

STATEMENT OF INTRODUCTION

THE NUNN-LUGAR/CTR EXPANSION ACT: AUTHORIZATION FOR NUNN-LUGAR TO BE USED OUTSIDE THE STATES OF THE FORMER SOVIET UNION

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Mr. President, I rise today to introduce the Nunn-Lugar/CTR Expansion Act. My bill would authorize the Secretary of Defense to use up to \$50 million of unobligated Nunn-Lugar/Cooperative Threat Reduction funds for non-proliferation projects and emergencies outside the states of the former Soviet Union.

In 1991, I introduced the Nunn-Lugar/Cooperative Threat Reduction legislation with former Senator Sam Nunn of Georgia. The program was designed to assist the states of the former Soviet Union in dismantling weapons of mass destruction and establishing verifiable safeguards against the proliferation of those weapons. For more than ten years the Cooperative Threat Reduction Program has been our country's principal response to the proliferation threat that resulted from the disintegration of the custodial system guarding the Soviet nuclear, chemical, and biological legacy.

The Nunn-Lugar program has destroyed a vast array of former Soviet weaponry, including 443 ballistic missiles, 427 ballistic missile launchers, 92 bombers, 483 long-range nuclear air-launched cruise missiles, 368 submarine ballistic missile launchers, 286 submarine launched ballistic missiles, 21 strategic missile submarines, 194 nuclear test tunnels, and 5,809 nuclear warheads that were mounted on strategic systems aimed at us. All this has been accomplished at a cost of less than one-third of one percent of the Department of Defense's annual budget. In addition, Nunn-Lugar facilitated the removal of all nuclear weapons from Ukraine, Kazakstan, and Belarus.

Nunn-Lugar also has launched aggressive efforts to safeguard and eliminate the former Soviet chemical and biological weapons arsenals. The Nunn-Lugar Program has been used to upgrade the security surrounding these dangerous substances and to provide civilian employment to tens of thousands of Russian weapons scientists. We are now beginning efforts to construct facilities that will destroy the Russian arsenal of chemical warheads.

The continuing experience of Nunn-Lugar has created a tremendous non-proliferation asset for the United States. We have an impressive cadre of talented scientists, technicians, negotiators, and managers working for the Defense Department and for associated defense contractors. These individuals understand how to implement non-proliferation programs and how to respond to proliferation emergencies. The bill I am introducing today would permit and facilitate the use of Nunn-Lugar expertise and resources when non-proliferation threats around

the world are identified.

The Nunn-Lugar/CTR Expansion Act would be a vital component of our national security strategy in the wake of the September 11 attacks. The problem we face today is not just terrorism. It is the nexus between terrorists and weapons of mass destruction. There is little doubt that Osama bin Laden and Al-Qaeda would have used weapons of mass destruction if they had possessed them. It is equally clear that they have made an effort to obtain them.

The Al-Qaeda terrorist attacks on the United States were planned to kill thousands of people indiscriminately. The goal was massive destruction of institutions, wealth, national morale, and innocent people. We can safely assume that those objectives have not changed. As horrible as the tragedy of September 11th was, the death, destruction, and disruption to American society was minimal compared to what could have been inflicted by a weapon of mass destruction.

Victory in this war must be defined not only in terms of finding and killing Osama bin Laden or destroying terrorist cells in this or that country. We must also undertake the ambitious goal of comprehensively preventing the proliferation of weapons of mass destruction.

Let me propose a fairly simple and clear definition of victory. Imagine two lists. The first list is of those nation-states that house terrorist cells, voluntarily or involuntarily. Those states can be highlighted on a map illustrating who and where they are. Our stated goal will be to shrink that list nation by nation. Through intelligence sharing, termination of illicit financial channels, support of local police work, diplomacy, and public information, a coalition of nations led by the U.S. should seek to root out each cell in a comprehensive manner for years to come and maintain a public record of success that the world can observe and measure. If we are diligent and determined, we can terminate or cripple most of these cells.

But there should also be a second list. It would contain all of the states that possess materials, programs, or weapons of mass destruction. We should demand that each of these nation-states account for all of the materials, programs, and weapons in a manner that is internationally verifiable. We should demand that all such weapons and materials be made secure from theft or threat of proliferation, using the funds of that country and supplemented by international funds if required. We should work with each nation to formulate programs of continuing accountability and destruction.

Victory, then, can be succinctly stated: we must keep the world's most dangerous technologies out of the hands of the world's most dangerous people. This requires diligent work that shrinks both lists. Both lists should be clear and finite. The war against terrorism will not be over until all nations on the lists have complied with these standards.

Despite the tremendous progress realized by the Nunn-Lugar program in the former Soviet Union, the United States continues to lack even minimal international confidence about many foreign weapons programs. In most cases, there is little or no information regarding the

number of weapons or amounts of materials a country may have produced, the storage procedures they employ to safeguard their weapons, or plans regarding further production or destruction programs. We must pay much more attention to making certain that all weapons and materials of mass destruction are identified, continuously guarded, and systematically destroyed.

As the United States and our allies have sought to address the threats posed by terrorism and weapons of mass destruction in the aftermath of September 11, we have come to the realization that, in many cases, we lack the appropriate tools to address these threats. Traditional avenues of approach such as arms control treaties and various multilateral sanction regimes have met with some success, but there is still much work to do. In some cases, it is unlikely that the existing multilateral frameworks and non-proliferation tools retain much utility. In fact, several nations have announced their intention to continue to flout international norms such as the Non-Proliferation Treaty.

