

**STATUS OF THE SIX-PARTY TALKS FOR THE
DENUCLEARIZATION OF THE KOREAN PENINSULA**

HEARING

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

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SECOND SESSION

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WEDNESDAY, FEBRUARY 6, 2008

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 9:30 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Joseph R. Biden, Jr. (chairman of the committee) presiding.

Present: Senators Biden, Kerry, Bill Nelson, Casey, Webb, Lugar, Hagel, and Murkowski.

**OPENING STATEMENT OF HON. JOSEPH R. BIDEN, JR.,
U.S. SENATOR FROM DELAWARE**

The CHAIRMAN. The hearing will please come to order.

Welcome, Mr. Ambassador. It's great to have you here. Senator Lugar is on his way down the hall, but, in the interest of time, what I'll do is start my opening statement, then yield to him, so we have as much time as we can with you.

Thank you so much for being here. I will say, later in my statement, I think you're one of the gems we have in the Foreign Service, and I thank you for your service. You've done just a tremendous job. Let me just say that at the outset.

Today, the Foreign Relations Committee will examine the efforts of the United States and other participants in the six-party talks to remove the threat of nuclear weapons from the Korean Peninsula, and to build, hopefully, a permanent peace there.

I want to welcome you, again, Mr. Ambassador, Assistant Secretary of State for East Asia and Pacific Affairs. You've been before our committee before, and it's an honor to have you back.

And I also want to take note that the Foreign Relations Committee was originally scheduled to have Assistant Secretary Hill up here today to testify on a different subject—Vietnam—and at a hearing chaired by our friend and committee member, Senator Boxer. I want to thank Senator Boxer, the chairwoman of our East Asian Subcommittee—and she's also chairman of the Environment and Public Works Committee—for agreeing to reschedule her hearing for March, at which time we will look forward to hearing from the Ambassador again.

Senator Boxer has a hearing to chair at 10 o'clock in the Environment Committee. I offered her an opportunity to make an opening statement before her hearing, but she's not going to be able to

be here to do that. But, again, I'd like to thank her for yielding to the full committee to allow us to move forward with this hearing on Korea.

We all look forward to the day when we can close the book on the nuclear issue and turn to other challenges with regard to North Korea, like cooperation and expansion of trade, cultural educational exchanges—a more normal relationship. But, we're not there yet, to state the obvious. The New York Philharmonic will be playing a concert in North Korea at the end of this month, the first ever by a U.S. orchestra in North Korea. And I understand that they're going to perform the New World Symphony by Dvorak. I think that's kind of fitting. But, for now, we have to deal with the embattled world that we have, and keep our eye on the ball. The old world is the one we still inhabit.

Our goal and the stated objective of the six-party talks is to peacefully dismantle North Korea's nuclear weapons program in exchange for energy assistance, sanctions relief, and a creation of a permanent peace on the Korean Peninsula. This is a noble objective, and it's consistent, in my view, with the vital interests and security interests of the six nations that joined these talks, because nuclear weapons offer only a false sense of security for North Korea. The Democratic People's Republic of Korea—DPRK, as it's called—will find true security, in my view, only when it has jettisoned its nuclear weapons program, rejoined the Nuclear Non-Proliferation Treaty, and fully normalized relations, not only the United States, but, even more importantly, with its neighbors to the south.

South Korea is a close friend and a close ally of the United States, and last December the South Koreans went to the polls and elected a new President, President Lee. Today, Senator Murkowski and I plan to introduce a resolution congratulating the President-elect of the Republic of Korea, their nation's vibrant democracy, and affirming our desire to strengthen and deepen our alliance in the years ahead.

But, there's much to be accomplished, both on and off the Korean Peninsula. Some say we should never negotiate with North Korea, because they can't be trusted, and this view offers, unfortunately, no viable solution to a problem that got much worse during this last administration, when the administration disengaged. We wasted, in my view, a lot of time, time that North Korea used to acquire uranium enrichment equipment and to more than double its stockpile of plutonium, leading, ultimately, to an actual test of a nuclear device in October 9 of 2006. There is still, in my view, though, no substitute for patient, principled, sustained, high-level diplomacy. And our efforts are more likely to succeed, moreover, when we enlist those of our allies—South Korea, Japan, and others of our friends—to help us. Only through a mutual, respectful, hard-headed diplomacy can we bridge our differences and find any common ground. That's what this committee has been calling for, on a bipartisan basis, for the past 6 years.

The formula for success is clear, if there is any, and I'm glad President Bush embraced it and chose Ambassador Hill to undertake it. The formula is validated by history. President George Herbert Walker Bush, in 1991, agreed to remove U.S. tactical nuclear

weapons from the Korean Peninsula, weapons we no longer needed to station in South Korea, given the advances in technology, and thereby convinced North Korea to remain inside the Non-Proliferation Treaty and accept inspections. Inspections by the IAEA yielded evidence, late in 1992, that North Korea was violating the NPT commitments, as well as the terms of the 1991 North-South Joint Declaration on Denuclearization of the Korean Peninsula.

Without the first President Bush's diplomatic efforts, we might have remained in the dark, giving North Korea a free path to pursue its nuclear ambitions unchecked. Under President Clinton, the United States negotiated the October 1994 Agreed Framework. The North agreed to freeze, and eventually eliminate, its nuclear facilities under international monitoring; in exchange, Pyongyang was to receive two proliferation-resistant lightwater nuclear reactors and annual shipments of heavy fuel oil during construction of these reactors. These lightwater reactors were to be financed and constructed through the Korean Peninsula Energy Development Organization, a multinational consortium, including South Korea, Japan, and the European Union. The Agreed Framework failed to eliminate the North's nuclear program, but it did prevent the North from producing even 1 ounce of plutonium from 1994 to 2003, and I view this as no small accomplishment.

And the creation of the Korean Peninsula Energy Development Organization established a useful precedent; namely, that the United States should reach out to other nations that share our interest in a nuclear-free Korean Peninsula and to help shoulder the financial and diplomatic burdens.

Under the terms of the February 17, 2007, agreement hammered out by our witness today and North Korea's lead negotiator, North Korea promised to freeze, and then dismantle, its nuclear facilities, and to provide a complete and accurate declaration of all its nuclear program facilities and materials. In exchange, the North is to receive energy assistance and sanctions relief. The ultimate goal remains the same: The complete dismantlement of the North's facilities in exchange for normalization of relations with the United States and the establishment of a permanent peace regime in the Korean Peninsula.

The freeze was implemented without a hitch, and North Korean workers, under the direct supervision of U.S. technicians are, today, in the process of dismantling three key nuclear facilities: The reactor, the spent fuel reprocessing plant, and the fuel fabrication plant. North Korea is no longer in the plutonium production business. But, as we'll hear from our witness, we still have a long way to go. The North has not yet submitted a complete and accurate declaration of its nuclear program, as called for by the agreement. The original December 31, 2007, deadline to do that has come and gone.

North Korea's preferred outcome still appears to be both a limited nuclear deterrent and good relations with the United States. But, unfortunately for them, they're going to have to choose—choose one or the other. The United States should not acquiesce in a nuclear-armed North Korea.

I hope Secretary Hill will share with us the administration's game plan, going forward. How does the administration plan to

convince North Korea to submit a declaration of its nuclear activities, including any proliferation of nuclear knowhow, and do it promptly, so that we can get on with the business of dismantling the North's nuclear facilities, removing fissile material from the country, and ultimately normalizing our bilateral relations and integrating North Korea into the community of nations? What do we want South Korea, China, Japan, and Russia, as equal partners in the six-party talks, to do to help us?

I also hope the Ambassador will share with us some thoughts on how the administration plans to actually implement the next phase of the agreement. Specifically, I hope he'll address the concern that Senator Lugar and I have expressed about the Glenn amendment, which currently prohibits the Department of Energy providing more than token assistance to the denuclearization effort. Senator Lugar and I have drafted legislation providing the Department of Energy and the Department of State with the necessary authority to implement a robust denuclearization plan, and I hope the administration will endorse it.

Mr. Ambassador, I look forward to your testimony.

And now, let me turn to my colleague, Senator Lugar.

Mr. Chairman.

**OPENING STATEMENT OF HON. RICHARD G. LUGAR,
U.S. SENATOR FROM INDIANA**

Senator LUGAR. Thank you very much, Mr. Chairman.

I join you in welcoming to the committee this opportunity for us to consider ongoing developments in the elimination of the North Korean nuclear program.

Remarkable progress has been achieved since the committee's last hearing on the North Korean situation which was conducted in July 2006. Last year, through the six-party talks, the United States, North Korea, South Korea, Japan, Russia, and China reached agreement on shutting down and sealing North Korea's main nuclear facility. In addition, there was agreement that the International Atomic Energy Agency, the IAEA, would be invited back to North Korea, and that North Korea would declare its nuclear programs.

Last July, North Korea took the necessary steps, in its Yongbyon nuclear facilities, to stop producing plutonium—American technicians now are working at Yongbyon, observing and reporting on the disablement process. Personnel of the IAEA are present, as well. These disablement activities go well beyond anything undertaken under the Agreed Framework of the 1990s or in this decade. Although it is too early to determine the technical details of how North Korea's nuclear program would be disassembled, a Nunn-Lugar cooperative threat-reduction model could be applied in North Korea. Officials in Pyongyang have sought information about the Nunn-Lugar program. I believe it's in the interest of North Korea, the United States, and the other six-party powers to preserve the significant progress that has been made toward a denuclearization of North Korea and a normalization of relations with that country that would be anticipated to follow. The United States continues to accept the, "action-for-action approach" adopted through the six-party talks. In fact, Ambassador Hill and State Department

colleagues have begun consultations with the Congress in preparation for possibly removing North Korea from the list of state sponsors of terrorism, as well as eliminating the designation of North Korea under the Trading with the Enemy Act. However, it was not prudent for the Bush administration to proceed with these two steps when North Korea failed to provide a complete and thorough declaration of its nuclear program by the end of 2007, as earlier agreed.

I understand that all six powers are focused on distinct steps in the process. We're concerned with the pace of compliance with these actions that have been agreed on. Yet, ultimately, the process depends on the commitment and the will of the top leaders. And this includes Chairman Kim Jong Il. He has written, "In any work, it is necessary to identify, correctly, the main knot in the whole string, and undo it first by a concentrated effort which will make it easier to unravel the other knots and push ahead with the whole work successfully." Such an effort would be usefully applied by North Korea to the present situation.

In recent months, North Korean observers have noted the ascendancy of North Korea's Foreign Ministry in matters related to the six-party talks and negotiations with the United States. This is in line with the authority and confidence President Bush has placed in Secretary Rice and Assistant Secretary Hill. As conditions warrant, and in coordination with the Department of State and South Korea, Secretary Gates should be prepared to engage with North Korean military leaders on a wide range of issues, such as the POW-MIA Joint Recovery Program, which the Defense Department suspended in 2005.

President Bush, Secretary Rice, Secretary Gates, Assistant Secretary Hill are committed to the implementation of the six-party agreements. A majority in Congress are prepared to work with President Bush on projects related to North Korea's weapons of mass destruction and on steps toward establishment of normal diplomatic relations. I do not believe that U.S. commitment to the six-party talks, or its determination to ensure the peaceful denuclearization of North Korea, will change with the election of a new administration.

Moreover, Members of Congress, myself included, are following this situation intently to support and fortify a unified vision on policy toward North Korea within our own Government. As the Nunn-Lugar program demonstrated in the former Soviet Union, remarkable progress can be based on mutual interests and a joint resolve to achieve peaceful outcomes. We should not assume that a similar result cannot be achieved in North Korea.

I join the chairman in welcoming back Secretary Hill, and we look forward to your testimony.

The CHAIRMAN. Mr. Secretary, the floor is yours.

STATEMENT OF HON. CHRISTOPHER R. HILL, ASSISTANT SECRETARY, EAST ASIA AND PACIFIC AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

Ambassador HILL. Well, thank you very much, Mr. Chairman. And thank you for those kind words about our effort.

I also want to comment on the idea of holding a hearing on Vietnam, which I would very much look forward to. I understand Senator Boxer was very much interested in that. I think we're working on a March date which would work very well, because I plan to make a visit to Vietnam in the very beginning of March. It'll be my fourth visit. And so, upon my return, I think I'd be in a position to give you very fresh information about that very, very interesting—

The CHAIRMAN. We appreciate that very much. And, again, I want to say, with more of the committee members here, that Senator Boxer had that hearing scheduled for today, and she was kind enough to yield to the full committee to have the hearing on Korea. So, that's why I referenced it in the beginning. But, we look forward to that, as well—

Ambassador HILL. OK.

The CHAIRMAN [continuing]. Mr. Secretary.

