

April 21, 2010

Verbatim, as delivered

Chairman Berman's opening remarks at hearing, "Stopping the Spread of Nuclear Weapons, Countering Nuclear Terrorism: The NPT Review Conference and the Nuclear Security Summit"

We are all very fortunate that nuclear weapons have not been used for nearly 65 years. For most of that time, these fearsome weapons were confined to a handful of states. Their use was limited – although sometimes just barely – by the Cold War doctrines of deterrence and Mutual Assured Destruction.

But the world has changed dramatically over those six decades. As President Obama noted in his Prague speech last spring, I quote:

"Today, the Cold War has disappeared, but thousands of those weapons have not. In a strange turn of history, the threat of global nuclear war has gone down, but the risk of a nuclear attack has gone up. More nations have acquired these weapons. Testing has continued. Black market trade in nuclear secrets and nuclear materials abound. The technology to build a bomb has spread. Terrorists are determined to buy, build or steal one. Our efforts to contain these dangers are centered on a global non-proliferation regime, but as more people and nations break the rules, we could reach the point where the center cannot hold.", unquote.

In short, the global nuclear nonproliferation regime faces three fundamental challenges: enforcement; a crisis of confidence; and the three "T's" – theft, trafficking, and terrorism.

To be effective, the regime's obligations and norms must be enforceable, with swift and sure punishment for serious sanctions.

As we all know, North Korea was able to accumulate several bombs-worth of plutonium and build crude nuclear devices – and likely began a uranium enrichment program, aided by A.Q. Khan's nuclear trafficking network.

And Iran's secretly built multiple uranium enrichment facilities – also with assistance from Khan. According to official estimates, it could produce enough weapons-grade uranium for one bomb within one year of expelling IAEA inspectors – assuming Iran doesn't have a covert enrichment program.

Both nations pursued these clandestine activities while they were members of the Treaty on the Non-Proliferation of Nuclear Weapons, the corner-stone of the global nuclear nonproliferation regime.

If these states are able to escape significant punishment – in the form of crippling sanctions, international isolation, or other decisive action – until their nuclear weapons capabilities and ambitions are halted and reversed, the result could well be a cascade of new nuclear aspirants, and the collapse of the NPT and the entire regime.

The second challenge springs, in part, from the first; the NPT and the nuclear nonproliferation regime are facing a "crisis of confidence" on many fronts. Both developed and developing states – especially those threatened by North Korea and Iran – question whether the regime can really prevent, punish or roll-back nuclear proliferators.

And developing countries wonder if the regime really will promote their access to civil nuclear applications, while fostering the eventual disarmament of the five recognized "Nuclear Weapon States."

The third challenge to the regime is one it was never designed to counter: the actions of criminals and terrorists to steal or traffic in the means to produce and to use a nuclear or radiological weapon. Unsecured or poorly-secured nuclear-weapons-related material and radioactive material are abundant worldwide.

Today's hearing is intended to assess how the United States and the international community can counter these threats through multilateral cooperation. We will focus on two events: the just-concluded Nuclear Security Summit and the NPT Review Conference to come next month.

At last week's global Nuclear Security Summit, 47 countries committed to securing all sensitive nuclear materials from theft and use by terrorists in four short years.

The communiqué and work plan issued at the conclusion of the Summit constitute a necessary first step – but only the first step – in accomplishing this ambitious goal. There will be a formal follow-up meeting six months from now, and a second Summit in two years.

Some have dismissed the Nuclear Security Summit for accomplishing too little in two days. But these critics confuse the first step with the journey itself.

The second major focus of this hearing will be the NPT Review Conference that begins in less than two weeks.

This convocation of all 189 members of the NPT happens once every five years. As often as not, these meetings have been riven by controversy, deepening the crisis of confidence in the efficacy of the nuclear nonproliferation regime as a whole. A successful conference – particularly one united in its condemnation of Iran's nuclear programs – is absolutely essential.

To accomplish this requires leadership, especially from the United States. And an essential part of credible leadership is practicing what one preaches.

For many years, other states have been able to duck their own responsibilities in sustaining the nonproliferation regime by claiming that the United States has not done enough to reduce its own nuclear weapons arsenal to fulfill its commitment under the NPT toward disarmament.

These states will have a tougher case to make after the other events of the last two weeks.

We've witnessed the long-anticipated signature of a new U.S.-Russia strategic arms reduction treaty that cuts the arsenals of both countries by about 30%, and re-establishes and streamlines the crucial monitoring and verification regime that terminated when the START I treaty expired in December.

We've also seen the issuance of a new U.S. Nuclear Posture Review Report that for the first time elevates halting the spread of nuclear weapons and preventing nuclear terrorism to a core mission of U.S. nuclear strategy. The NPR also strengthened the U.S. assurance not to use or threaten use of nuclear weapons against NPT countries that were compliant with their obligations under that treaty.

Critics have complained that the "New START" treaty does too much, or too little; that the Russians got more from it than we did – although many Russians claim the reverse; and that it will limit our ballistic missile defenses – except that it doesn't.

Critics of the Nuclear Posture Review have also complained that it does too much or too little, although the respected Democrat and Republican statesmen who led the Congressional Commission on the Strategic Posture of the United States, former Secretaries of Defense James Schlesinger and William Perry, have pronounced it, "just right."

We have taken these steps because it's in the U.S. national security interest to do so. The U.S., and Russia, are better off with fewer nuclear weapons – a position strongly supported by Defense Secretary Gates and Admiral Mullen, Chairman of the Joint Chiefs of Staff. And the U.S. – and Russia, and France, the U.K. and China – have all pledged not to use nuclear weapons against non-nuclear states because these "negative security assurances" helps us build international support to strengthen the nuclear nonproliferation regime.