

**ON THE EVE OF THE SUMMIT:  
OPTIONS FOR U.S. DIPLOMACY ON  
NORTH KOREA**

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**HEARING**

BEFORE THE  
**SUBCOMMITTEE ON ASIA AND  
THE PACIFIC AND  
NONPROLIFERATION**

OF THE

**COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES**

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## ON THE EVE OF THE SUMMIT: OPTIONS FOR U.S. DIPLOMACY ON NORTH KOREA

Tuesday, February 26, 2019

HOUSE OF REPRESENTATIVES  
SUBCOMMITTEE ON ASIA, THE PACIFIC, AND  
NONPROLIFERATION  
COMMITTEE ON FOREIGN AFFAIRS  
*Washington, DC*

The subcommittee met, pursuant to notice, at 10:15 a.m., in Room 2172 Rayburn House Office Building, Hon. Brad Sherman, (chairman of the subcommittee) presiding.

Chairman SHERMAN. The consensus here seems to be that we can start. I know that Ranking Member Yoho will be watching this on video and on his—yes, on the way, and I am confident that my opening statement will take longer than it takes him to get here.

I want to welcome all of our colleagues to this first subcommittee meeting of the congressional session for the Subcommittee on Asia, the Pacific, and Nonproliferation.

We could not ask for a more timely hearing with the president in Vietnam and Kim Jong-Un having just arrived there by train.

We could not ask for a more distinguished panel, including Governor Bill Richardson, who is famous for negotiating, and negotiating successfully, with North Korea, as well as Victor Cha, who has negotiated with the North as well.

I and the ranking member will give opening statements for 5 minutes and then whichever subcommittee members wish to make an opening statement will be allocated 2 minutes.

Whether we are safer now than we were in June 2018 when the Singapore Summit was held and what can be done in Hanoi that will make us safer, these are the two questions that we ought to address.

In the first year of his presidency, President Trump ratcheted up the rhetoric to an extreme level—“little rocket man,” et cetera. This rhetoric was matched by the North Korean rhetoric and there were some that worried that it could lead to a kinetic war.

Trump stopped the extreme rhetoric. Now things are calmer—that dialing things up and then dialing them back is hardly a great accomplishment. The facts are these. When Trump took over, North Korea had yet to demonstrate a hydrogen bomb.

Now they have. During the Trump presidency, 20—the North has created enough fissile material for perhaps 20 additional bombs, perhaps eight additional bombs worth of fissile material created just since the Singapore Summit.

I am not sure we are safer. Now, we have had a period without testing. But that is hardly unusual. The North conducted no nu-

clear tests from 1994 to 2002 and from 2007 to 2013 they suspended their missile testing from 2009 to 2013. So a pause in testing of merely a year is not unusual.

What is unusual is this. In the past, pauses in testing may have slowed down their program. Whereas now Kim Jong-Un said last April he does not need any additional tests. He has already developed his hydrogen weapon and his ICBM.

Several hostages have been released by North Korea. But we have with us a witness who was able to secure the release of a like number of hostages without making concessions to the North Korean government and the remains of several service members have been turned over to the United States.

But, once again, we have a witness here who did that without making any concessions. Perhaps you should write a book called "The Art of the Deal."

But, more importantly, much larger numbers of the remains of our servicemen were turned over to us during the Clinton and Bush Administrations.

We have made enormous concessions to North Korea. First, Kim has stood on the same level as the most powerful man in the world. Second, we have weakened our sanctions in two ways. First, the very act of the summit signals to businesses around the world that they can do business with North Korea.

And second, we have not sanctioned major Chinese banks. Mr. Yoho and I, with him as chairman, both in 2017 and again in 2018, of this subcommittee sent letters to the administration demanding that the major Chinese banks be sanctioned, not just the tiny ones, and we have received no substantive response.

There has been substantial leakage in our sanctions and the change in atmosphere caused by the summit is a major reason for that. We have weakened the U.S.-South Korea military defense capacity. During the Obama Administration, we had three to four major exercises per year.

We have had zero major exercises with South Korea since Singapore and the one—there is one that is scheduled for the future that may or may not happen. In any case, it has been scaled down.

As General Abrams, the commander of U.S. forces in Korea, stated, "this suspension has led to a denigration of the readiness of our force. So we have made massive concessions while getting nothing in return that makes us safer. Nothing."

I believe—and I see I have gone into overtime a bit here so I will be as quick as possible—I believe we need tougher sanctions, starting with those two big Chinese—the two letters that we sent focusing on several Chinese banks—large Chinese banks. That would send a signal that it is not business as usual or even business under the table with North Korea.

Second, and I realize this is somewhat controversial, we ought to define down our definition of success. I do not think we are going to get CIVD—complete irrevocable verifiable disarmament—of all nuclear weapons.

But we would be much safer if North Korea had a limited number of nuclear weapons that were highly monitored. If we were in that circumstance, North Korea would not be in a position to sell fissile material or nuclear weapons.

We would limit the amount of damage that they could do and we could move ourselves to a safer position that we have now. That is certainly much better than seeing new fissile material created every day, even while the summit is ongoing.

With that, I yield to the ranking member.

Mr. YOHO. I appreciate it and I thank you.