Ambassador HILL. I have lengthy statement that I would like to enter into the record.

The CHAIRMAN. The entire statement will be placed in the record as if you delivered it, sir.

Ambassador HILL. Thank you very much.

Mr. Chairman, it's a pleasure to come here and to brief the committee on the status of the six-party process. We are in an important phase. We have an agreement, in October—October 2007—which called for this phase to be over on December 31. And, of course, we have not met that deadline.

The main elements of the October 3rd agreement have to do with the DPRK's agreement to disable the plutonium production, the Yongbyon nuclear facility. It also calls for the DPRK to give us a complete and correct declaration of all of their nuclear programs—their materials, their facilities, and their programs. And this declaration, of course, is important, because it forms the basis of further dismantlement of all their nuclear activities.

I can report to you on the status of the disabling activities, and I can also report to you on the status of North Korea's efforts to get a complete and correct declaration. And I can tell you what we are doing to try to get that complete and correct declaration. And if we are successful with that, I'd like to also give you a picture of where we intend to go from here, and how we intend to get to the end of this very long road.

First of all, with respect to the disabling activity, the DPRK asked that U.S. technicians, on behalf of the six-party process, actually perform the disabling activities. And so, we have had teams of U.S. technicians there. We've had about five people at a time. They rotate in and out, in 2-week intervals. We had five people there through the Thanksgiving holiday. We had another five people there through the Christmas holiday. And they have been doing, truly, a remarkable job of getting this nuclear facility disabled.

Now, what does "disabling" mean? We identified some 11 tasks to be conducted, the sum total of which is to make it very difficult to put the nuclear facility back into operation—not only to make it difficult, but also to make it expensive. So, the tasks have been centered on the three core activities in that nuclear facility; that

is, first of all, the fuel fabrication facility, where they actually make the rods; second, the reactor, where they take the rods and put them in the reactor to make the reactor work; and, third, the reprocessing facility, where they take spent fuel from the reactor and reprocess that into plutonium—eventually, weapons-grade plutonium.

So, I can report to you that the disabling activities have gone very well. We've had very good cooperation from the North Korean people at the facility, and we have, essentially, at the reprocessing plant, all the agreed disabling tasks were completed prior to December 31, including the removal of several key pieces of equipment that were very necessary for the separation of the plutonium from the spent fuel rods.

In addition, major pieces of equipment at the fuel fabrication plant were also disabled and removed prior to December 31.

One of the primary disabling activities at the reactor is the discharge of spent fuel. Once you take out that spent fuel, you cannot put it back in. That is a process that is underway. It got underway late, due to safety—health and safety concerns, by our team, that the pond, the place that they put these spent fuel rods, was unsafe, and they needed to spend some time to clean that up. The process is underway, but, of late, the North Koreans have also slowed down that process. And I will get to the question of—or, to the issue of why that has been slowed down. But, it is very much underway.

I think what is also significant—when I visited the facility at the end of November, beginning of December, what was significant to us is the fact that the technicians onsite were not talking about in any way reconstituting this facility; they understood that disabling is on the road for eventual dismantling, which will take place in the next phase, and its complete abandonment. In addition, it's very important to contrast this disabling activity, which was not done in the 1990s, with the—with just the freeze that was done in the 1990s, because currently the North Koreans are not doing regular maintenance.

So, I think, viewed in its entirety, assuming we are able to complete all 11 tasks—and we do anticipate getting that done—we will have a facility that, in the—the totality of the 11 tasks, it's unlikely that this facility will ever be put back into operation. So, we feel that this has been a very positive development.

Where the situation is less positive, of course, is the requirement that they provide a complete and correct declaration. Let me take you through that, what we're really looking for in that declaration.

There are essentially three elements to the declaration. First of all—the first element is nuclear materials. And here, based on our conversations with the DPRK, we have very good reason to believe that, when they give us the amount of separated plutonium, the actual weapons-grade plutonium that they have, that we will get an amount that we will be able to verify. We can verify through a number of means, including production records. So, they have agreed to do that. And this is important, because identifying the status of the plutonium, and how much there is, and verifying the figure, is extremely important—extremely important from their own weapons development programs, but also extremely important

from the point of view of proliferation issues. So, they've agreed to do that.

We are working with them to make sure they also include in the list of materials what the state of their weapons development is; that is, we know they have an explosive device, because they were able to explode fissile material—that is, have a nuclear test, in October 2006—so, we need to know about the development of their weapons. There, it has been more problematic in my discussions with them, but we need to continue to work with them and make sure that, in the declaration, we can get insights into their actual weapons—if any—weapons development that they have.

The second main area has to do with facilities. And here, we know, through national technical means, what their nuclear facilities are. They know what their nuclear facilities are. And, perhaps most importantly, they know that we know what their nuclear facilities are. And I think, with respect to that second cluster of issues in the declaration, we can come to an agreement, when they provide the declaration.

The third issue, however, is more problematic; that is, in the area of overall programs. Here, we need to know about the plutonium program. And I think we will come to an agreement on what that looks like in the declaration. But, we are also very aware that they have made many purchases that are entirely consistent with the development of a highly enriched uranium program. And, as you know, the CIA has assessed, with high confidence, that they did have an effort to develop this program. We need to know more about the status of this program. If it is terminated, we need to know when it was terminated. Obviously, if it continues, we need to ensure that it is terminated.

We have worked very closely with the North Koreans on this issue, because this was such a key issue; it was the basis, really, for ending the Agreed Framework. Through our diplomatic talks with the North Koreans, we have been able to get them to identify some of the key components that they purchased for uranium enrichment, but which are now—and they showed us the facility—being used for nonuranium-enrichment purposes; that is, non-nuclear purposes. This was an important development, because we are able to see that some of these materials, which would be essential to building a uranium enrichment facility, were not in a uranium enrichment facility. More work has to be done on that, and more work will be done on that, so that we can clearly say, at some point in the future, that we can rule out that they have any ongoing program for uranium enrichment.

Finally, it is our considered belief that DPRK has engaged in cooperation with abroad in their nuclear—with their nuclear technology. Now, they have said to us they have no ongoing programs, no ongoing cooperation with any country with respect to nuclear technology or know how of any kind. They have also affirmed—they did it in the October agreement, they've done it previously—that they will not have any such program. So, they've ruled it out for the future, they've ruled it out for the present, but we need to know what went on there in the past.

Now, this is not just an effort on our part to just have a historical exercise. We believe that, as we go forward, we need more

transparency from the North Koreans on this. We need to know what they were up to in the past. We need to have a clear picture of that, so that we can go forward.

We are continuing to work on all of these—all of these elements. And it is important for us to do so, because we cannot accept a declaration that is incomplete or incorrect.

So, Mr. Chairman, I think we are continuing—we are continuing to work on that. I don't want to make bets about a game that I'm playing in, but we have reason to believe that we can continue to make progress. And, while we are not at all happy that we've missed our deadline—that is, December 31—we believe it's worth continuing to work on this.

Now, on our side, part of the agreement on the disabling activity and the complete list of nuclear materials, structures, and programs—from our point of view, we were obliged to do certain things. Most important of these was to provide a total of 950,000 tons of heavy fuel oil. And this 950,000 tons is in respect of these two undertakings by the North Koreans; that is, disablement and declaration.

We have shared the burden of providing this heavy fuel with other members of the six-party process. We work with the Russians and with the South Koreans and Chinese on this, with the understanding that the Japanese are also prepared to joining this, once some of their major concerns are addressed. And I will get back to what the Japanese concerns are.

So, to date, as we sit here today, the DPRK has received about 200,000 tons of heavy fuel oil; that includes the 50,000 tons that they received for just the shutdown of the facility. So, in total, they have received one-fifth of the total fuel oil that is due them, according to this October agreement. We are prepared to continue that, because they are prepared to continue the disablement, which we hope we can complete soon. We are also prepared to continue that heavy fuel oil because we are continuing work in a spirit of trying to solve the problem of the declaration. So, we believe this heavy fuel oil has been an important aspect of the inducement for them.

In addition, under the October 3 agreement, the U.S. also reaffirmed its intent to fulfill its commitments regarding rescinding the designation of North Korea as a state sponsor of terrorism, and the termination of the application of the Trading with the Enemy Act with respect to the DPRK. U.S. action related to the terrorism designation and Trading with the Enemy Act application will depend, of course, on the DPRK's fulfillment of its second-phase commitments on providing a complete and correct declaration and disabling its nuclear facilities, as well as on the satisfaction of the legal requirements.

As we move forward on this process, as the North Koreans move forward on their process, Mr. Chairman, I'm here to assure you that we will work very closely with this committee and with other Members of the Senate and the Congress to make sure that we are approaching this in a transparent and collegial way, so that all can understand what the process is, ahead.

At the same time, the United States will also continue to press the North Koreans to address other important issues, including the questions about the Japanese abductees. We will continue to urge

the North Koreans, at every opportunity, to address Japanese concerns. Mr. Chairman, I can assure you, I have done this personally on many, many, many occasions, and I will continue to do this in the future. It is very important for North Korea that, as it goes forward—and we hope that it accepts a denuclearized future—that it understands that having a good relationship with Japan is a key part of that future. And we have really pressed the North Koreans to understand that and to understand the depth of feelings in Japan about this abductee issue. These were people, in some cases, taken off the streets, during a period in the late seventies and early eighties. This is an issue that goes far beyond just people in the Japanese Government concern, this is an issue that the general Japanese public feels very strongly about. And we owe it to our Japanese allies to really be vigilant and see what we can do to help get this problem resolved.

I want to also mention one other issue that's very important to us, and that is, of course, the issue of nuclear proliferation. We believe that, within the six-party process, we can continue to address this issue, continue to press the North Koreans on this issue, and, frankly, continue to monitor this issue, because this is part of the October 3 agreement that they have agreed not to engage in these types of activities. So, we are continuing to consider the issue of proliferation to be a very important element of what we're doing.

Mr. Chairman, as time permits, let me just say a couple of words about where we hope this will lead to. If we can get a complete and correct declaration, and if we can complete the phase-2 activities, we will then move to phase 3. It is our hope that phase 3 will be the final phase, because we cannot have this lengthy process go on and on, we do need to reach this culminating moment. And we believe that we have some elements that we can put on the table which will be worth the DPRK's while in giving up its nuclear ambitions. One of the elements is, of course, to put on the table our preparedness, not only to improve bilateral relations, because we've been doing that, but, in the context of full denuclearization, we would be prepared to establish full diplomatic relations.

Now, in establishing full diplomatic relations, upon denuclearization, this is not to say that we are ignoring every other problem, or that somehow we consider the only issue to be denuclearization. I mention that, Mr. Chairman, because I want to assure you, and I want to assure the committee, the importance that I personally, and that the administration, attaches to the human rights issue. We want to work with the DPRK on that issue. We want to work with them in a way that they will understand that, as they join the international community, that it's in their interest to improve their human rights record. Every country needs to improve its human rights record. And, in that, I must say, without too much understatement, the North Koreans are no exception. So, we would work hard on that issue, in the context of establishing our relations with them. We would try to, for example, set up a human rights dialog, the sort of thing that has been done successfully in other countries, because, at the end of the day, if North Korea truly wants to join in the international community, it's got to address the human rights issue. It is a practical matter. We need to address it in a practical way, to find ways that this can

be improved in the short term, medium term, and long term. So, one issue that we have—will have—on the table is this full diplomatic relationship.

A second issue that we will have on the table is our commitment, if the DPRK so wishes, to work with the DPRK and the South Koreans and the Chinese on creating a peace mechanism, a peace process, peace regime, on the Korean Peninsula. We believe that the discussion of a Korean Peninsula peace regime could begin among the directly related parties once the DPRK has disabled its existing nuclear facilities; that is, we would want to do this, right at the start of this next phase, once we get through this declaration, with the understanding that we cannot finally reach a peace regime unless we have a denuclearized North Korea. But, we believe this would be of interest to the North Koreans.

A third locus of activity would be on something called Northeast Asia Peace and Security Mechanism. The purpose of this is to try to begin the process of establishing a sense of community in Northeast Asia. Now, a lot of people look at this, and they say, "Oh, this would be an Asian version of CSCE or OSCE." Perhaps it will. But, for now, we need to see what it can look like, what the parties can agree to. This has to be worked out carefully with parties who have very different—very different outlooks on the whole process. But, we'd be prepared to do this, and to, of course, make North Korea one of the founding members.

And, finally, a fourth area would be our willingness to work with the North Koreans to see about getting them into more international fora, getting them more access to international economic assistance; in particular, getting them access to what the international financial institutions can offer.

