

Policy Frameworks for Countering Weapons of Mass Destruction

Statement of

William J. Perry
Co-Director, Preventive Defense Project
Stanford University

and

Brent Scowcroft
President, Forum for International Policy
and
President, The Scowcroft Group

before

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Mr. Chairman and Members of the Committee, thank you for inviting me and my good friend Brent Scowcroft to kick off this hearing on *Nonproliferation and Arms Control: Strategic Choices*. Brent could not be here today, but he asked me to make this brief opening statement on behalf of both of us.

First of all, Brent and I commend the Committee for addressing itself to this topic, which is the most important security imperative of our era and which President Bush has succinctly posed as the need to “keep the worst weapons out of the hands of the worst people.”

Brent and I have long worked together on issues involving WMD. Initially our concern was, of course, the nuclear arsenals of the cold war superpowers and their potential to unleash destruction on a scale that would almost literally have wiped out civilization. I was a member of the Scowcroft Commission during the Reagan administration that assessed the options for maintaining a nuclear deterrent to Soviet attack that was strong and, at the same time, survivable and stabilizing.

For a time Brent and I co-chaired the bipartisan Aspen Strategy Group, which has counted among its members over the years many important thinkers about U.S. national security, including Vice Presidents Cheney and Gore, National Security Advisor Condi Rice, and you yourself, Mr. Chairman, as well as Senators Hagel and Brownback of this

Committee, and Senators Reed and Hutchison. This past summer the four of us making statements before you today – Brent and myself, Ash Carter, and Arnie Kanter, all members of the Aspen Strategy Group – were reflecting on how the WMD problem has changed from the cold war days. Out of that discussion came our proposal, detailed in the *New York Times* op-ed attached to my statement, to strengthen the Nuclear Non-proliferation Treaty regime to deal better with such serious problems as the Iranian nuclear program. A national and indeed international debate on this proposal, and what we hope would be swift adoption of it in some form, is an example of the kind of policy response to the WMD threat that the series of hearings being launched today can catalyze. I was pleased that President Bush included this concept in his recent speech at National Defense University.

Mr. Chairman, I would like to make two principal points on our behalf in opening this hearing.

The first is to stress the grave importance of this problem and the utmost priority that should be given to it in U.S. national security policy. It is not alarmism but cold reality that without vigorous U.S. counterproliferation efforts a nuclear weapon might explode on U.S. soil sometime in coming years. Such an event – or even an ever-present knowledge that nuclear weapons were “loose” in the hands of terrorists – would transform the way we live. Who would wish to live or work within the concentric rings of progressive destruction around this Capitol if we came to believe that a nuclear detonation here was possible any minute? Yet we could face this knowledge in the future if only a fraction of the fissile material already made, let alone that which may be in the making in such places at North Korea, fell into the hands of the many who would use it – without warning, without remorse, and without fear of retaliation. America’s national security leaders owe our people freedom from this fear, above all else.

Second, there is no silver bullet of policy to stop proliferation of WMD – neither preemption, nor arms control, nor export controls, nor diplomacy, nor missile defense, nor deterrence, nor any other single tool. The point so often missed in debate over this central security problem is that we need, in one way or another, all of these approaches. The problems of WMD spread to state and non-state actors are different in different places, and the variety of the problems must be matched with a variety of approaches. The magnitude of the problem requires that we leave no option out of our consideration. We need to be strengthening each and every one of our counterproliferation tools. Some of our approaches date back decades and, like the NPT example I gave above, are in need of fundamental overhaul.

Mr. Chairman and Members of the Committee, we need a war on WMD as vigorous as the war on terrorism. Like the war on terrorism, the war on WMD requires strong U.S. leadership but cannot be accomplished by U.S. action alone. The Committee’s effort to frame the agenda for a comprehensive, stronger, and global approach to protecting the U.S. from WMD is exactly what is needed at this time, and Brent Scowcroft and I are pleased to share today in your effort.

WILLIAM J. PERRY

William J. Perry is the Michael and Barbara Berberian Professor at Stanford University, with a joint appointment in the School of Engineering and the Institute for International Studies where he is Co-director of the Preventive Defense Project, a research collaboration of Stanford and Harvard Universities. His previous academic experience includes Professor (half-time) at Stanford from 1988 until 1993, during which time he was the Co-director of the Center for International Security and Arms Control.

Dr. Perry was the 19th Secretary of Defense for the United States, serving from February 1994 to January 1997. His previous government experience was as Deputy Secretary of Defense (1993-1994) and as Under Secretary of Defense for Research and Engineering (1977-1981). He has received numerous distinguished awards for his public service including the Presidential Medal of Freedom Award.