Governor Richardson, good seeing you. Dr. Cha, good seeing you again. I had the good fortune of having breakfast with Dr. Chung-in Moon this morning, who is the advisor of Moon Jae-in, and his take was a little different.

He thought things were moving along very well and he was very impressed with President Trump and what he is doing.

But let me go to my notes. Good morning, and thank you, Chairman Sherman, for calling this hearing. Members on both sides of the aisle share similar national security concerns and oversight priorities in regard to the ongoing nuclear diplomacy discussions between the U.S. and North Korea.

This important issue is fitting for our first subcommittee hearing of the 116th Congress. I look forward to continuing the strong bipartisan cooperation that this committee has displayed in the 115th Congress.

As you said, we are on the letter together and we are going to continue to hold the administration accountable. This committee worked—this committee works respectfully together, even in some areas we may have disagreements.

Over the next 2 days, President Trump will conduct a second summit with Kim Jong-Un, the totalitarian leader of North Korea. The word historic is often used to describe this summit. That much is true.

U.S.-DPRK diplomacy has never before taken place at the heads of States at this level. We should not forget that when President Trump took office, President Obama warned him that the Korean Peninsula would present him his most urgent security challenge.

However, over the course of President Trump's first term, we have moved from the brink of war to a period of diplomacy. Again, the heads of two States, first time ever.

As this administration moves forward, let us not forget who Kim Jong-Un is. He is No. 3 in a family lineage hierarchy that has held to deity stature. He has allowed his citizens to suffer while chasing his nuclear ambitions.

He is a dictator who has executed over 140 members of the elite military that surrounded his father and grandfather, including his own uncle.

He ordered the assassination of his brother in Malaysia using VX nerve gas. He also threatened the U.S. with nuclear annihilation and he sent medium-range ballistic missiles over Japan and proudly claimed that he would target our territory in the South Pacific—Guam—and the mainland, if so desired.

So, yes, this is a historic second summit. But we must call—but we must call for extreme caution as we move forward. Keep in mind, three previous administrations have attempted to solve the North Korea dilemma and failed, allowing the Kim regimes to advance their nuclear programs and capabilities.

Unfortunately, one fact outside of the White House control remains unchanged. The Kim regime does not deal in good faith. Kim Jong-Un appears to be using the same play book as his two predecessors used before, which is to promise peace, denuclearization in exchange for sanction relief. Once this is granted, the DPRK continues their deceit and lying and continuation of a dangerous nuclear program.

We need to note that nothing has occurred since the Singapore Summit in 2018 in terms of denuclearization. I am extremely concerned that any concessions presented by the DPRK's diplomatic outreach are hiding equally significant risks.

The president and his team have a giant task at hands. The facts show us that North Korea has not taken any meaningful action to dismantle its nuclear or missile programs.

There has been no disclosure of the number of nuclear bombs, ICBMs, or even clear definition of what denuclearization means to all sides. Much work needs to be done during this second historic summit.

Meanwhile, Kim Jong-Un's international standing has never been higher, as you pointed out, Chairman Sherman. Kim's diplomatic gambit has led South Korean President Moon to embrace him as a partner in the shared dream for peace and reunification that has given him the pretext of strategic coordination with China and a personal relationship with Xi Jinping.

Kim will also visit Vladimir Putin in Russia later this year. Kim's diplomacy has cost him nothing but has short-circuited the unanimous U.N. sanction campaign. Although Putin and Xi were never reliable partners in pressuring North Korea, Kim has shown he can leverage China-Russia relationships against U.N.-led sanctions and U.S. maximum sanction strategy, and our goal is to hold the administration accountable.

The goal of this committee is to facilitate the summit to allow this administration to be successful where previous administrations came up short.

I believe our combined intentions are to hold the administration accountable and make sure sanctions are not relieved until we get significant assurance and verification that the actions of Kim Jong-Un are sincere in bringing denuclearization of the Korean Peninsula.

We are privileged to be joined by the two witnesses who have personally sat across from North Korean counterparts at sensitive talks and I thank them both for being here with us today.

Today's hearing will be a valuable opportunity for this subcommittee and the members to develop an understanding of the specifics of this week's summit and what expectations are reasonable and what we should realistically expect and how to measure success.

And I yield back. Thank you.

Chairman SHERMAN. Who seeks to give an opening statement?

The gentleman right here. I see the gentleman from Virginia.

Mr. CONNOLLY. I thank the chair, and I want to welcome our panelists and especially my old friend, Governor Bill Richardson, who has a distinguished career but maybe the most important part

of his career was he served as a staffer on the Senate Foreign Relations Committee—a great place from which to launch a career.

You know, Mr. Chairman, all of us, while our president is overseas at a summit negotiating with one of the most notorious dictators in the world, we wish him well. We want our president to succeed.

Nothing would be better than to have success in denuclearizing the Korean Peninsula once and for all and setting the North Korean regime on a peaceful path for prosperity and coexistence with its neighbors, especially South Korea.

However, it is important that we approach negotiations clear-eyed, and I worry, as do many Americans, I think, that our president arrives in Hanoi in a very weakened position and because he does not do preparation, he does not read briefing papers, he does not like even briefings verbally, that he enters into these negotiations maybe with positive spirit but not with great preparation, and what could go wrong with that when you are up against Kim Jong-Un?