Mr. Chairman, I don't know if you've had the pleasure of driving through North Korea yet, but when you see North Korea, the first thing that will strike you is the sense of economic deprivation, the sense that its people need a lot of help, and a lot of help, very soon. And, in that regard, not only would we be prepared to work with the international financial institutions, but we also—and this has already started—we continue to be prepared to provide humanitarian assistance, whenever we can, and to work very closely with the North Koreans to try to address the difficulties that its people are facing.

Mr. Chairman, this is tough process. I know there are a lot of people who wonder why we did it step-by-step. And the answer is, I would have preferred to do it one day, one morning when everyone fell out of bed and decided that North Korea would denuclearize. The problem is, they weren't ready to do it in a morning. So, we've had to work on a step-by-step basis.

I'm pleased that we got the reactor shut down. I'm pleased that we're—we've got the disablement activity well underway, but I'm daunted by the need to work, in the next phase, to get complete denuclearization. But, in looking at that very difficult task, I do feel good about the fact that we are working very closely with neighbors in the region. Our relationship with China is better as a result of the six-party process. We have worked very closely with our Japanese and South Korean allies. As you know, there will be a new South Korean Government taking office at the end of this

month; we have been working very closely with the transition there, but also working with the current government. It has been very important to work diplomatically to create these relationships. And I believe that this Peace and Security Mechanism that we're talking about in Northeast Asia will really be a logical follow-on to the six-party process.

So, Mr. Chairman, with those comments, and with the statement that I've entered to the record, I'm available for any and all questions and comments.

Thank you.

[The prepared statement of Ambassador Hill follows:]

PREPARED STATEMENT OF HON. CHRISTOPHER R. HILL, ASSISTANT SECRETARY OF STATE, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

INTRODUCTION

Thank you, Chairman Biden, ranking member Lugar, and distinguished members for inviting me to discuss with your committee recent developments in our efforts to achieve the verifiable denuclearization of the Korean Peninsula through the six-party process.

I have had the opportunity to brief many of you on the six-party talks over the last few months. Since that time, we have made progress on implementation of the October 3, 2007, agreement on "Second Phase Actions for the Implementation of the Joint Statement," particularly on the disablement of the Yongbyon nuclear facility. We continue to have good cooperation with the DPRK on implementation of agreed disablement tasks. These advances notwithstanding, we are again at a critical, challenging point in the six-party process, as we and our six-party partners work toward the completion of the second phase. Specifically, we are working to ensure that North Korea follows through on its commitment to provide a complete and correct declaration of all its nuclear programs, including its nuclear weapons.

IMPLEMENTATION OF THE OCTOBER 3 AGREEMENT

The October 3 agreement builds on the February 13, 2007, agreement on "Initial Actions for the Implementation of the Joint Statement," under which the DPRK shut down and sealed the core nuclear facilities at Yongbyon and invited back the International Atomic Energy Agency (IAEA) to conduct monitoring and verification activities, as provided for in the February 13 agreement. Under the October 3 agreement on second-phase actions, the DPRK agreed to disable all existing nuclear facilities subject to abandonment under the September 2005 joint statement and February 13 agreement, beginning by disabling the three core facilities at Yongbyon by the end of the year. The DPRK also agreed to provide a complete and correct declaration of all its nuclear programs by the end of the year.

Disablement

Disablement of the three core facilities at Yongbyon—the 5-MW(e) nuclear reactor, reprocessing plant, and fuel rod fabrication facility—is proceeding well. A rotating team of U.S. experts has been on the ground overseeing the disablement of these facilities since early November and will remain in place throughout the completion of the agreed disablement activities. Upon completion, the specific disablement actions should ensure that the DPRK would have to expend significant effort and time (upward of 12 months) to reconstitute all of the disabled facilities. This would curtail their ability to produce new weapons-grade plutonium at Yongbyon. Our experts report continued good cooperation with DPRK experts at the site, and most of the agreed disablement tasks at the three core facilities have been completed.

Specifically, all agreed disablement tasks at the reprocessing plant were completed prior to December 31, 2007, including the removal of several key pieces of equipment necessary for the separation of plutonium from spent fuel rods. Similarly, major pieces of equipment at the fuel fabrication plant were disabled and removed prior to December 31. One of the primary disablement tasks at the 5-MW(e) reactor—the discharge of spent fuel—is now underway. Due to health/safety and verification concerns, the parties understood that the fuel discharge (consisting of approximately 8,000 rods in the reactor core) would continue beyond December 31,

2007. In the meantime, other disablement tasks, including the destruction and removal of the interior structure of the cooling tower, were completed prior to December 31, 2007.

At the request of the six Parties, in addition to leading the disablement activities, the United States is also providing initial funding for these activities. As we look to the tasks ahead in the next phase, dismantlement, we will request additional authorities in order to ensure that the United States is prepared to take timely action to facilitate completion of these important tasks. We are in active discussions within the administration on dismantlement costs and will consult with Congress.

Declaration

The other key element of phase II—provision by the DPRK of a complete and correct declaration of all its nuclear programs—remains to be implemented. Let me be clear—“complete and correct” means complete and correct. This declaration must include all nuclear weapons, programs, materials, and facilities, including clarification of any proliferation activities. The DPRK must also address concerns related to any uranium enrichment programs and activities. While we have had discussions of a declaration with the DPRK, the DPRK did not meet the December 31, 2007, deadline for this commitment, and we have still not received such a declaration. We and the other parties continue to press the DPRK for completion of this important commitment. A U.S. team was recently in Pyongyang to continue these discussions, and the other parties have also continued to engage with the DPRK to press for it to live up to its commitments. The DPRK, including leader Kim Jong-Il, maintains that it is committed to the six-party process and to fulfilling all its obligations. Working closely with our six-party partners, we intend to ensure that Pyongyang lives up to its word by submitting to the Chinese chair as soon as possible a declaration that is, in fact, complete and correct.

As the DPRK fulfills its commitments, the United States remains committed to fulfilling ours. The other Parties agreed to provide the DPRK with 1 million tons of Heavy Fuel Oil (HFO), or equivalent, in return for its actions in the initial and second phases. To date, the DPRK has received almost 200,000 tons of HFO, including one shipment each from South Korea, China, Russia, and the United States. The Six-Party Talks Working Group on Economy and Energy Cooperation has informally agreed to provide half of the energy assistance in HFO and the remaining half in HFO-equivalent, namely materials and equipment related to refurbishing coal mines and thermal and hydro powerplants. The United States has thus far only provided HFO, and we are in the process of preparing another shipment. We have also cooperated with the other Parties in ensuring that HFO-equivalent materials and equipment are consistent with U.S. laws controlling exports to the DPRK.

Under the October 3 agreement, the United States also reaffirmed its intent to fulfill its commitments regarding rescinding the designation of the DPRK as a state sponsor of terrorism and the termination of the application of the Trading with the Enemy Act (TWEA) with respect to the DPRK. U.S. action related to the terrorism designation and TWEA application will depend on the DPRK's fulfillment of its second-phase commitments on providing a complete and correct declaration and disabling its nuclear facilities, as well as on satisfaction of legal requirements. The legal criteria for rescinding the designation of a country as a state sponsor of terrorism are set forth in U.S. law, and the administration intends to consult closely with Congress and follow appropriate procedures on any decision to take action on the terrorism designation or TWEA.

At the same time, the United States will also continue to press the DPRK to address other important issues, including questions about Japanese abductees. We will continue to urge the DPRK at every opportunity to address Japan's concerns. Japan is an important friend and ally of the United States, and we will continue to consult closely with the Japanese Government as we move forward.

We also remain very concerned about nuclear proliferation—the potential for such proliferation has always been one of our major concerns about the DPRK's nuclear weapons programs. In the October 3 agreement the DPRK reaffirmed its commitment “not to transfer nuclear materials, technology, or know-how,” and we intend to hold North Korea to its word. We have discussed this issue with the North Koreans many times and will remain vigilant about proliferation concerns. The North Koreans are cognizant of the fact that United Nations Security Council Resolution 1718 remains in effect.

OFFERING THE DPRK A BETTER FUTURE

While we are in a difficult period, we remain confident that the six-party process is the best mechanism to address the danger to the United States and the international community posed by the DPRK's nuclear programs. We continue to urge

the DPRK to provide a complete and correct declaration and complete the agreed disablement actions. Even once we have completed this phase, however, significant work remains. Following completion of the second phase, we hope to move quickly into a final phase, which will be aimed at abandonment of North Korea's nuclear weapons and existing nuclear programs, dismantlement of all North Korea's nuclear facilities, capture of all fissile material the DPRK has produced, and verification of North Korea's denuclearization.

In exchange, the United States is prepared to transform our relations with the DPRK into a more normal relationship. The United States and DPRK have committed to improving bilateral relations and working toward full diplomatic relations. One way we will seek to do this is by increasing bilateral exchanges between the United States and DPRK aimed at enhancing mutual trust. Our goal through this process will remain improving the lives of the people of North Korea.

On a separate track, to address humanitarian assistance needs, the United States is aware of, and concerned about, possible food shortages in the DPRK in 2008. We are prepared to help respond to such shortages, subject to appropriate program management consistent with international standards. We assisted U.S. NGOs in providing aid to fight the outbreak of infectious diseases following floods in North Korea last summer. The United States is also working with U.S. NGOs to carry out a plan to improve the supply of electricity at provincial hospitals in North Korea.

We have also made clear to the DPRK how much we value the advancement of human rights in all societies and that discussion of important outstanding issues of concern, including the DPRK's human rights record, would be part of the normalization process.

Full implementation of the September 2005 joint statement could also provide a way forward for the transformation of overall security relations in Northeast Asia. We remain committed to replacing the 1953 Armistice with a permanent peace arrangement on the Korean Peninsula. The United States believes that discussions of a Korean Peninsula peace regime could begin among the directly related parties once the DPRK has disabled its existing nuclear facilities, has provided a complete and correct declaration of all of its nuclear programs, and is on the road to complete denuclearization. We can achieve a permanent peace arrangement on the Korean Peninsula once the DPRK fully discloses and abandons its nuclear weapons programs. We also hope to explore the development of a Northeast Asia Peace and Security Mechanism, which could help further solidify the cooperative relationships built through the six-party process.

THE ROAD AHEAD

While we have made important progress toward the full implementation of the September 2005 joint statement, much work remains on the road to verifiable denuclearization of the DPRK. We must continue to move forward in the six-party process to realize the DPRK's abandonment of all fissile material and nuclear weapons in accordance with the September 2005 joint statement, as well as its return to the Treaty on Non-Proliferation of Nuclear Weapons and to IAEA safeguards. We will continue to work closely with our six-party partners as we move forward on the tough tasks that lie ahead.

The CHAIRMAN. Well, thank you very much, Mr. Secretary.

We'll do 7-minute rounds here. That will allow us to come back for a second round of questions.

In terms of your testimony, if you could just elucidate two things—you indicated that the third part of that declaration related to overall programs, and you said that we have considerable evidence that there has been the purchasing of key material that could be used for, I assume, enriching uranium. And then you said you've identified those same materials being used for purposes other than developing HEU. Can you give the committee an example, for the record, of what that might be, what some of that is?

Ambassador HILL. The other purposes—the North Koreans showed us, essentially, two conventional weapons systems. One of them did not work, with the materials that they had.

The CHAIRMAN. The materials you're referring to, are they the aluminum tubes?

Ambassador HILL. Yes; they're aluminum tubes. And so, it is our judgment, that those aluminum tubes were not brought into the DPRK to be used in the weapons system that did not work. It's our judgment that—

The CHAIRMAN. Was it an artillery-type system?

Ambassador HILL. Yes.

The CHAIRMAN. OK.

Ambassador HILL. And so, the tubes were transferred to another weapon system, and that is where they've been used. And in our discussions with the North Koreans, we were able to get samples from them to be assured that the aluminum being used in that second weapon system for parts was, indeed, the aluminum that we had suspected, from the start.

The CHAIRMAN. Right. Now, one other question. Did we identify the source of those tubes, or is that classified? The source of the tubes that were purchased by—

Ambassador HILL. Yes; they came from abroad, but the country from which they came is classified. I'm sure we can get it to you through other channels.

The CHAIRMAN. No; that's all right. And I—

Ambassador HILL. Yeah.

The CHAIRMAN. Is it the same country from which the tubes went to Iraq?

Ambassador HILL. I—my understanding is, we're—there are tubes and there are tubes. But—

The CHAIRMAN. But, was the country the same source? Whether they were different tubes or not, were they from the same country?

Ambassador HILL. I believe so, but I would like to check on that.

The CHAIRMAN. I think they were. I—

Ambassador HILL. OK.