BRENT SCOWCROFT

Lieutenant General Brent Scowcroft, USAF (Ret.), is the founder and President of The Forum for International Policy, a non-partisan, non-profit organization providing independent perspectives and opinions on major foreign policy issues, based on a commitment to active, thoughtful American global leadership. He is also President of The Scowcroft Group, Inc., an international business consulting firm.

General Scowcroft served as Assistant to the President for National Security Affairs to Presidents Ford and Bush. He also served as Military Assistant to President Nixon and as Deputy Assistant to the President for National Security Affairs to Presidents Ford and Nixon. Prior to joining the Bush Administration, General Scowcroft was Vice Chairman of Kissinger Associates, Inc. He serves as a Director on the boards of Qualcomm Corporation and the American Council on Germany. He also serves on the University of California President's Council on the National Laboratories.

In the course of his military career, General Scowcroft has held positions in the Organization of the Joint Chiefs of Staff, Headquarters of the U.S. Air Force, and the Office of the Assistant Secretary of Defense for International Security Affairs. Other assignments included faculty positions at the U. S. Air Force Academy and the U.S. Military Academy at West Point, and Assistant Air Attache in the American Embassy in Belgrade, Yugoslavia.

General Scowcroft has chaired or served on a number of policy advisory councils, including the President's General Advisory Committee on Arms Control, the President's Commission on Strategic Forces, the President's Blue Ribbon Commission on Defense Management, the Defense Policy Board, and the President's Special Review Board (Tower Board) investigating the Iran-Contra affair. He currently serves as Chairman of the President's Foreign Intelligence Advisory Board (PFIAB) and Chairman of the American-Turkish Council (ATC). He is also a Member of the Board of the Gerald R.

Ford Foundation, the George C. Marshall Foundation, the Center for Strategic and International Studies (CSIS), the Atlantic Council of the United States, the International Republican Institute, and the National Defense University. He is also Chairman of the Board of the CSIS/Pacific Forum and the Bush Presidential Library Foundation. He also serves as an Advisory Board Member of Columbia University's School of International and Public Affairs, Honorary Advisor to the U.S.-Azerbaijan Chamber of Commerce, and Honorary Advisor for the National Committee on United States-China Relations' Young Leaders Forum.

General Scowcroft had an aeronautical rating as a pilot and has numerous military decorations and awards. In addition, President Bush presented him with the Medal of Freedom Award in 1991. In 1993, he was presented with the insignia of an Honorary Knight of the British Empire (K.B.E.) by Her Majesty Queen Elizabeth at Buckingham Palace.

General Scowcroft was born in Ogden, Utah. He received his undergraduate degree and commission into the Army Air Forces from the U.S. Military Academy at West Point. He has an M.A. and Ph.D. from Columbia University.

General Scowcroft was married to the late Marian Horner Scowcroft and has one daughter.

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Good Nukes, Bad Nukes

By ASHTON B. CARTER, ARNOLD KANTER, WILLIAM J. PERRY and BRENT SCOWCROFT

The Nuclear Nonproliferation Treaty is arguably the most popular treaty in history: except for five states, every nation in the world is part of it. For more than three decades, it has helped curb the spread of nuclear weapons.

Since 9/11, however, and especially in the last several months, the viability of the treaty has been called into question. Some say it is obsolete. Others say it is merely ineffective. In support of its argument each side cites the situation in Iran, which has been able to advance a nuclear weapons program despite being a member of the treaty.

The Iranian nuclear program — and, to a lesser extent, the activities of Libya, which has also signed the treaty but announced last week it would give up all illegal weapons programs — highlight both the utility and the limitations of the treaty. It is not obsolete; if the treaty did not exist, we almost certainly would want to invent it. At the same time, it would be a mistake to rely on it exclusively to address the problem of nuclear proliferation.

Those who say the treaty is useless argue that the bad guys either don't sign the treaty, or they do and then cheat. The good guys sign and obey, but the treaty is irrelevant for these countries because they have no intention of becoming nuclear proliferators in the first place.

This all-or-nothing argument is wrong. First, it fails to acknowledge that there is an important category in between good guys and bad guys. For these in-betweens — countries like Ukraine, Kazakhstan, South Africa, Argentina or South Korea — the weight of international opinion against proliferation expressed in the treaty has contributed to tipping the balance of decision-making against having nuclear weapons.

Second, the treaty does have an impact even on "bad guys" like Iraq, Iran and North Korea. When the United States moves against such regimes, it does so with the support of the global opprobrium for nuclear weapons that the treaty enshrines.