And one trembles a little bit at the answer to that kind of rhetorical question. And so I think it is really important that we be very clear about what our goals are and that there be no fudging and that there be, frankly, no further concessions to the North until we see specific reciprocation on the table.

And so I hope for success but I think we have to prepare for the worst. I yield back.

Chairman SHERMAN. Mr. Bera.

Mr. BERA. Thank you, Mr. Chairman, and thank both you, Governor Richardson and Dr. Cha, for your service to our country along with the men and women that we have serving our country all around this world as we speak.

I was at that same breakfast with the ranking member and we had—with Dr. Moon as well as our former Ambassador, Ambassador Stephens, who has a long history on the Korean Peninsula.

The one takeaway that, you know, I think they left us with is, I think, as my colleague, Mr. Connolly—let us go into this open eyed, but let us also understand realistic expectations of what we might be able to get out of this and I think those realistic expectations are maybe that the parameters that allow you then to say, OK, here is what the steps are, moving forward, as opposed to coming out with any concrete deal, et cetera, and I think they both—Dr. Moon and Ambassador Stephens—said that would be a realistic successful goal if there were the framework and the parameters of how you now proceed and, you know, what those next steps are, again, not with any promises, et cetera, but the next steps in what a dialog would be.

I will be very interested in both of your expertise on the Peninsula on what you think those parameters would be and what a successful outcome of this meeting over the next few weeks.

And with that, I will yield back.

Chairman SHERMAN. I recognize the gentlelady from Virginia.

Ms. SPANBERGER. Thank you to the chair. Thank you, Governor Richardson. Thank you, Dr. Cha, for being here.

The North Korean regime continues to pose a serious security threat to the United States, our interests at home and abroad, and

ahead of the week summit in Hanoi we must also recognize how North Korea's belligerent and destabilizing behavior endangers our longstanding allies in the region and threatens our own country.

I am always in favor of pursuing diplomatic negotiated solutions. However, Kim Jong-Un has repeatedly demonstrated that he cannot be trusted and we should always view his intentions with incredible skepticism.

As the United States weighs its diplomatic, economic, and deterrence options to push back against North Korean aggression and promote peace on the Korean Peninsula, we need to pursue a smart tough strategy informed by U.S. intelligence that protects the lives of U.S. service members in South Korea and actually limits North Korea's nuclear capabilities.

Additionally, we need to avoid any concessions that could jeopardize the safety of our allies and we cannot ignore Pyongyang's long record of atrocious crimes committed against its own people.

As talks proceed, I will keep fighting to prevent American communities from living under the potential threat of North Korean missiles, nuclear weapons, and cyber aggression, and I will continue to voice my support for increased U.S. diplomatic engagement and improved coordination with our allies that protects U.S. interests and recognizes the true threat that is currently posed by the North Korean regime.

Thank you. I yield back.

Chairman SHERMAN. Seeing no other requests for time, I will introduce our first witness. Since 2010, Governor Richardson has operated the Richardson Center for Global Engagement, a foundation focusing on conflict resolution, prisoner release, and environment protection.

In his long and distinguished career, he served as Governor of New Mexico, secretary of energy, a U.S. Ambassador to the United Nations, and as a member of this House for 15 years, overlapping my service in the House by exactly 1 month before he went on to serve as our Ambassador to the United Nations.

As Gerry points out, Governor Richardson started working in the Senate and then came to the House, showing tremendous upward trajectory.

He has regularly served as an official and unofficial interlocutor with North Korea for more than two decades. During this time he has visited North Korea eight times, once with Dr. Cha, securing the release of four Americans being held hostage in North Korea and helping to bring home the bodies of seven American service members who died in North Korea.

We are honored to have you and very pleased to have you as the summit begins to open, Governor Richardson.

**STATEMENT OF MR. RICHARDSON, FORMER GOVERNOR OF NEW MEXICO, U.S. AMBASSADOR TO THE UNITED NATIONS, SECRETARY OF ENERGY, AND MEMBER OF CONGRESS**

Mr. RICHARDSON. Thank you, Mr. Chairman, and I just want to state that some of my best years working were as a member of this House, although I was not privileged to serve on this committee.

It is good to see former friends, good friends—Congressman Conolly, Congresswoman Titus, and you, Mr. Chairman. I have not had the pleasure to speak to others here.

But I will tell you I have been here long enough to say that I saw Mr. Levin come in and I was elected to Congress in 1982 with Mr. Levin's father, which shows you how long I have been around.

And it is great to be with Victor Cha. There is probably nobody in this country that knows the Peninsula better than Dr. Cha, and you are right, Mr. Chairman—we went together to North Korea and brought back the remains of seven of our service members.

The first summit between the president and Chairman Kim in June 2018 produced a good moment for both leaders. They struck a personal relationship, an aspirational joint statement, a couple of outcomes such as the repatriation of remains of U.S. servicemen, and I think the president does deserve credit for taking the meeting with Kim Jong-Un.

The region is—the region is less tense. There is more diplomacy. There is considerable, I would say, better atmospherics in the entire region.