The CHAIRMAN. I've probably made my point larger than I wanted to, and I don't want to either give you credit or get you in trouble, but I personally attribute the change in attitude about how to proceed, in North Korea, to some of your intervention within the administration. I may be wrong about that. Whatever it was, I find it perplexing that we're prepared to engage in this kind of discussion, which I applaud. And you may recall, the chairman and I, 7 years ago—and I suspect my—if I'm not mistaken, my friend from Nebraska, as well—but, the chairman and I specifically suggested that this kind of engagement occur—that America not be disengaged, to begin with. But, at any rate, I am, just as a sidebar, perplexed—and it's not in your territory—why we have such a radically different approach to discussing or talking with Iran. But let me get back to another point.

I have a number of very specific questions I'll get back to, but, again, relating to your testimony—for our colleagues who are not on the committee, and for Americans who may be listening in, the fourth part of the declaration relates, essentially, to the questions, "Who did you give information to? Did you proliferate any of your activities on nuclear programs to any other nation, or individual, et cetera?" And I think you believe that there is no assistance going on now, and, for the future, they promise they will not, but you need to know, though, about what may have gone on in the past.

For the record, explain why that's important to know.

Ambassador HILL. Well, first of all, we have information, that is derived from intelligence sources, on what has gone on. And I'm sure, in another forum, we—

The CHAIRMAN. Yeah. I'm not asking you what it is, I just want—

Ambassador HILL. So—

The CHAIRMAN [continuing]. The overall rationale—I understand, but I think it's—

Ambassador HILL. Yeah.

The CHAIRMAN [continuing]. Important, for the record—

Ambassador HILL. Yeah.

The CHAIRMAN [continuing]. For people to understand why this is an important aspect of the declaration.

Ambassador HILL. Well, I think, from the point of view of going forward in a negotiation, if they have been cooperating with country X, and then, as we go forward and we make further progress, and then we find out, or it becomes publicly known, that they have been cooperating with country X, this could really affect the course of the negotiations. So, the point is, we need to know what they've been up to.

Now, we're not interested in knowing it for the purpose of harming the negotiations or walking out of the negotiations. It's simply a matter of transparency. When they have told us they have not had any nuclear cooperation with anybody, and they've said they don't have it now, and they will not have it in the future, if they tell us they have not had any cooperation in the past, and then it turns out to be clear that they did, this is a problem, as we go forward. We have to have some level of trust and some level of transparency.

And, again, we are not looking to cause problems in the negotiations.

The CHAIRMAN. I'm not suggesting you are. I just wanted to make sure—I would assume that it also would be a good measure of knowing whether or not the intelligence we've collected can be confirmed or not, as well.

But, at any rate, because I have, again, great respect for your judgment, I am pleased that you seem to be mildly optimistic that this process will be completed and that the 11 disablement procedures will take place, and that you did make reference—and I'll come back to it, if someone doesn't—to how long it would take if, in fact, things broke down, for them to reverse the procedures and resume the process.

And in the second round, if they haven't been discussed, I will go to a number of questions relating to the funding of this process. But, knowing my friend, who's the expert in the country on those issues, I suspect he'll raise that. And I hope he does.

But, again, thank you for the clarifications in your testimony. Thank you for your testimony.

And I yield to my colleague Senator Lugar.

Senator LUGAR. Thank you very much, Mr. Chairman.

Secretary Hill, you went to North Korea in December and carried a letter from President Bush to Chairman Kim Jong Il. Can you describe how you were received, what was your level of access, what the chairman's response was to the President's letter?

Ambassador HILL. I was received by my counterpart, and I had in-depth discussions with him on the subject of the six-party process. I also visited Yongbyon and had, really, substantial access to what I needed to see to get a firsthand look at disablement.

With respect to the delivering the letter, I asked if I could deliver this in person. I was told this was not possible and that—they directed me to the Foreign Minister. So, I delivered it to the Foreign Minister, prior to my departure.

I should also mention that I met with the—in protocol terms, the No. 3 person in the country—that is, the Vice President of the People's Supreme Assembly, Mr. Yan Hyong Sop.

Senator LUGAR. The reason I raised that question at the outset is that, as a veteran diplomat, you would have a better understanding of the nuances of these relationships, but it would seem that, if our communication is sufficient with Kim Jong Il and others around him, that the rewards for moving ahead are so substantial that, to put it in the vernacular, they would want to get on with it. In other words, perhaps they simply don't understand what lies ahead. I know you're doing the very best you can to describe to whomever, at whatever level, but, given the hierarchical nature of the regime, the leader himself apparently needs to have some vision of what it means to have North Korea liberated from the bondage that's self-imposed.

Now, the problem of getting communication with the leader is very important, not only for him, but, likewise, for us. You're subjected, constantly, to criticism in this country for, "Why haven't the North Koreans got on with it? What's wrong with them? December 31 came—and went," as if—there are all sorts of other alternatives, all of which would bring greater sanctions upon North Korea, greater punishment, greater difficulty with our allies, all the rest of it. Perhaps there is no way for you to know what sort of information reaches the leader, or his thought process, but, can you give us any illumination at all on what you believe is their forward-looking on this?

Ambassador HILL. Well, Mr. Senator, I can give you my impression, which is that, first of all, they take copious notes of all the meetings. They always have people assiduously scribbling in notebooks. So, I have every reason to believe that the meetings are conveyed to the leadership in the DPRK in rather extensive terms.

To be sure, Mr. Senator, I have been concerned about precisely the points that you've raised. And, to be very frank with you, I was hoping that I could deliver that letter directly, to make sure that nothing was being lost in transmission. They ultimately said it was not going to be possible. I waited til the last hour of my 48-hour visit before I conveyed it to the Foreign Minister. And they responded, but only with a very brief oral statement, so they have not really given us a full letter yet.

I might add, too, that our President, in sending a letter to Chairman Kim Jong Il, also sent letters to other heads of state of the rest of the six-party participants.

But, I think—again, I am not in a position to tell the North Koreans how to organize their negotiating team, but, I must say, I appreciate the importance of the Foreign Ministry, having to do with, I guess, where I work. But, perhaps—and I've tried to have discus-

sions with them in the past about whether they should have a more of an interagency process, however that looks in North Korea, but they insist that the Foreign Ministry is the ministry charged with this issue, so we don't get to see too many others.

When I was there, though, I was able to see the director for the Atomic Energy Ministry, in effect, and had a discussion with him. We frequently talk with our DPRK counterparts about who's a hard-liner among them, and who's not. They all strike me as fairly hard-line, but, I must say, when you talk to the Atomic Energy people, you do get a somewhat different perspective from the Foreign Ministry.

Senator LUGAR. Well, I thank you for those answers, and perhaps you can be helpful to many of us who might attempt communication, with any of the above, to try to get forward the message of what we are about and what we believe they ought to be about. As you say, you can't advise them on their negotiating posture, but the importance of movement here is obviously important to us, and to the world.

Ambassador HILL. Yeah.

Senator LUGAR. Let me just ask, in the remaining minute that I have, sort of, two questions about our preparation, two different sorts of things. Are we prepared, in the budgets that have been submitted by the President or by Secretary Gates, to do dismantling work? Let's say the opportunity comes to dismantle the whole business. I just want to make certain that we're prepared, budget-wise, personnel-wise, to do that job.

The second thing is, How many North Koreans are being admitted to the United States? Quite apart from that, are North Koreans now moving in greater numbers to South Korea, or even in to China, which has rebuffed them before?

Ambassador HILL. Yes. Well, Mr. Senator, with regard to the issue of funding, in looking ahead, we are going to need more substantial funding with respect to dismantlement activities, as we get past disablement. And so, the administration is requesting insertion of language into the FY08 supplemental, or any other appropriate legislative vehicle, to provide a waiver of the Glenn amendment restrictions that were triggered by the—North Korea's 2006 nuclear—test. This Glenn amendment waiver is really critical to our ability to implement denuclearization. The amendment prohibits the Department of Energy from providing any financial assistance to North Korea, and a waiver will be necessary to authorize the Department of Energy, which would otherwise fund denuclearization activity, to use available funds to denuclearize North Korea.

Currently, for our disablement activity, the State Department's Nonproliferation and Disarmament Fund, which has—notwithstanding authority, is funding these phase-2 activities, but these funds are limited and would not be sufficient to fund phase 3.

As for the total amount of phase 3, we do not have an overall figure, because a lot of it will depend on some of the technical tasks that would need to be performed in Yongbyon. But, of course, we would work very closely with all committee staffs to try to work on a very realistic number.

With respect to the refugee situation, the United States has expanded its own efforts to protect and assist North Korean refugees especially since the passage of the 2004 North Korean Human Rights Act. And, consistent with the intent of that act, we have resettled some 37 North Korean refugees in the United States, to date. We also continue to work with international organizations and other countries in the region to help asylum-seekers seek protection, and this is really an ongoing issue, and we work very closely with some of the other neighboring countries. This is a very, very important humanitarian issue, and I can assure you we'll be very vigilant on this.

Senator LUGAR. Well, thank you for your testimony on issues.

I would just underline the Glenn amendment. This really needs to be in the forefront for Senators, because this is an issue that's not well understood, but is of the essence if we are to move on, in a practical way, to dismantle the Yongbyon complex.

Ambassador HILL. That's right, Senator. Thank you very much.

Senator LUGAR [presiding]. Senator Casey.

Senator CASEY. Mr. Secretary, thank you very much. I was recalling, as I was looking at your biography, all the work you've done, over so many years, in very difficult circumstances around the world. We're grateful for that service. And, at the risk of commending you too much, I say that to a lot of diplomats, so we're not just singling you out, but—

Ambassador HILL. OK. [Laughter.]

Senator CASEY [continuing]. We're grateful for your service.

I wanted to focus on at least two areas, in the limited time we have here.

First of all, I just want to put a headline on this issue, with regard to how we describe what's happening here today to the American people, because some of this gets technical for a lot of people. I think, in terms of a very brief, overly simplistic headline, we're talking about disabling, declaring, and, hopefully, ultimately, denuclearization. Are these the three major areas?

Ambassador HILL. Yes. Disabling, declaring, and, ultimately, abandoning all of their nuclear ambitions.

Senator CASEY. Specifically, I wanted to direct your attention to the second part of the issues, the declaration section. You talked about it in your testimony, in your statement, in your written material, as well as in the questions asked by both Senator Biden and Senator Lugar. But, I wanted to highlight and direct your attention to the question of plutonium, the question of quantity. I guess, there's some dispute about 50 kilograms versus 30 kilograms. The difference of 20, which does not seem like a large difference when you hear those terms, could provide enough materiel to produce several nuclear weapons, so it is important. Can you restate, or even amplify, what you've already said with regard to where that stands, in terms of their declaration.

Ambassador HILL. There are various estimates by the analytical community of how much plutonium they have been able to separate from the fuel rods that they take out of the reactor in the various so-called "campaigns." You run the reactor for a while, you stop it, you take out the rods, and you reprocess those rods into plutonium.

Now, the estimates range from—30 is within the range, 50 is also within the range. It depends on how much plutonium they were able to get from the rods.

What, to me, is important is not so much whether it's 30 or 50; what, to me, is important is that we verify what it is. I mean, if it's 50, and it turns out that they actually had 60, that's a big problem. If it's 30, and turns out that they had 35, that's also a big problem. Now, why is it a problem, with only 5 kilos, which is some 12 pounds? Because you could conceivably make a nuclear weapon from that kind of quantity.

So, what we have insisted on—and I think we have an understanding on this, although, again, I want to emphasize, we don't have the declaration yet from them—what we've asked for is to get, not only a figure, but also the production records that got them to that figure. And the idea is that our own technical people can look at these production records, just as an accountant—you know, an auditor would look at a business—you know, ledgers—and to verify that those are correct figures. There are also some things we can, you know, look at directly in the facilities.

So, I know there's a lot of concern about, "Are we at 30? Are we at 50?" I think the real issue is, Can we verify the figure?

Senator CASEY. With regard to the question of verification—I'll ask you to choose, or say "both" with regard to this question—there's obviously been a dispute about their—North Korea—word on this, over time; but, second, there may be—and you could tell us whether or not there's a mechanical problem with how you verify, whether the records are verifiable, to begin with. Do you see one or the other being the impediment, or both?

Ambassador HILL. Verification—

Senator CASEY. In terms of their own ability to—

Ambassador HILL. Yeah.

Senator CASEY [continuing]. And their own willingness to be up front or truthful about this—

Ambassador HILL. Yeah.

Senator CASEY [continuing]. But, also, is there a problem with the records and how you verify?

Ambassador HILL. Well, I think—I'm convinced that if we have the records, and we have access to the facilities, as we do—that we will be able to verify, because this is an activity where you really need to be sure what you're talking about. So, for example, I know people have—people have said to me, "Well, how do you know that they're really disabling?" And how do I know they're really disabling? Because there are people like, you know, Kevin Veal, from Los Alamos National Laboratory, in New Mexico, is out there, donning a suit every day, and going out and seeing how the work is going. People like Bill O'Connor, from the Energy Department, and Michael Browne and—I mean, these are Americans that we know very well, we work with them every day, and so, when they say something is disabled, you can take it to the bank, it's disabled.

