuclear weapons. As we look ahead to the next fifty years, we will need to continue to strengthen our efforts to prevent proliferation, while also enabling the legitimate growth of nuclear power as a safe, clean, and secure energy alternative. GNEP plays an important role in achieving both objectives.

While great progress has been made to prevent proliferation, much more work remains to be done. The Department of Energy is committed to addressing the nonproliferation

challenges of our changing world, and we look forward to working with Congress and our international partners in accomplishing still more in the future.