However, the last summit failed to produce what I think is a workable framework for negotiations and, like other summits, there was little or no staff work on substance prior to the meeting.

As a result, following the summit, the two sides did not have a roadmap on how to proceed and what we saw was this organized efforts to get to a framework with both sides positioning but without any progress.

I think Chairman Kim has made it very clear that his preferred negotiating partner is President Trump, not Secretary of State Pompeo, not the chief negotiator, Stephen Biegun, or working level teams.

This is why once a second summit was announced, negotiations and communications between the two sides were revived. By the way, I think that the special envoy for North Korea, Stephen Biegun, is a very skilled negotiator who has worked with many Members of Congress and I would recommend the subcommittee calling him for briefings after the summit.

So what we have is a situation where I think these latest talks, unfortunately, the whole issues of disarmament—arms control, which are key—have yielded a bit to what is called peace diplomacy, which is good.

But the main focus, I believe, and accomplishments should have been the dismantling of nuclear weapons, WMDs, of missiles, and my sense is that the summit will fall short in that area.

We should be clear about what our expectations of what is possible, what is not, and what would be the cost of an agreement with the North Koreans.

Point No. 1—chances that the North Koreans will get rid of their existing stockpiles are very slim or nonexistent. They believe that these weapons are the reasons we are negotiating with them and the only reason we have not yet overpowered them militarily.

Point No. 2—we can expect and demand the North Koreans cease all further development of nuclear weapons, WMDs, and ballistic missiles and have clear means for verification of dismantling such capability.

No. 3—we can expect and demand that North Koreans cease any further testing of nuclear weapons and ballistic missiles and have verification of the dismantling of launch and test sites.

Point No. 4—we can expect and demand the North Koreans cease any proliferation of operations they have on nuclear technology, WMDs, and determine the means to verify this.

In return—point No. 5—the North Koreans are going to demand the removal of sanctions, the end of the war, the normalization of relations, and the reduction of military presence on the Peninsula.

So an agreement with these guidelines I believe might be possible, should be gradual, but broken into smaller reciprocal steps. Thus, a successful second summit between the two leaders should produce what the first summit failed to do:

One, a detailed framework for negotiations including time lines, terms of reference, and routine schedule of summits.

No. 2, set times for ongoing negotiations, both working level, high level, and perhaps additional Presidential summits.

Considering Chairman Kim's preference to negotiate directly with the president, Presidential summits should not be ruled out as long as good preparatory work is done and I am not sure, because of the president's diplomatic style, that we are heading into this summit with the best preparations.

Last, terms of reference for negotiations, general guiding principles for final agreement, definitions, and constraints, as well as time lines and benchmarks for the negotiation process.

No. 2—and this is very important—an agreed pathway to recover and repatriate remains of U.S. servicemen. As the chairman pointed out, we got some but there are many, many more, and since this is a mutual interest of both sides, it is an easy and very powerful outcome for the summit.

Many of you, I am sure, have relatives or have constituents that are affected directly with the remains of our soldiers and very compelling families that have come together to organize and ask that the U.S. administration, over the years, try to bring back the remains of several thousand of our men and women that have been in North Korea.

No. 3, a mechanism and safeguards to mitigate risk of conflict if a crisis in negotiation occurs. This can happen by establishing a hotline between the leaders or mitigating contact group to include regional stakeholders.

But there are other gestures the United States can offer that are short of policy concessions, which can be highly symbolic and motivating for the North Koreans, recommitment to the aspirational joint statement of the June summit.

The summit would be a failure, in my judgment, if the following is not produced:

One, failure to produce a practical and detailed framework for negotiations, failure to define benchmarks in terms of reference—without such framework, negotiations are going to fizzle once again until the next summit is announced;

No. 2, failure to establish a roadmap for recovery and repatriation of remains; and three, ambiguity and no record of agreements and understandings reached between the two leaders during their one-on-one meeting.

So finally, Mr. Chairman, here is my concern. I stated the first one, that the disarmament talks yield and not produce concrete denuclearization agreements.

The danger I see with North Korea is they do not want to denuclearize. We have different definition of denuclearization. My worry, too, is that somehow we will not get in this summit an inventory of all the nuclear weapons, fissile material that North Korea has.

They are very concerned—the North Koreans, having talked to them for years—that if they disclose where these sites are that we are going to bomb the sites, quite frankly, and they do not want to disclose. But that is essential for any kind of verification or arms control agreement.

So my concern is that on the issue of arms control and disarmament there is going to be a very low bar for success such as destroying the nuclear reactor at Yongbyon, which I have been to that reactor. I think that has been promised several times. I am not sure how operational it is, and Dr. Cha probably has better information than I do.

Also, there have been some sites that have been allegedly missile sites terminated. I am not sure if even verifying those sites or that one or two sites that that is significant disarmament initiative on the part of North Korea.

Another concern I have is that the negotiating partners in the past that we have had—Victor, myself—have been the foreign ministry and, generally, the foreign ministry of the North Korean Republic—the DPRK—they are pragmatic.

You can deal with them, on prisoners, on human rights, issues relating to remains, especially the Korean People Army—the military—which, in my judgment, is quite flexible.

Our negotiating partners are the intelligence people now, the spy chief, and I am not sure that diplomacy wise they are necessarily the most flexible. That concerns me, too.