Senator CASEY. And, finally—I know have limited time left, so I won't have time to get into the question about Syria. However, I guess, a good bit of your answers to those questions and, a lot of the discussion would be classified. But, I want to say, just for the record, and we can talk more on this issue later, that I think a lot

of Americans are very concerned about unanswered questions in terms of the involvement of the North Koreans and what's been happening in Syria. Anything you can provide for the record for this hearing, we'd appreciate that you provide that to the committee; obviously, unclassified information, and even beyond that, in a classified setting.

But, I wanted to ask you one final question, and this is more of a broad question, and it's beyond the details of what we're talking about today, but I think it's important for the country. My sense of this—this is only my opinion—but, my sense of this is that, when you approach the question of diplomacy generally, but, in particular, with regard to the challenge that North Korea presented to our country, that, frankly, this administration took a long while to get to the point we're at now, and that this could have moved a lot faster, but certain people were held back. There were restrictions—ideological or tactical or political or otherwise. And that's my opinion. I'm not going to ask you to comment on that, but tell us what you've learned from this process—not just the recent success and progress, frankly, but what you learned from the last couple of years, about how we approach, diplomatically, something this serious and this grave, in the context of any administration, as well as any lessons learned, things that we could have done differently, or different paths we could have taken. What have you learned from it? What are some of the mistakes that were made or strategies that weren't employed?

Ambassador HILL. Well, Mr. Senator, it's—I'm a career diplomat. I've been doing this for 30 years or so. I am a very strong believer in diplomacy, but, at the same time, I also understand the fact that it doesn't work everywhere. And so, I think you, kind of, have to recognize that, in certain situations, you're not going to use this tool of diplomacy to get what you want. And so, I don't—I don't want to suggest that my profession can do everything, because it cannot.

I've been involved in successful diplomacy, I've been involved in unsuccessful diplomacy. It's pretty depressing when things don't work, and so, you do find yourself getting, kind of, invested in it. And it is, kind of, necessary, at times, to step back from it and say, "Are we achieving our benchmarks? Is this working?" Because you get into the middle of it, and, you know, time will go by. And especially in dealing with the North Koreans, where—you know, that's a country with a shortages everywhere, except, it seems, in time. And they seem to have an abundant supply of time. And so, you know, often, with our North Korean interlocutors, you know, we're trying to put deadlines there, just to focus the work and see if we can get through this.

You know, diplomacy is always a question of—you're trying to get the other guy to do something he doesn't really want to do. And how do you get him to do something he doesn't want to do? Well, you try to find out why he doesn't want to do it. Maybe he doesn't trust you. All right, so you try to deal with that. But, you know, sometimes he just says he doesn't trust you; he trusts you, and trust has nothing to do with it; he just doesn't want to do it. So, you've got to try to get in the mind of the person, understand where he's coming from.

And, again, I've dealt, in a number of situations, a number of—in that part of the world—and dealing with the North Koreans is difficult, because I think they consider their opaqueness to be one of their strengths; that is, they don't, kind of, clue you in on their thinking. I mean, I remember, many times in Balkan negotiations, you'd have some terrible session, and you would say, "Let's have a break," and you'd go out and say to your interlocutor in the outer corridor, "What was that all about?" and the interlocutor would shout back at you, and you'd go back and forth, and you'd, kind of, figure out what the problem was, then you'd continue. It's been tougher in this setting.

I must say, though, that this six-party process has been, really, the way to go. And I'm of the belief that—you know, there's a country out there called China, there are 1.3 billion people there, and we need a way to work with those people, and I think the six-party process has helped us do that with China. You know, Japan has had problems with China in recent years, problems with South Korea; yet, through the six-party process, Japan stayed engaged there, and I think it's been very good for Japan, very good for our relations with Japan, as well.

So, I think the diplomatic process—and I know people get really tired of hearing diplomats talk about "process," but sometimes there is value to process—and I think some of the six-party process—putting, even, aside the question of whether we get to that essential goal—is helpful, in terms of creating this sense of community in region that, I think, ultimately, will be the best way to keep countries from going off and doing things, like developing nuclear weapons.

Finally, Mr. Senator, I do want to say that I have tremendous support from my Secretary of State, Secretary Condi Rice. Yesterday, I spoke with her three times on this issue, three different meetings, and we're kicking around ideas for, you know, how to go forward. So, I have tremendous support. And so, I've learned to try not to be too sensitive to criticism, but, you know, sometimes you—I read stuff, where people think I'm some kind of free agent. I'm not. You know, I have instructions, and, you know, I have a job to do. So, it is important to have support, and I've got it, and I think I've got it on the way ahead.

We've got to get this thing done. I think the North Koreans want to get it done. My interlocutor has told me he wants to get it done. He's told me he wants to get it done in 2008. So, we have to see.

Senator CASEY. Thank you very much.

Senator LUGAR. Senator Hagel.

Senator HAGEL. Thank you.

Ambassador Hill, thank you for your efforts, as well as the good work of your colleagues. And please relay our appreciation to them.

You noted, in your testimony—and I don't know if you were able to get back and define your point, and I would ask you, if you could, to do that now—you said something to the effect that you would address why the North Koreans have slowed the process. Could you respond to that? Why? What, in your opinion, is behind the slowing down of the effort by the North Koreans?

Ambassador HILL. Yes, Mr. Senator; there have been a couple of issues. First, of course, as I suggested, we have some health and

safety issues. You take these rods, and you put them in a pool, and, if there's contamination around the pool, it becomes even more contaminated as you put rods into this pool; and so, it really makes it very difficult, in your subsequent operations, to eventually get rid of these rods. And so, we've wanted to make sure that the pool is as clean and safe as possible. So, that was one of the first issues that held us up.

The second issue is, we believe we can discharge these rods at about 100 a day, safely, but that's with about three shifts. And recently, the North Koreans have gone to one shift. And I think—what they have told us is that they are reacting to the shipments of heavy fuel oil. And, as I mentioned to you—or, as I mentioned in my opening statement, there was 50,000 tons of fuel oil for the initial shutdown of the plant. Now, they wanted more fuel oil, and we said, “OK, more fuel oil for more denuclearization”—i.e., for disablement. So, we agreed on a figure of 950,000 tons for a 1-million-ton total. So, so far, they have done 8 out of 11, and moving along on that knife of disabling, and they've only received, as of today, about 20 percent of the fuel oil. So, there is a perception among the North Koreans that they have moved faster on disablement than we have on fuel oil.

There was—the North Koreans were very critical of the Russians for being, in the North Korean opinion, slow to get the fuel oil delivered. In fact, the Russians have worked very hard on it. Just because Russia produces oil doesn't mean they can deliver the type of fuel oil the North Koreans wanted. In fact, the Russians finally had to purchase it on the open market—in Singapore, of all places—to get that fuel oil there. But, these are complexities having to do with the international fuel-oil market, and the North Koreans really didn't understand some of that. So, one of the reasons they slowed it down was precisely on this point.

The way this is, kind of, of shaking out, is that the fuel oil is very much directed to compensate for the disablement activities, and we are definitely more than 20 percent of the way on disablement.

Senator HAGEL. So, you feel, once these issues that you have just noted are resolved, that that should resume a schedule that has been agreed to by all sides.

Ambassador HILL. Yes; I would hope that we would be able to add a couple of more shifts to this process of taking the rods out. I must say, we knew, early on, because of the health and safety issues, that we weren't going to make the December 31 deadline, when you just do the math of how many rods you can safely pull out of the thing at a rate. And so, we knew we were not going to make the December 31—but, I am—you know, as I, sort of, line up my worry list, that's not high on my list, because I know that's ongoing. My attention is really focused on this declaration, where we still have some substantial differences.

Senator HAGEL. Do you believe there are any significant disagreements within the North Korean Government on how they are proceeding with commitments they have made regarding the six-party talks? And, more to the point, the future of North Korea?

Ambassador HILL. Well, you know, I know this is a—how to put it—a very hierarchical structure in the North Korean Government,

but that doesn't mean that it doesn't have politics. And so, I know that, if you talk to the analytical community, people who study decisionmaking in North Korean, they identify, you know, a nuclear industry there that's certainly containing its enthusiasm for shutting down Yongbyon, and very concerned about what its future would be. And, in that regard, I was very pleased to hear Chairman Biden refer to work with Senator Lugar on various programs, because I think we are going to have to address that in a big way.

So, you've got that whole—a nuclear bureaucracy. You've also got a military there. Now, these—their senior officers are very senior people, and I think they are looking at the decline in—the relative decline of their conventional capabilities, and, in some respects, have seen the nuclear—nuclear weapons as a compensation. So, they are a little concerned about how this is all going to work.

I do believe there are North Koreans who understand that that country is following a very narrow path, a path between, you know, becoming too isolated, and, therefore, falling way behind, and opening up in a way that I think the leadership would be very worried about—a rapid opening-up.

So, I think there are different opinions there. Obviously, we would like to have access to some of these opinions, and to just try to understand them better, and maybe even have them understand us better. And that's why, as I was talking, earlier, about the fact that they have a pretty tight-knit negotiating team, all from the Foreign Ministry, and that we'd like to see some other people. So, we'll see how that works out.

Senator HAGEL. Well, my time is up, and I appreciate your comments. I just would add one point, in listening to your response to the Senator from Pennsylvania about process. I think it was Dennis Ross who once said—and maybe he took it from Dick Lugar or Joe Biden—but, the reason that process is important is because it is a shock absorber. And I think that's a good way to describe it, especially why process is important.

Thank you.

The CHAIRMAN [presiding]. Senator Kerry?

Senator KERRY. Thank you, Mr. Chairman.

Mr. Secretary, thanks very much for being here. I don't want to go backwards, except to emphasize, number one, how much better it would have been if the administration had begun this process when it was the best time, which was before Pyongyang tested a nuclear weapon, and before it tested the ballistic missiles to deliver them, and before it had reportedly developed the capacity to build six to eight more bombs. And I regret that, for 6 years, those of us who urged this process to be engaged in were frustrated.

Now, you didn't make that decision, it wasn't up to you, and I certainly want to tip my hat to you and congratulate you for your personal tireless efforts, and for those of your dedicated team. I think you've achieved some successes in that period of time; though, I might emphasize, it seems like the most significant success, the February 2007 agreement, came about by virtue of bilateral discussions, which many of us strongly urged, from the beginning. While later ratified or formally adopted by the six-party members, I think those six parties always would have been part of those discussions, whether it was in a formal six-party deal or not.

The bottom line is, this is really between us and them, in the most significant way, while there are obviously other players and partners important to the process.

I know you've discussed the question of disablement and where we stand with it, so I'm not going to go back to that, but I would like to get a sense from you of how long the administration, feels it can wait for North Korea to submit its declaration on the programs and activities that is required under the action plan.

Ambassador HILL. With regard to the issue of how long we can wait, obviously there is some sense of urgency to try to get this phase through and get on to the next phase, but we need to get a complete declaration, and we can't, sort of, pretend that it's complete and, sort of, move on, because we will not be able to finish the job unless we have a complete and correct declaration. So, we're just going to have to keep working that.

And what I can assure you, Mr. Senator, is, we're working very hard on it. I just had a director of our Korea office—a young officer named Sung Kim, just spent the last few days in North Korea really pushing this. We've been in touch through the New York channel, where the North Koreans really pushed this. We've been in touch with the Chinese and the South Koreans, and we're really working this on a daily basis.

If we get to the point where—

Senator KERRY. Have you answered the question, here, of what you believe that reluctance or delay is based on?

Ambassador HILL. Yes; I think they are reluctant to acknowledge their activities in certain areas, because they have denied them in the past, and, I think, to acknowledge them now is to acknowledge that their denials were not entirely truthful. So, I think that's one problem.

I think another problem is that they are worried that we will take some of these acknowledgments and start peeling away, and will continue to ask more and more questions, and this is a country that does not naturally give out information, and so, they're afraid to acknowledge something that will just rise to many other questions. So, I think they're worried about that.

As to the question of "How long?" Mr. Senator, I can't answer that. Obviously, our President will have to make a judgment, at a certain point.

Senator KERRY. Is there a game plan for steps that might be taken if it isn't forthcoming?

Ambassador HILL. I don't think we've come to the point where we're looking at scenarios of, you know, "If we don't achieve this . . .," we don't want those scenarios to become self-fulfilling prophecies." We feel that we—

Senator KERRY. Is there any sense in the administration that they're just trying to wait you guys out—

Ambassador HILL. There are—

Senator KERRY [continuing]. Until we get another administration?