Beyond Russia and other states of the former Soviet Union, Nunn-Lugar-style cooperative threat reduction programs aimed at weapons dismantlement and counter-proliferation do not exist. The ability to apply the Nunn-Lugar model to states outside the former Soviet Union would provide the United States with another tool to confront the threats associated with weapons of mass destruction.

The precise replication of the Nunn-Lugar program will not be possible everywhere. Clearly, many states will continue to avoid accountability for programs related to weapons of mass destruction. When nations resist such accountability, other options must be explored. When governments continue to contribute to the WMD threat facing the United States, we must be prepared to apply diplomatic and economic power, as well as military force.

Yet we should not assume that we cannot forge cooperative non-proliferation programs with some critical nations. The experience of the Nunn-Lugar program in Russia has demonstrated that the threat of weapons of mass destruction can lead to extraordinary outcomes based on mutual interest. No one would have predicted in the 1980s that American contractors and DOD officials would be on the ground in Russia destroying thousands of strategic systems. If we are to protect ourselves during this incredibly dangerous period, we must create new non-proliferation partners and aggressively pursue any non-proliferation opportunities that appear. The Nunn-Lugar/CTR Expansion Act would be a first step down that road. Ultimately, a satisfactory level of accountability, transparency, and safety must be established in every nation with a WMD program.

My legislation is designed to empower the Administration to respond to both emergency proliferation risks and less-urgent cooperative opportunities to further non-proliferation goals. When the Defense Department identifies a non-proliferation opportunity that is not time sensitive -- when the near-term threat of diversion or theft is low -- it should consult with Congress. In such a scenario my bill would require the Secretary of Defense to notify the appropriate Congressional entities of his intent to utilize unobligated Nunn-Lugar funds and to describe the legal and diplomatic framework for the application of non-proliferation assistance.

Congress would have time to review the proposal and consult with the Department of Defense. This process would closely parallel the existing notification and obligation procedures that are in place for Nunn-Lugar activities in the former Soviet Union.

However, proliferation threats sometimes require an instantaneous response. If the Secretary of Defense determines that we must move more quickly than traditional consultation procedures allow, my legislation provides the Pentagon with the authority to launch emergency operations. We must not allow a proliferation or WMD threat to “go critical” because we lacked the foresight to empower DOD to respond. In the former Soviet Union the value of being able to respond to proliferation emergencies has been clearly demonstrated. Under Nunn-Lugar the U.S. has undertaken time-sensitive missions like Project Sapphire in Kazakstan and Operation Auburn Endeavor in Georgia that have kept highly vulnerable weapons and materials of mass destruction from being proliferated.

This type of scenario does not mean Congress will abandon its oversight responsibilities; the Secretary of Defense will be required to report to the appropriate Congressional entities within 72 hours of launching of a mission describing the emergency and the conditions under which the assistance was provided. The review process permits Congress to investigate the incident and decide if the authority needs to be restricted or amended.

In consulting with the Administration on this legislation, we explored how to create the flexibility necessary to respond to WMD threats while protecting Congressional prerogatives and maintaining the necessary checks and balances. Accordingly, I have included several conditions beyond the strenuous reporting requirements.

First, my bill permits the Secretary of Defense to provide equipment, goods, and services but does not include authority to provide cash directly to the project or activity. This preserves one of the basic tenets of the program: Nunn-Lugar is not foreign aid. In fact, more than 80 percent of Nunn-Lugar funds have been awarded to American firms to carry out dismantlement and non-proliferation assistance programs in the former Soviet Union.

The bill also requires the Secretary of Defense to avoid singling out any particular existing Nunn-Lugar project as an exclusive or predominate source of funds for emergency projects outside the former Soviet Union. In other words, it is my intent that the Pentagon utilize resources from a number of different Nunn-Lugar projects so as to reduce any impact on the original, on-going Nunn-Lugar program in the former Soviet Union. The Secretary also is required -- to the maximum extent practicable -- to replace any program funds taken for emergency operations in the next annual budget submission or supplemental appropriations request.

Lastly, if the Pentagon employs the emergency authority to carry out non-proliferation or dismantlement activities in two consecutive years in the same country, the Secretary of Defense must submit another report to Congress. This report would analyze whether a new Nunn-Lugar-style program should be established with the country in question. If the Pentagon has

successfully carried out cooperative threat reduction activities two years in a row with a country, we should explore how to expand this cooperation. We should also recognize that where sustained cooperation has been developed it is likely to be more efficient to provide assistance through an established Nunn-Lugar-style program.

The Nunn-Lugar/CTR Expansion Act can make valuable contributions to the implementation of the war on terrorism and our non-proliferation policy. It is not a silver bullet, and it cannot be used in every circumstance, but it is our best option in carrying out cooperative non-proliferation activities outside the former Soviet Union.

There are always risks when expanding a successful venture into new areas, but we must give the Administration every opportunity to interdict and neutralize the proliferation of weapons of mass destruction. This new venture, like its predecessor, will take time to organize and to establish operating procedures. But I am hopeful that a decade from now, we will look back on this effort and rejoice in our persistent and successful efforts to provide greater security for our country and the world at critical moments of decision.

I ask my colleagues to join with me in passing this important legislation. Thank you, Mr. President, and I yield the floor.