So at the very end, in conclusion, here is my worry—that yes, some positive statements come out of the summit, some positive initiatives such as perhaps some joint searches for remains of our soldiers to sites that are being looked at for joint excavation of remains.

Two, a liaison office. All right. That is good. That is good that we talk. That is good that we have operations in North Korea. But the North Koreans may not agree to it because they think that that is a way that we spy on them.

Three, human rights issues relating to North and South, investments, economic development, development of joint economic facility between North and South, family reunification for North and South. That is good.

But my concern is that the true goal of denuclearization, which is the issue of dismantling weapons of mass destruction—missiles, nuclear detonations, nuclear—will not happen. Maybe a freeze. All right. That is better than nothing.

But those are my concerns, Mr. Chairman. I want the president to succeed. You know, this is probably our most dominant national security threat that we have.

But I do not think the threat is diminished.

[The prepared statement of Mr. Richardson follows:]

**Statement of Governor Bill Richardson (WB Richardson LLC)**

**House Foreign Affairs Committee**

**Subcommittee on Asia, the Pacific and Nonproliferation**

**“On the Eve of the Summit: Options for U.S. Diplomacy on North Korea”**

**Tuesday, February 26, 2019 // 10:15 AM**

The first summit between President Trump and Chairman Kim in June 2018 produced a good moment for both leaders, striking a personal relationship; an aspirational joint statement; and a couple of positive developments, such as the repatriation of remains of U.S. servicemen.

The summit, however, failed to produce a workable framework for negotiations. Unlike other summits, there was little to no staff work to develop substantive demands prior to the meeting.

As a result, following the summit the two sides had no roadmap to proceed, and what we saw was a discombobulated effort to get to a framework, with both sides positioning but without any progress.

Chairman Kim has made it very clear that his preferred negotiating partner is President Trump, not Secretary of State Pompeo or the working-level teams. This is why it was only after the second summit was announced that negotiations and communications between the two sides were revived.

President Trump puts significant weight on dangling the prospect of economic development and prosperity to North Korea, as he believes that will make them compromise on the nuclear items.

We should be clear about our expectations of what is possible, what is not, and what would be the cost of an agreement with the North Koreans:

1. The chances that the North Koreans will get rid of their existing stockpiles are slim. They believe that these weapons are the reason we are negotiating with them, and the only reason we have not yet overpowered them militarily.
2. We can expect and demand the North Koreans cease their development of nuclear weapons, WMDs and ballistic missiles; and that we have clear means for verifying the dismantling of such capabilities.
3. We can expect and demand the North Koreans cease all testing of nuclear weapons and ballistic missiles; and have verification of the dismantling of launch and test sites.
4. We can expect and demand the North Koreans cease any proliferation operations of nuclear technology and WMDs; and determine the means to verify this.
5. In return, the North Koreans will demand the removal of sanctions, end of war, normalization of relations and reduction of military presence on the Peninsula.

An agreement with these guidelines should be gradual and broken into smaller reciprocal steps.

Thus, a successful second summit between the two leaders should produce what the first summit failed to do:

1. A detailed framework for negotiations, including timelines, terms of reference, and a schedule of future summits:

- Set times for ongoing negotiations, both working-level, high-level, and Presidential summits. Considering Chairman Kim's preference to negotiate directly with Trump, Presidential Summits might occur every 2 or 3 months.
  - Terms of reference for negotiations. General guiding principles for a final agreement, definitions and constraints.
  - Timelines and benchmarks for the negotiation process.
2. An agreed pathway to recover and repatriate remains of U.S. servicemen. Since this is a mutual interest of both sides, it is an easy and very powerful outcome for the summit. I have been personally involved in these efforts since 2007 and am still working with families of servicemembers to bring their relatives' remains home.
  3. A mechanism and safeguards to mitigate risk of conflict if a crisis in negotiations occur. This can be by establishing a hotline between the leaders, or a mitigating contact group to include regional stakeholders.
  4. There are other gestures the U.S. can offer that are short of policy concessions, which can be highly symbolic and motivating for the North Koreans.
  5. Recommitment to the aspirational joint statement of the June summit.

The summit can be considered a failure if the following occurs:

1. Failure to produce a practical and detailed framework for negotiations. Failure to define benchmarks and terms of reference. Without such framework, negotiations will fizzle again until the next summit is announced.
2. Failure to establish a roadmap for recovery and repatriation of remains.

3. Ambiguity and no record of agreements and understandings reached between the two leaders during a one-on-one meeting.

Chairman SHERMAN. Thank you, Governor. I think we all want the president to succeed.

Dr. Victor Cha is a senior advisor and Korea chair at the Center for Strategic and International Studies here in Washington, DC. He is also a professor in government and international affairs at Georgetown University.

Between 2004 and 2007 he served as director for Asian affairs at the National Security Council at the White House. He was responsible primarily for our relations with Japan, the Korean Peninsula, and the Pacific nations.

Dr. Cha was also the deputy head of the delegation for the United States at the Six-Party Talks in Beijing.

Dr. CHA.