Ambassador HILL. There are a number of people who believe that. I'm not one of them. I think they have an incentive to try to get through this. I think they have an incentive to try to get this done in 2008, and they've told us so. But—

Senator KERRY. What's the current—

Ambassador HILL [continuing]. These are fundamental issues for them. They're looking at a program that's of national importance to them, and to give up these nuclear weapons is obviously a big decision for them.

Senator KERRY. What's the current Chinese position with respect to how forthcoming North Korea has been on the issue of uranium enrichment—

Ambassador HILL. Well, I—

Senator KERRY [continuing]. Or the enriched uranium program?

Ambassador HILL. I mean, they have begun to show us how some equipment is currently being used in nonnuclear programs. That is a good start, to be sure. But, we need to really get the disposition of other key pieces of equipment, and we need some acknowledgment of what they've been up to, and, if they stopped it, when did they stop it? Again, we're not looking to pull a thread and to pull this whole thing apart, but we do need some transparency as we go forward.

Senator KERRY. Do other nations in the six-party talks accept the U.S. position, with respect to the active program of enrichment?

Ambassador HILL. I think other nations accept our conviction that North Korea did, indeed—or, we have a high confidence that they did, indeed, have a uranium enrichment—or, were pursuing a uranium enrichment program. I think other nations probably, in the six parties, do not concur with our current judgment of having a moderate level of confidence there, that they are continuing to pursue capabilities in uranium enrichment. So, there is a difference, in terms of their belief in the North Korean ongoing efforts.

Senator KERRY. And can you share with this committee, at this session, how the administration intends to verify the North Korean nuclear declaration?

Ambassador HILL. Well, we will verify it through different elements. For example, we were talking, earlier, that they will give us a figure for the separated plutonium. This is probably the heart and soul of the declaration. That's the amount of plutonium they have already harvested from this nuclear facility, and the amount of plutonium they would need to abandon, pursuant to a denuclearization agreement. And, as I explained earlier, we really need to have a verification means, so that whatever figure they give us, whether it sounds high or sounds low, is verifiable. Now—

Senator KERRY. But, does that mean that verification procedure has, in fact, been agreed to, at this point?

Ambassador HILL. We have—we have had extensive discussions with the North Koreans on this point, and we have agreed that there should be—when they produce—

Senator KERRY. We've agreed to agree?

Ambassador HILL. No, no, no. More than that, Senator.

Senator KERRY. You actually have a procedure.

Ambassador HILL. We have a procedure that, when they give us the figure, they will give us the production records, so that, in going through the production records, just as an auditor would go through a business ledger, we would be able to increase our con-

fidence that the figure they give us is actually correct. We have some other procedures connected with our access to the physical—

Senator KERRY. Are the production—

Ambassador HILL [continuing]. Facilities, as well.

Senator KERRY [continuing]. Records, themselves, verifiable? Is that acceptable—

Ambassador HILL. Again, we have to—

Senator KERRY [continuing]. In this case?

Ambassador HILL [continuing]. See what the—again, we have to see what the production records look like. But, what we have agreed is that whatever figure they give us must be verifiable.

Senator KERRY. The incoming President—of South Korea, President Lee has indicated that he is going to link major aid economic programs with North Korean progress on the nuclear front. How, if at all, does that affect your approach and/or the six-party approach? Does that have an impact?

Ambassador HILL. It's to be determined what the impact will be. Certainly, we've worked very well with the South Koreans, throughout, in the six-party process. I think what the President-elect has in mind is to link the direct North-South assistance that South Korea provides more to the six-party process, and we have always welcomed more coordination between those two, and we would expect to see more, in the future. I think what will be very interesting is how the North Koreans regard this.

Senator KERRY. Is it your interpretation through the many, many, many interventions you've had—and we appreciate, again, your tenacity and patience in this process—do you believe there is a sincerity in their willingness to literally give up their nuclear program, or is there still a resistance, particularly within the military, to that, and a struggle going on internally regarding it?

Ambassador HILL. Certainly, my impression—and I can only convey to you an impression—is that there are many people there who don't agree with giving up their nuclear ambitions, but there are some who do agree. And I think our task is to make it very clear that their future is much better if they give it up. We could not do that in one fell swoop, which is why we have embarked on this step-by-step process, and I think the closer we get, the more chances we have that they will give up their ambitions and understand that what we have on the table is more important to their security than harboring this fissile material.

Senator KERRY. In that regard, do you believe that there are more cards to be played here on their part, in terms of what demands may be made, or do you think most of those cards are on the table?

Ambassador HILL. I think you can never rule out surprises with North Korean negotiating positions, but I think what they will be asking is probably already known to us, but we could probably expect some other things.

One of the reasons we have tried to address—to do more exchanges, to have academics exchanges—and also, while we have supported the New York Philharmonic's efforts, is to address cultural issues and to show that we are prepared to—this is, kind of, a downpayment on our preparedness to work with them, but they

need to understand, at the end of the day, we need denuclearization. We cannot have a normal relationship with that country if it keeps its nuclear ambitions.

Senator KERRY. Thank you. We appreciate your professionalism, Mr. Secretary. Thank you again for your efforts.

Ambassador HILL. Thank you.

Senator KERRY. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

And, Ambassador, I echo the comments of my colleagues here in my appreciation for all the work that you have done, personally—the doggedness, the persistence that, I think, has led to a relatively optimistic report at this committee hearing, this morning. I appreciate it.

You spoke to how, throughout the six-party talks, the relationships have improved. For instance, you specifically cited China, that, as a consequence of the six-party talks, our relationships are better, and China is certainly within the region.

I want to ask specifically about Japan. You've mentioned your continued efforts to push to find resolve with the Japanese on the issue of the abductions, which we know are so significant. In speaking with some from Japan who are very, very concerned about the steps that the United States may take in removing North Korea from the state-sponsors of terrorism list, just the messaging that is going on, they're saying, "Our No. 1 priority has not been resolved. The United States—we are your No. 1 ally and you're, kind of, abandoning us on this issue." What kind of—we appreciate the tensions that are there, so I won't ask what kind of tensions exist, but how can we work through the steps that you have outlined in improving those relationships with North Korea, while not, at the same time, jeopardizing that very strong relationship that we have had for decades with Japan?

Ambassador HILL. Well, thank you, Senator, for asking me that, because our relationship with Japan is so important to us, not just with respect to this six-party agreement, but all over the world. We have a very, very special alliance relationship with the Japanese. And there is no question that this six-party process is a difficult one for the Japanese, because it's a process very much geared toward denuclearization. And what the Japanese are also concerned about is, they are very concerned about missile proliferation, because they are very much under the shadow of North Korean missile programs, and they're also very much concerned about this issue of the abductees.

There are—back in October 2002, the North Koreans provided some information. It was helpful, but not enough. And I think the Japanese deserve to hear more and to get closure, to understand what happened to their loved ones. And so, what I have assured the Japanese is, I raise this issue whenever I talk to the North Koreans. I want to make it very clear to the North Koreans that this is an issue of central—

Senator MURKOWSKI. What kind of—

Ambassador HILL [continuing]. Importance to us.

Senator MURKOWSKI [continuing]. Response do you get back from them on—

Ambassador HILL. Well, first of all, they have begun to accept that this is a fundamentally important issue for us, and that we are not going to leave our ally in the lurch, or somehow forget about this problem. So, they have come to understand that. But, they have also understood my point, that if North Korea is going to have a successful future, it needs to have a productive relationship with Japan. And the fact that it does not, now, is very much harmful to North Korea. So, I have tried to acquaint them with a sort of enlightened self-interest, that it is in their interest to normalize—to figure out a way through this.

I have gone through the cases of who were abducted during this period of, you know, late seventies, early eighties. In fact, I even keep, in my wallet, the list of these people and—so that in the event that the North Koreans would mention a specific person, would have it right on hand.

I think it's been very important to stay in very close contact with the Japanese. I never make a trip to that region without first going to Tokyo and working with the Japanese. I think Prime Minister Fukuda said it best when he told our President, when he visited here in Washington, "We have three concerns. We have these abduction concerns, missile concerns, nuclear concerns. And we need to work on all three." Our President said, "Absolutely," and that we will not forget these abductees.

Now, I know there are efforts to draw a strict and tight linkage between the abductee issue and the U.S. law with respect to state sponsors of terrorism, and we understand the Japanese concerns on this. We have made very clear that we will not lift, until we have really had very close consultations with the Japanese government on this, and until the North Koreans move on some of the issues of—on denuclearization.

I'm not going to go so far as to make these hard linkages. I don't think it's in our country's interests, or Japan's interests, or anyone's interest to make these hard linkages, in advance. But, what we have made very clear is, we will work very closely with Japan, we will not have surprises between us, and we will work in a way that we will come out of this with all relationships strengthened. We have no interest in strengthening a relationship with North Korea at the expense of our relationship with Japan. None at all.

Senator MURKOWSKI. OK. Let me ask you, quickly, then—we recognize that you certainly have been working this issue for years now. But with North Korea, there are officials who have been working the six-party talks, and just the U.S. relationship for years, decades. We're going to be seeing a new administration here next year, and officials on our side have that tendency to turn over. What does this portend for the discussions as we move forward? How do we provide for the level of continuity that, I think, you have certainly put in place, and to ensure that we continue to see some positive progress?

Ambassador HILL. Well, first of all, I would hope that we can get this done so that a new administration would not have this problem—

Senator MURKOWSKI. I agree.

Ambassador HILL [continuing]. Put in their lap. And my sense is, among both our parties, there is a strong desire that we get this done with the current administration. So, I'm guided by that.

Senator MURKOWSKI. How much of it, though, is the personal relationships that have been developed? It's—you know, that seems to have been a key in many of the advances that we have seen.

Ambassador HILL. Well, you know, there's no real secret to it. You just try to talk less than 50 percent of the time, and try to understand the other person's point of view, and try to put together something that works for both of you. And so, you know, I think there are a lot of people who can figure that out.

Senator MURKOWSKI. I hope you're right. Thanks.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Nelson.

Senator BILL NELSON. Thank you, Mr. Chairman.

Tell us about North Korean support for the Syrian nuclear weapons program.

Ambassador HILL. Mr. Senator, a lot of the details of what we know about North Korea's cooperation abroad are derived through intelligence sources, so, in the context of this open hearing, I don't think I can give a lot of details on that. What I can tell you, though, is the focus of my work has been to make sure that, as we go forward with a declaration—and a declaration is a key element of what we need to get, in this phase 2, in order to get in to the next phase—is to make sure the North Koreans are very open and transparent with us on what they have been doing abroad. Now, they have said they don't have any cooperation with other countries—nuclear cooperation with any countries now, and they won't in the future, but we need them to tell us what they've been doing in the past.

Now, I know "open and transparent" and "North Korea" don't always go in the same sentence, so we need to work with them, against some of their instincts, to do this, so that we do not—as we go forward, that we do not have surprises.

Senator BILL NELSON. Well, is there consensus in the intelligence community about the sophistication of North Korea's nuclear program?

Ambassador HILL. Well, I think—again, I don't want to speak for the intelligence community, but, certainly, I think there is a high regard for some North Korean technical capabilities, certainly with respect to the plutonium production. We've seen it, we know that they have actually produced weapons-grade plutonium. With regard to uranium enrichment, we know that they have been engaging in purchases that are very consistent with a uranium enrichment program. We know less about that, because we haven't seen as much, but that is another area, where we need for them to make a complete and correct declaration.

Senator BILL NELSON. Do we have evidence that North Korea received technology from Pakistan?

Ambassador HILL. I would say that it is widely known that we believe they did, indeed, receive technical assistance and actual equipment from the A.Q. Khan network in Pakistan.

Senator BILL NELSON. And how does this evidence point to the current enrichment program in North Korea?

Ambassador HILL. Well, again, without getting into intelligence details, I think some of the equipment that they purchased from Pakistan—for example, in President Musharraf's book, he refers to the fact that North Korea purchased some centrifuges, and the purpose of these centrifuges would be to reverse-engineer them. They purchased less than two dozen centrifuges, and the purpose would be to replicate them and to build some 2- or 3,000 centrifuges. So, certainly, in order to get the basic design of the centrifuge, they had to get it from this A.Q. Khan network. So, our very strong belief is that they were successful in getting that.

Senator BILL NELSON. Would you follow up?—I'm a member of the Intelligence Committee, and I would like to follow up on these matters in an appropriate setting.

And I want to thank you. I think you, singularly, have been most effective in representing our country, in bringing us this far with North Korea. And this country and this committee owes you a big thank you for your personal service to our country.

Now, share with us where we are now. How is this different from the situation, back in 2002?