This consensus undergirds the multilateral approach that is under way to resolve the North Korean nuclear issue, and was at the heart of the international pressure that persuaded Tehran to increase the transparency of its nuclear program. Even in the divisive case of Iraq, no one argued that Saddam Hussein should be left alone with weapons of mass destruction.

Yet the treaty is not perfect. It allows, for example, nations that forswear nuclear weapons to develop nuclear power for peaceful purposes. Signatories may build and operate nuclear power reactors, and they are permitted to produce enriched uranium that fuels the reactors, to store the radioactive spent fuel from those reactors, and to reprocess

that spent fuel. The only specific obligations are that signatories declare these plants to the International Atomic Energy Agency and permit the agency to inspect them.

The problem is that this "closed fuel cycle" gives these countries the inherent capacity to produce the fissile material required for a nuclear weapon. Facilities used to produce enriched uranium for power reactors can also be used to produce enriched uranium for weapons. Reprocessing spent fuel yields plutonium that can be fashioned into nuclear weapons.

As North Korea and Iran demonstrate, regimes that intend to violate the treaty's ban on nuclear weapons can exploit this right to operate a nuclear power plant. While seeming to remain within the terms of the treaty, they can gather all the resources necessary to make nuclear weapons. Then they can abrogate the treaty and proceed to build a nuclear arsenal.

The world should renew its determination to curb the spread of nuclear weapons by supplementing the current treaty with additional inducements and penalties. The key is to draw a distinction between the right to a peaceful civilian nuclear power program and the right to operate a closed fuel cycle. The first should be preserved — and perhaps enhanced — but the second should be seriously discouraged, if not prohibited.

How might such a system work? In addition to their treaty obligations, those countries seeking to develop nuclear power to generate electricity would agree not to manufacture, store or reprocess nuclear fuel. They also would agree to submit to inspections (probably under the atomic energy agency) to verify their compliance.

Those countries that now sell peaceful nuclear technology in accordance with the treaty, meanwhile, would agree not to provide technology, equipment or fuel for nuclear reactors and related facilities to any country that will not renounce its right to enrich and reprocess nuclear fuel, and agree not to sell or transfer any equipment or technology designed for the enrichment or reprocessing of nuclear fuel. At the same time, these countries would agree to guarantee the reliable supply of nuclear fuel, and retrieval of spent fuel at competitive prices, to those countries that do agree to this new arrangement.

We might also consider sanctions on those countries that nevertheless choose to pursue a closed fuel cycle. Whatever the precise content and form of these undertakings, it would probably be better to treat them as a companion to that treaty, rather than embark on the complicated and controversial process of amending it.

Why would any countries that want to develop a peaceful nuclear power program agree to such a bargain? One blunt answer is that if these restrictions were put in place, these countries would have virtually no choice, because developing the necessary technology from scratch is a daunting task. Refusing the arrangement would open them up to international scrutiny and pressure. On the other hand, any country that was truly interested in developing nuclear power for peaceful purposes would undoubtedly welcome a guaranteed supply of nuclear fuel.

And why would countries that now supply nuclear technology be interested? First, no nation in this category has any interest in adding any country to the roster of the world's nuclear states. Second, over time, there probably is more money to be made in nuclear fuel services than in nuclear reactors.

Iran provides an excellent opportunity to test this approach. Building on the progress recently announced in Tehran, the United States should propose that Russian plans to help Iran build a network of civilian nuclear power reactors be permitted to proceed —

provided that Iran enters into a verifiable ban on its enrichment and reprocessing abilities, and into an agreement to depend instead on a Russian-led suppliers' consortium for nuclear fuel services.

The Russians would be likely to embrace such a proposal for commercial and political reasons, and the Iranians would be confronted with a clear test of whether they harbor nuclear weapons ambitions. Britain, France and Germany, whose foreign ministers recently proposed a similar scheme to Iran, would need only to avoid the temptation to undercut the Russians on behalf of their own nuclear industry. And the United States could reap the benefits of offering a constructive initiative to address the Iranian nuclear problem.

Of course, this new arrangement would hardly be a cure-all. And making it work would be difficult. But at a time when its effectiveness and relevance are being questioned, such an approach would strengthen the treaty by furthering its goals: preventing the spread of nuclear weapons while promoting the development of peaceful nuclear energy.

William J. Perry and Ashton B. Carter were secretary of defense and assistant secretary of defense, respectively, in the Clinton administration. Brent Scowcroft and Arnold Kanter were national security adviser and under secretary of state, respectively, in the administration of George H. W. Bush.