**STATEMENT OF MR. CHA, PH.D., SENIOR ADVISER AND KOREA CHAIR, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES**

Mr. CHA. Thank you, Chairman Sherman, Ranking Member Yoho, members of the committee. It is a pleasure to be here with you today as well as with Governor Richardson.

The last time I saw you I think we were in Pyongyang together a little while—a few years back. But it is really good to be here with the Governor.

Let me first say that I think President Trump deserves credit for a couple of things. The first is that he stepped away from the fire and fury posture of 2017.

Second is that he has invested in summit diplomacy based on the theory that there is only—the reality that there is only one person in North Korea that makes the decision. That is the leader of North Korea. So you have to talk to them.

Three, he is really invested a lot of capital into try to building a personal relationship with the North Korean leader. And so I think, as everybody said here, we want him to succeed this week.

But what I want to do is focus my comments on five numbers that I think we need to take into consideration with regard to what is going to happen this week, because there are a lot of opinions here and around town on North Korea and not a lot of data. So I am going to bring some data points to the discussion.

The first is 1963, and 1963 is important because it is when North Korea started landscaping the ground for where they would build the Yongbyon nuclear complex. So this was not a program that started after the end of the cold war when they lost the support of the Soviet Union and China.

They had been building this program for well over half a century. So I think as many of us clearly believe, I do not think they are fully going to denuclearize.

The second number is 20. That refers to the number of undisclosed missile bases in North Korea—short-range, medium-range, and intermediate range ballistic missile bases.

North Korea can close facilities without denuclearizing. They can close facilities that they no longer need, things from their past, and they can promise things about their future—the promise not to transfer, the transfer not to do more testing.

But what they will hold in their hands is the present and that are things like—those are things like these 20 missile bases, the nuclear weapons stockpile, things of these—things of this nature. That is a negotiating challenge.

The third number is 108, and this is the number of times that the president has made reference to his—made reference to the question of whether we need to have U.S. forces in Korea.

One of the key metrics for me of the success of this meeting will not be so much what North Korea gives, because I think that they will give very little, but that we do not cut into our alliance equities and offer those as negotiating chips to North Korea—things like our exercises and our readiness, our troop disposition on the Peninsula. These are not things that should be traded for temporary gains on North Korea.

The fourth number is 2007. 2007 refers to the last agreement that we were a part of where North Korea agreed to a peace regime on the Korean Peninsula and the stipulation then was that at an appropriate time North Korea and the United States and other parties would engage in peace regime talks.

The phrase “at an appropriate time” referred to North Korean denuclearization, return to the nonproliferation treaty, and full scope compliance with IAEA safeguards. So the idea of a peace regime was contingent on these steps forward.

What we are doing now is we are potentially front loading the peace regime part to see if we can get steps toward denuclearization and compliance with IAEA NPT safeguards.

And, finally, fifth—the fifth number is two, and that refers to 2 years have gone by and the administration has still not appointed a senior envoy for human rights abuses in North Korea. The human rights issue is often framed as a distraction to the negotiations but it is not. For all of us to achieve our objectives, the human rights issue needs to be addressed.

President Trump has made very clear that the core element of his negotiation is to offer North Korea a brighter economic future in return for giving up their weapons.

That brighter economic future cannot come without some addressing of the human rights abuses because there is no international financial institution, there is no general counsel of any American corporation that is going to recommend putting money into North Korea if there are human rights abuses along the supply chain.

So it is in the interests of both the United States, South Korea, and North Korea to bring human rights into the discussion.

Thank you very much.

[The prepared statement of Mr. Cha follows:]



**Statement Before the  
House Committee on Foreign Affairs  
Subcommittee on Asia, The Pacific, and Nonproliferation**

*“On the Eve of the Summit: Options for U.S.  
Diplomacy on North Korea”*

A Testimony by:

**Victor Cha, Ph.D.**

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**February 26, 2019**

**2172 Rayburn House Office Building**

Chairman Sherman, Ranking Member Yoho, and distinguished members of the committee, it is a distinct honor to appear before this committee to discuss options for U.S. diplomacy on North Korea ahead of the second Trump-Kim summit in Hanoi this week.

In less than 48 hours, the world will witness an unusual diplomatic event once again, a summit meeting between North Korean leader Kim Jong-un and U.S. president Donald Trump. The expectations for tangible progress towards North Korea's denuclearization are high for this meeting because there has been so little achieved since the Singapore summit this past summer. The most uncertain aspect of the Hanoi summit is not whether North Korea will hand over nuclear warheads, or provide a full inventory of its program, or agree to a timeline for complete dismantlement. Pyongyang will not take such major steps and instead will offer small, incremental concessions. The main concern is whether the president, besieged by domestic distractions, will give away too much, and take a bad deal that leaves the United States less secure.

#### **Giving the President Some Credit**

To be fair, the president should be commended for demonstrating the political will to address the North Korean ballistic missile and nuclear threat through summit diplomacy since there is only one person who can make a decision to denuclearize in the dictatorship. While Kim has written Trump private letters that have charmed him, the president has publicly defended the North Korean leader's intentions against skeptics. In the three-decade history of negotiations with North Korea, this is an extraordinary measure that speaks to Trump's desires to see success. This is far better than his fire and fury rhetoric in 2017 when it looked like war was possible. As evidence of his strategy's effectiveness, Trump likes to boast that he stopped Kim from WMD testing for the past 15 months by his befriending the lonely dictator. But the empirical reality, according to a CSIS study that tracked the frequency of North Korean provocations with U.S.-DPRK diplomacy, is that historically the North does not shoot missiles whenever it is sitting at the table with the U.S.<sup>1</sup> This was not just the case during the Trump administration, but was also generally the case during the Clinton, Bush, and Obama administrations.