Ambassador HILL. Right. Well, Mr. Senator, we're in the middle, sort of in the middle, in a way, but we are trying to get through something called phase 2, where the North Koreans needed to do two things. In addition to shutting down the reactor, which they did in phase 1, and which they had done, up until 2002, they have now taken steps to disable. Now, they have never—they never disabled the reactor before. They never did that, up until 2002. So, this is a new thing.

Now, what does “disabling” mean? We have a series of actions, some 11 different actions, the sum total of which is to make, not only that the reactor doesn't work, but that it would be hard to put back into operation. Now, opinions vary about how long that would be, but our best guess is that it would be difficult and very expensive to put the operation back, inside of a year, and we would hope that the longer it stays disabled and without maintenance, the longer that period will be. So, disabling is something that was not done before.

The problem we have is that, from 2002 until this past summer, they were actually producing plutonium. If we had not shut it down this summer, they would have continued to produce plutonium. Now, I've heard people say, “Oh, but the reactor was on its last legs.” Frankly, I think, in a lot of countries, you can see a lot of pieces of machinery that Americans would conclude is on its last legs, and somehow that machinery still works, and I think North Korea is no exception to that. So, I don't think there's evidence to suggest this thing was on its last legs. It was operating until July 15, when we shut it down.

So, the problem has been, between 2002 and July 15, they were producing plutonium; therefore, the plutonium problem, the amount of separated plutonium, has increased. In short, that aspect of the problem has gotten—has gotten worse.

But, that does not suggest that there was no plutonium before. So, the same processes that we're bringing to bear to try to get the North Koreans to give up this plutonium, whether they have 50, 30, whatever, kilos, those same processes have to—diplomatic proc-

esses have to be followed through, and that's what we're trying to do. And that's what we hope, that, in this next phase, phase 3, we can get them to give up their plutonium.

Senator BILL NELSON. Well, congratulations on the success, thus far. Now, you said, earlier today, that what has slowed their disabling of the Yongbyon reactor is that the six-party members are slow in the heavy fuel-oil shipments. What can we do to speed up those shipments?

Ambassador HILL. Well, I think, first of all, the North Koreans need to understand that it's not easy to ship heavy fuel oil to North Korea. I believe that people in the administration, also working with the Congress to get the money necessary—frankly, I'm very proud of the people who have done this—and our Agency for International Development and in the various appropriations committees that have been able to get the funding; I think we've done OK.

So, we've delivered some—we have another shipment, which we're beginning to get going on, this week. The Russians just delivered theirs. The Russians had a lot of problems, just technical, bureaucratic issues, and they ended up having to make some purchases from Singapore. I think we have done OK.

The North Koreans have a limited capacity, so one of the problems is, you can't put more than 50,000 tons at a time into their port facilities. That's been a problem. We had to work out a fuel-oil equivalence that is—so that not all of this 950,000 tons comes in fuel oil, but comes in some equivalent. In effect, we're using fuel oil as a kind of unit currency. So, these things have taken time.

So, I don't think anyone's necessarily to blame for this. Obviously, we would like to speed up the shipments, and we're doing the best we can on that. And we'd like the North Koreans to finish the job in the disabling. And they've got 8 of 10, and they're working on number 9. Number 9, by the way, is actually removing the fuel rods from the reactor, a very important phase. So, I think that part is okay.

The real problem, the thing that does keep me awake right now, is the issue of getting a full declaration, because, until we get that, we're not going on to the next task of figuring out what we can put on the table to get them to give up the separated plutonium.

Senator BILL NELSON. Thank you.

The CHAIRMAN. Mr. Secretary, what about South Korea and its new government? Does Seoul continue to link aid to progress in denuclearization? Do you expect any changes in this linkage with the new government?

Ambassador HILL. I'm reluctant to speak for the new government, but I'll give you my impressions, based on some of their comments of their transition teams. I think, first of all, they have made it very clear that they want the U.S. relationship to be in the forefront of their foreign policy. And so, I think they would like to really work more closely with us on all of these issues.

I must say, we've worked very closely on the six-party process. I'm in almost daily contact with my counterpart. My previous counterpart went on to be Foreign Minister there. So, I think that's an index of how seriously the current government takes the six-party process. And I have every reason to believe the next government will do the same.

Where the differences come is on this North-South issue. And here, I think, first of all, Americans need to be very sensitive about why there are these North-South processes. This is a peninsula that was split up in the middle of the 20th century, one of the worst events that took place in the 20th century. It was done, not through any fault of the Korean people, it was done because of events that happened outside of the Korean Peninsula. It's a great tragedy.

Mr. Senator, I don't know if you've ever had the occasion to see some of these family unification meetings. It is simply extraordinary to see people who have been so torn apart, families torn apart, and they have just a few fleeting moments together again.

So, we have to be very sensitive about the great emotionalism that many Koreans attach to these North-South—to this North-South process. So, while we want to have a much better coordination between the North-South process and the six-party process, we won't want to put ourselves in the position of demanding the South Koreans do less on this. We want to really make sure they are in the lead on this, and that we have good cooperation and coordination.

I think we've achieved that with the current government, and I know, based on talking to representatives of the next government, who have told us they want to put a much tougher marker out there, in terms of reciprocity from the North Koreans, but I believe we will have the kind of close coordination we need to succeed in the six-party process.

The CHAIRMAN. The last question I have—you answered questions about obtaining the funds you need for fiscal year 2008, I'm told, when I was out the room—but, if North Korea makes a complete declaration of its nuclear programs and you get into phase-3 implementation, how soon does the Nonproliferation Disarmament Fund money run out?

Ambassador HILL. My understanding—and I think I need to get your staff a more comprehensive answer to that important question—my understanding is that the funding we have for disablement is enough for disablement, but not much more, and that we probably would need to work very quickly in the next phase. Now, mind you, getting to the next phase and actually funding for dismantlement will be a very good-news story, because—

The CHAIRMAN. I agree.

Ambassador HILL [continuing]. It means things are moving. And so, I believe we—in the event that we get this—we move to this next stage and we get this early agreement on this, I think we would have to move very quickly, within a month or two.

The CHAIRMAN. My hope is, that occurs, to state the obvious; and I recall that when they asked John McCain about prediction, he said, "I'm superstitious, I don't like to predict." But, it would be useful for us to get a sense of what that cost would be—

Ambassador HILL. OK.

The CHAIRMAN [continuing]. Assuming that we get to that stage. And I agree with you, it would be such a good-news piece, that I don't think we'll have a problem here. But, I think, just in terms of our thinking, it would be useful to be able to capture just roughly what we're talking about.

Ambassador HILL. OK, Senator, I'll make sure——

The CHAIRMAN. OK?

Ambassador HILL [continuing]. That, as we talk to your staff, we will do that, we'll get up to them very quickly with something.

The CHAIRMAN. Please.

[The submitted written information from Ambassador Hill follows:]

The Department of State's Nonproliferation and Disarmament Fund (NDF), which has "notwithstanding" authority, is currently funding Phase II activities (disablement). However, NDF funds are limited and are not expected to be sufficient to cover Phase III activities (dismantlement). The administration is currently developing estimates of the cost of additional USG activities in support of North Korea's denuclearization, including further disablement, dismantlement, and addressing North Korea's fissile material pursuant to North Korea's commitments in the September 2005 Joint Statement. We will continue to consult closely with the committee and with Congress as we refine these estimates to ensure sufficient funds for the Third Phase of implementation of the Joint Statement.

We urgently require a legislative provision authorizing the President to waive the Glenn amendment sanctions on assistance to North Korea (imposed as a result of North Korea's 2006 nuclear test). A waiver of these sanctions is necessary to permit the Department of Energy to utilize its funds to provide assistance to North Korea for denuclearization activities.

We appreciate the committee's continued support for the authorities and funding necessary to assist in the critical work of DPRK denuclearization through the six-party process.

The CHAIRMAN. Senator Lugar.

Senator LUGAR. Ambassador, this goes beyond the scope of this hearing, but you've commended, I think correctly, the importance of the six-power negotiations, the fact that the six countries come together. And, in previous hearings you've described some of the remarkable benefits from discussions we've had, not necessarily on the side with the Chinese or with South Koreans or with the Japanese, but how our own diplomacy became extraordinarily more active because of the six-power talks, at your level and on down the ranks within our State Department.

Can you give us any vision with regard to the continuation of the six-party process? In other words, the formation of the six-party process was to deal principally with possibilities in North Korea, but it occurs, as you and others have described those procedures, that there are many benefits of simply this group coming together to talk about other issues. Can you forecast that?

Ambassador HILL. Yes.

Senator LUGAR. Will the six-party talks, or association, survive that kind of disappointment or difficulty?

Ambassador HILL. Well, I think the process will, I'm not sure I will. But——

[Laughter.]

Ambassador HILL [continuing]. Let me mention that, in the third phase what we would want to do, in order to get the North Koreans to fulfill their commitment and abandon their nuclear ambitions, is to put several things on the table. One of them is a normalization process with the United States. Another is the Korean peace process. And third would be the issue of how to get North Korea integrated into international financial institutions, et cetera. The fourth, and very importantly, has to do with construction of this, sort of, Northeast Asia Peace and Security Mechanism. Now, we

have already anticipated this in the six-party process now, so there is a working group dealing with this Northeast Asia Peace and Security Mechanism, and it's chaired by the Russians. So, this week, starting yesterday, we had a delegation come here from Moscow, led by Ambassador Rakhmanin, who had extensive meetings yesterday in the State Department. He met with me. I think, this afternoon he will be meeting with Deputy Secretary Negroponte. He also had a brief meeting with Secretary Rice, as well, to stress to him the importance that we attach to precisely the point you've raised, the point of seeing whether we can take the six-party process and do something with it in the future.

I also believe that this is an activity where the United States and Russia, because we have such a wealth of experience derived from the OSCE and other of these sort of European integration things, that we, together, our two countries, ought to be able to work together on this, we ought to be able to really help make sure this thing gets launched.

Now, one of the issues we've faced—oh, and I should also mention that Ambassador Rakhmanin also took time yesterday, not only to meet with people in the State Department and the National Security Council staff, but also—well, he will meet with Defense Department, too, but he goes outside the government to deal with some of our NGOs and to meet with—I think he had a speaking engagement at the U.S. Institute of Peace, and he met with a number of people from outside the government, because a lot of our NGOs have ideas of how we can do this.

So, Mr. Senator, we have in mind a process that would start with the six, but we want to have a kind of open architecture, because there are a lot of countries that have a real interest in Northeast Asia, not necessarily in Northeast Asia, but have a real interest—if you look at the trade patterns that a country like Australia has, or New Zealand, they have a lot of interest in China and how things go with China and Japan. And so, we would look to have an open architecture that would eventually bring in more than the six.

You know, in some ways, the urgent often crowds out the important, so we're often dealing with the sort of day-to-day urgent issues. But, I think the most important aspect of what we might be able to do is to create this broader Northeast Asia Peace and Security Mechanism.

Senator LUGAR. Well, I really appreciate, very much, that testimony; likewise, really, the news about the Russian Ambassador coming to Washington. This is news, I think, to most of us, and a very important development.

Ambassador HILL. Thanks.

Senator LUGAR. So, thank you very much for being so forthcoming.

Ambassador HILL. Mr. Senator, I'll see him, I think, soon after this testimony, and what I might suggest, if he hasn't already done, is to be in touch with your staff, and maybe give you a briefing of how the Russians are seeing this.

I also have a very great interest in having us work together with the Russians on this.

Senator LUGAR. Yes.

Ambassador HILL. I mean, we've got some tough issues out there in the world, and this one, we ought to be able to do something on together.

Senator LUGAR. This is good news.

Ambassador HILL. Yes.

Senator LUGAR. Thank you, sir.

The CHAIRMAN. Well, thank you, Mr. Secretary. As I said, you're doing a great job. We wish you the best of luck. And I, like you, am optimistic you'll be able to finish this deal, and it will be a very, very good thing.

And, I don't want to embarrass you, but I hope other parts of the administration are looking at how to proceed here, and maybe applying similar methods other places in the world would also be useful.

I thank you very, very much for your being here.

And we are adjourned.

[Whereupon, at 11:30 a.m., the hearing was adjourned.]

APPENDIX

Responses to Additional Questions Submitted for the Record by Members of the Committee

RESPONSES OF ASSISTANT SECRETARY CHRISTOPHER HILL TO QUESTIONS
SUBMITTED BY SENATOR JOSEPH BIDEN, JR.