What Trump can take credit for is the downturn in conventional military tensions across the border between the two Koreas. It was not too long ago that gunfire and artillery were being exchanged across the Demilitarized Zone over North Korean soldier defections and booby trap landmines maiming South Korean soldiers.

#### **North Korea's Negotiating Plan**

The pre-summit speculation is that Kim will hand over an old nuclear test site (Punggye-ri), a rocket test stand (Tongchang-ri), and maybe portions of the Yongbyon nuclear site for international inspection. This may look good to Trump but it's not a big win in the world of nuclear diplomacy. The North Koreans offered up a freeze of the Yongbyon reactor in the last agreement that I worked on in 2007. And the two test sites, while technically new locations for U.S. inspectors to peruse, are no longer needed by the North Koreans as their program has advanced from these facilities. Moreover, anything of value will have long been removed before

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<sup>1</sup> Lisa Collins, "25 Years of Negotiations and Provocations: North Korea and the United States," *CSIS Beyond Parallel*, <https://beyondparallel.csis.org/25-years-of-negotiations-provocations/>

any foreigner sets foot on the grounds. All the while, North Korea's stockpile of 20-60 nuclear weapons, uranium enrichment facilities, and its twenty operational missile bases remain untouched by the negotiation.<sup>2</sup>

If that is all that Kim has to offer, the president still is unlikely to walk away given the investment he has made in the diplomatic process and the public promises that his bromance with Kim Jong-un is producing results. He will argue that closing the nuclear test site is an achievement that belongs to no other U.S. president (which would be factually accurate but materially irrelevant to fully verifiable and irreversible dismantlement given the scope of the program today). He will argue that verified decommissioning of the Sohae (Tongchang-ri) satellite facility could not be achieved by Obama who saw the North launch a rocket from this very site that ended his "Leap Day" deal.

If North Korea gives even this much, it would be surprising. There are three key facts that the Chairman, ranking member and distinguished members of this committee should internalize in advance of this summit.

First, North Korea will not wholly give up its nuclear weapons programs. According to archived, declassified CIA satellite imagery obtained and analyzed by a recent CSIS study, North Korea started landscaping the site for the Yongbyon nuclear complex in 1963 – even before China detonated its first nuclear device.<sup>3</sup> This program is a half-century effort that is deeply ingrained in the state-building and national narrative of this country.

Second, their negotiating strategy is to offer up some of their past – that is, old sites that they no longer need; or parts of their future in the form of promises not to test weapons or transfer them. But in the meantime, they will hold in tow their "present" – that is, their weapons stockpiles, operational missile bases, scientific expertise, and related facilities. We should not expect them to give more, but possibly even give less. Thae Yong Ho, North Korea's former deputy ambassador to the United Kingdom and an escapee now living in South Korea, compared this strategy to that of a dishonest used-car salesman. "They're going to repaint their broken-down car, make it look new, and then sell it," he said recently.<sup>4</sup>

Third, on missile negotiations, North Korea seeks to decouple the security of the United States from that of its allies. It may be willing to offer up a freeze of the developmental long-range ICBM program but get the United States to accede to the deployed and operational SRBM, MRBM, and IRBM programs and bases. Taking a deal like this will weaken our alliances in Asia, which is to the benefit of North Korea, China, and Russia.

<sup>2</sup> Joseph Bermudez, Victor Cha and Lisa Collins, "Undeclared North Korea: The Sakkanmol Missile Operating Base," *CSIS Beyond Parallel*, November 12, 2018, <https://beyondparallel.csis.org/undeclared-north-korea-sakkanmol-missile-operating-base/>

<sup>3</sup> Joseph Bermudez and Beyond Parallel, "Yongbyon Declassified: At Ground Zero," *CSIS Beyond Parallel*, May 14, 2018, <https://beyondparallel.csis.org/yongbyon-declassified-ground-zero/>

<sup>4</sup> Andrew Jeong, "Former North Korean Diplomat Warns of Deception at Hanoi Summit," *The Wall Street Journal*, February 19, 2019, <https://www.wsj.com/articles/former-north-korean-diplomat-warns-of-deception-at-coming-hanoi-summit-11550586970>

**Do Not Take a Bad Deal**

The operative question is whether Trump will give away too much in Hanoi for North Korean offerings. Kim will not immediately hand over his modest concessions but will try to milk the president for real chips including reduction of U.S. military readiness with ally South Korea, a peace declaration, political recognition, removal of sanctions, and even reductions in U.S. troop levels.

Surely the president's advisors will tell him not to trade in our alliance assets for something as unreliable as North Korean promises, but as the president showed in Singapore when he unilaterally decided to give up U.S.-ROK military exercises to the North Koreans without telling his secretary of defense or the South Koreans, the president is unpredictable at best and dangerous at worst. This would be a bad deal that would not leave us more secure and would be tantamount to recognizing North Korea as a de facto nuclear weapons state.