FUNDING IMPLEMENTATION OF THE NUCLEAR DEAL

Question. Please keep the committee fully and currently informed regarding your funding needs for implementation and verification of North Korea's nuclear disablement and dismantlement commitments during fiscal years 2008–09. This information should include, inter alia, the likely costs, as they are developed, of: Dismantlement at Yongbyon; canning and removing North Korea's nuclear reactor fuel or spent fuel; removal of North Korea's plutonium; disablement or dismantlement costs at other sites, once North Korea makes a complete declaration of its nuclear programs; and programs to assist North Korean nuclear workers.

Answer. The Department of State's Nonproliferation and Disarmament Fund (NDF), which has "notwithstanding" authority, is currently funding phase 2 activities (disablement). However, NDF funds are limited and are not expected to be sufficient to cover phase 3 activities (dismantlement). The administration is currently developing estimates of the cost of additional USG activities in support of North Korea's denuclearization, including further disablement, dismantlement, and addressing North Korea's fissile material pursuant to North Korea's commitments in the September 2005 joint statement. We will continue to consult closely with the committee and with Congress as we refine these estimates to ensure sufficient funds for the third phase of implementation of the joint statement.

We urgently require a legislative provision authorizing the President to waive the Glenn amendment sanctions on assistance to North Korea (imposed as a result of North Korea's 2006 nuclear test). A waiver of these sanctions is necessary to permit the Department of Energy to utilize its funds to provide assistance to North Korea for denuclearization activities.

We appreciate the committee's continued support for the authorities and funding necessary to assist in the critical work of DPRK denuclearization through the six-party process.

HUMAN RIGHTS ISSUES

Question. North Korea has a very poor human rights record. In an effort to promote a dialog on human rights and mechanisms to promote greater North Korean adherence to international norms of human rights, the Congress mandated the creation of a Special Envoy for North Korean Human Rights in the North Korea Human Rights Act. The President appointed Jay Lefkowitz to the post.

Furthermore, section 106 of the North Korea Human Rights Act expresses the sense of the Congress that the United States should explore the possibility of a regional human rights dialog with North Korea that is modeled on the Helsinki Process, engaging all countries in a common commitment to respect human rights and fundamental freedoms.

- Since his appointment, what steps have been taken by Mr. Lefkowitz to visit North Korea to begin a dialog on human rights?

Answer. Special Envoy Lefkowitz planned two trips to the Kaesong Industrial Complex in North Korea in 2006, both of which we canceled following North Korea's ballistic missile and nuclear tests in July and October respectively. Special Envoy Lefkowitz planned to raise human rights issues.

Under the February 13, 2007, Six-Party Initial Actions agreement, the U.S. and DPRK agreed to start bilateral talks aimed at resolving pending bilateral issues and moving toward full diplomatic relations. The United States has made clear that dialog on the DPRK's human rights record would be part of any normalization process.

Question. Will North Korea permit Mr. Lefkowitz to come to Pyongyang or some other part of North Korea? If not, can he hold a dialog on human rights issues with DPRK officials in the United States or in a third country?

Answer. In 2006, the South Korean Government began the process of arranging the aforementioned cancelled visits by Special Envoy Lefkowitz to the Kaesong Industrial Complex in North Korea. (Kaesong is a joint project involving North Korea and South Korea.) North Korea continues to deny visitation requests from Vitit Muntarbhorn, U.N. Special Rapporteur on the Situation of Human Rights in the Democratic People's Republic of Korea. The United States would be open to conducting a dialog on human rights with the North Korean Government under appropriate circumstances. Our primary concern is the effectiveness and relevance of any dialog, not its geographic location.

Question. What coordination mechanism exists to ensure that efforts by the Special Envoy are fully consistent with efforts by the State Department to reach success at the six-party talks?

Answer. Within the State Department, the Special Envoy's office consults with the Secretary, the Under Secretary for Democracy and Global Affairs, the Bureau of East Asian and Pacific Affairs, and other relevant bureaus and offices on most communications and planning issues. Relevant offices at the National Security Council also perform coordination and oversight activities.

Question. Has the United States made any efforts to explore the applicability of the Helsinki model to the Korean Peninsula? If so, what have you discovered?

Answer. Such an approach is under review at present. A number of NGOs and former senior officials have called for devising a negotiation framework similar to that established by the Helsinki Final Act and the Organization for Security and Cooperation in Europe that grew out of the Helsinki accords. Special Envoy Lefkowitz and other senior officials have engaged in numerous discussions about this approach, and how it might apply to Northeast Asia.

The February 13, 2007, Six-Party Initial Actions agreement formed a working group on a Northeast Asia Peace and Security Mechanism, which is exploring avenues for increase security cooperation in Northeast Asia.

RESPONSES OF ASSISTANT SECRETARY CHRISTOPHER HILL TO QUESTIONS
SUBMITTED BY SENATOR ROBERT P. CASEY, JR.

Question. One of the key achievements of the six-party talks has been the complete shutdown and ongoing disablement of the nuclear reactor and related facilities at the Yongbyon site in a verifiable manner. However, some critics of the six-party talks have contended that this achievement is hollow because the Yongbyon facilities were no longer of much use. Former U.N. Ambassador John Bolton wrote in a Wall Street Journal op-ed last August: "The Yongbyon reactor is shuttered, but that reactor was not frequently operational in the recent past, and may well be at the end of, or even beyond, its useful life. The return of International Atomic Energy Agency inspectors to Yongbyon provides North Korea with a new patina of respectability, despite the near certainty that significant nuclear activity is happening anywhere but Yongbyon."

- How significant is the achievement of shutting down and sealing the nuclear reactor and other facilities at Yongbyon? How do you address critics who contend that Yongbyon was near the end of its operational life and so its permanent disablement is a hollow win for the United States and our allies?
- Does the United States have any credible reason to believe that North Korea is engaged in the reprocessing of weapons grade plutonium at any site apart from Yongbyon?

Answer. The shutting down and sealing of the three core facilities at Yongbyon, as well as the uncompleted 50-MW(e) and 200-MW(e) reactors at Yongbyon and Taechon, respectively, was a significant step because it halted the DPRK's production of fissile material at the site; that is, it is no longer producing weapons-grade materials that could be used in nuclear weapons or nuclear explosive devices. More significantly, under the October 3, 2007, Second-Phase Actions for the Implementation of the Joint Statement, the DPRK is now disabling the three core facilities at

Yongbyon—the 5-MW(e) experimental reactor, the radiochemical laboratory (reprocessing plant), and the fresh fuel fabrication plant. The disablement actions mark the first time that the DPRK has taken physical steps to disable any of its facilities and will make it difficult for the DPRK to reconstitute its plutonium production capability at Yongbyon. Upon completion, the specific disablement actions should ensure that the DPRK would have to expend significant effort and time (upward of 12 months) to reconstitute all of the disabled facilities.

U.S. experts currently overseeing disablement activities at Yongbyon have stated that in their view, if the site had not been shut down and sealed under monitoring by the International Atomic Energy Agency (IAEA), the facility could have remained operational and would have continued to produce additional fissile material. Indeed, the 5-MW(e) reactor was in operation and producing plutonium up until the date of its shutdown, and several areas of the fuel rod fabrication facility were also in operation until mid-July. Although the reprocessing plant was not in operation at that time, it had operated as recently as 2005 when the DPRK unloaded and reprocessed its previous core load of spent fuel.

If the core facilities had not been shut down in July 2007, the DPRK could have produced enough additional plutonium for several more nuclear weapons. Department of Energy experts found no indications that the site was at the end of its operational life.

The question of possible sites other than Yongbyon that North Korea could use to reprocess weapons grade plutonium should be addressed to the Office of the Director of National Intelligence.

Question. If North Korea finally does provide a comprehensive nuclear declaration listing their nuclear facilities, materials, and programs, the United States, other six-party members, and the International Atomic Energy Agency will need to verify the declaration and establish ongoing monitoring efforts to ensure that North Korea does not resume a weapons program.

- Can you describe the status of the administration's planning efforts with respect to a comprehensive verification regime to ensure that North Korea fully declares and dismantles its nuclear weapons program?
- Everyone recognizes that the North Korean regime is paranoid and tightly holds information. Can we achieve successful verification of North Korea's nuclear disarmament efforts under the current North Korean regime? Is it possible to devise verification measures that give the United States and the international community confidence that North Korea has disarmed, but at the same time are not perceived as a threat to the regime in Pyongyang?
- Are the current disablement procedures of North Korea's facilities at Yongbyon being undertaken in a way that preserves our opportunity to verify past DPRK actions?
- What is the proper role for the International Atomic Energy Agency in a permanent verification regime for North Korea? Will the six-party partners continue to take the lead in implementing such measures, or should the IAEA eventually assume a leadership role?

Answer. As part of the September 19, 2005, joint statement, the six parties reaffirmed that the goal of the six-party talks is the verifiable denuclearization of the Korean Peninsula in a peaceful manner. Accordingly, the United States continues to develop plans to effectively verify North Korean denuclearization. The first, and very important, step is for the DPRK to provide a complete and correct declaration of all its nuclear programs in accordance with the February 13 and October 3 agreements. The declaration should account for all DPRK nuclear programs, materials, and facilities, as well as any proliferation activities. Other verification activities will depend on what is agreed to with the six parties.

Verification can be achieved through a variety of methods and technologies, including physical access, nuclear and environmental sample analysis, interviews with DPRK nuclear scientists, waste volume verification, and reviews of facility production and operation records.

In addition, the International Atomic Energy Agency (IAEA) has extensive experience in conducting nuclear materials accounting and surveillance activities and would have an important role in monitoring facilities in the DPRK. However, the Agency's role must necessarily be limited appropriately in the areas of weapons and weaponization, in light of the Nuclear Non-Proliferation Treaty (NPT).

Though challenging, verification of the DPRK's denuclearization is an important task that will require resourceful application of the best effort we can put forward, the help and assistance of other nations and entities such as the IAEA, as well as North Korean cooperation. The DPRK is aware that verification is a crucial part of denuclearization called for by the joint statement.

The goal of verification is both to confirm the completeness and correctness of the DPRK's declaration and to confirm that the DPRK has fulfilled its denuclearization commitments. Verification is necessary to achieve the full implementation of the September 19, 2005, joint statement, under which the DPRK also committed to return to the NPT and IAEA safeguards. As I have stated previously, with full denuclearization, many things are possible, and the United States is prepared to follow through with its commitments under the joint statement, and the February 13 Initial Actions and October 3 Second-Phase Actions for the Implementation of the Joint Statement, as the DPRK meets its obligations. The DPRK must understand that verification will help to bring about the implementation of the joint statement, which offers a clear path to a positive future on the Korean Peninsula.

U.S. nuclear experts specifically recommended disablement activities so as to have a minimal impact on the verification process. We are confident that, with the verification approaches described above, the disablement activities conducted thus far will have little adverse effect on verification and, at the same time, will ensure that the DPRK would have to expend significant effort and time (upward of 12 months) to reconstitute all of the disabled facilities.

In the September 19, 2005, joint statement, North Korea committed itself to "returning, at an early date, to the NPT and IAEA safeguards." Consistent with NPT requirements, the United States believes the IAEA should play an important role in the implementation of the September 2005 joint statement, including verification of the DPRK's declaration, disablement activities, and dismantlement activities. A full accounting of North Korea's nuclear material by the IAEA will smooth the way for North Korea's return to the NPT as a nonnuclear-weapons state in good standing.

Question. Has North Korea made the "strategic decision" to surrender its nuclear weapons capability? Or is the regime still hedging its bets, waiting to see if the United States, South Korea, China, and Russia live up to their commitments?

Answer. Under the September 19, 2005, joint statement, the DPRK committed to abandoning all nuclear weapons and existing nuclear programs and returning, at an early date, to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and to International Atomic Energy Agency (IAEA) safeguards. The DPRK, per the February 13, 2007, "Initial Actions for the Implementation of the Joint Statement," shut down and sealed the core nuclear facilities at Yongbyon and invited back the IAEA to conduct monitoring and verification activities, as provided for in the February 13 agreement. Under the October 3, 2007, "Second-Phase Actions for Implementation of the Joint Statement," the DPRK agreed to disable all existing nuclear facilities subject to abandonment under the September 2005 joint statement and February 13 initial actions agreement, beginning by disabling the three core facilities at Yongbyon by the end of 2007.

Disablement of the three core facilities at Yongbyon—the 5-MW(e) nuclear reactor, reprocessing plant, and fuel rod fabrication facility—is proceeding well and most of the agreed tasks have been completed. We are still awaiting from the DPRK its provision of a complete and correct declaration of all its nuclear programs, which was due by the end of 2007. Upon completion of the "second phase" actions we intend to move on to the next phase toward full implementation of the September 19, 2005, joint statement, under which the DPRK committed to abandoning all its nuclear weapons and existing nuclear programs. The United States will continue to honor its commitments according to the principle of "action-for-action"; as the DPRK fulfills its commitments, the United States and other parties will also fulfill theirs.