Very little will have been negotiated in advance of the summit. North Koreans know that their American working-level counterparts will drive a hard deal calling for a full inventory of all of their capabilities and a two-year timeline for inspection, dismantlement, and removal of all of the country's WMD programs. The North Koreans know that the last deal ten years ago fell apart when it came time for the regime to come clean on its weapons programs with a comprehensive declaration. They prefer to push the negotiations all the way to the top where the North Korean leadership has been diligently preparing, but our president, distracted by the Mueller investigation and immigration, prefers to "wing it." The North Koreans and Chinese all see the best chances for an advantageous deal coming from the president not from his policy professionals.

Negotiating North Korean denuclearization is literally rocket science. It is complicated and cannot simply be done through "gut instincts," as the president once described his negotiating strategy with Kim. Unlike his lack of preparation before Singapore, the president needs to read his briefing book, push hard for a denuclearization list from DPRK, and jealously guard alliance assets from becoming bargaining chips. To do otherwise would benefit DPRK and China while making Americans no more secure.

**Raise Human Rights**

The president will never realize his dream of seeing North Korea trade its missile launch pads for beachfront condominiums and casinos unless he addresses the regime's massive human-rights abuses.

Trump's loudest pronouncements on the North's horrific human-rights record came in 2017 after the death of Otto Warmbier, a U.S. college student detained during a tourist visit to the country. The president even invited the Warmbier family to the State of the Union speech to highlight the issue. But since Trump met Kim in Singapore last summer, he's gone quiet on human rights.

Over two years into his term, the administration still has not appointed an envoy for human-rights abuses in North Korea, a position mandated by Congress. The president seems to think that raising the issue in Hanoi with Kim would be impolite and distract from the question of denuclearization.

Washington's silence has had palpable consequences: Five years after a United Nations Commission of Inquiry report created a groundswell of support for charging the North Korean leadership with crimes against humanity, the UN Security Council last December voted against raising the issue at the behest of China and Russia.<sup>5</sup> Even South Korea has cut almost all of its government funding for human rights NGOs.

What this conventional policy thinking does not account for is that human rights are critical to the president's negotiation strategy for five reasons as I have discussed in a recent George W. Bush Institute paper.<sup>6</sup>

First, stopping North Korea's bomb-making activities means blocking the hard currency flows that finance them. Much of that money comes from the regime's slave-labor exports and other abusive business activities. Pressuring North Korea to stop these illicit practices not only advances the goals of nuclear nonproliferation and denuclearization, but it also ensures that fewer North Korean people are subject to such exploitation in the process of earning foreign currency for the regime.

Second, in order to verify any nuclear deal, inspectors must be able to move around the country to different sites. That will require a much more open North Korean society than exists today, for which the U.S. should be pressing simultaneously with denuclearization.

Third, raising human rights can strengthen U.S. leverage in the talks. Over the past three decades, North Korea has barely cracked a yawn when Washington has condemned its nuclear activities. But, when the international community began shining a spotlight on Pyongyang's human-rights abuses in 2014, the reclusive regime, feeling vulnerable, quickly dispatched diplomats abroad to lobby against punitive resolutions at the U.N.

Fourth, integrating human-rights demands into the negotiations would be smart politics at home, given how reluctant Congress will likely be to accept any deal that does not address those issues.

Fifth, Trump's promise of economic betterment for Kim in return for his nukes simply will not be credible unless there is tangible progress on human rights. Current UN Security Council resolutions as well as U.S. laws make it difficult for private-sector companies or international financial institutions to engage economically with North Korea absent certification that the country is in compliance with international labor standards. Even at Trump's behest, no general counsel of any U.S. company would recommend investing in North Korea if human rights abuses in the supply chain might put them in violation of U.S. law.

Raising human rights isn't just a necessity but an opportunity. Since the Commission of Inquiry report, Pyongyang has quietly become more engaged in humanitarian efforts and information-gathering on human-rights standards. This may make the North Koreans more receptive to a dialogue about human rights and international monitoring standards for health and food assistance.

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<sup>5</sup> UN Human Rights Council, Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea, 7 February 2014, A/HRC/25/63, available at: <https://www.ohchr.org/en/hrbodies/hrc/coidprk/pages/reportofthecommissionofinquirydprk.aspx>

<sup>6</sup> Victor Cha, "Human Rights Must Be on the Table in Hanoi," George W. Bush Institute, February 22, 2019, <https://www.bushcenter.org/publications/articles/2019/2/denuclearizing-north-korea.html>

But, they aren't going to raise the issue if the U.S. doesn't. For the United States to continue to keep quiet in Hanoi would not just dim America's traditional role as a beacon of human freedom but make the task of denuclearizing North Korea even harder.

Chairman SHERMAN. I am going to hold off on my questions for a bit and recognize the gentlelady from Nevada.

Ms. TITUS. Well, thank you very much, Mr. Chairman, and thank you and the ranking member for bringing us such outstanding witnesses. They are so knowledgeable and I so much appreciate their being with us today.

Both of you have mentioned how the president likes to negotiate directly with the chairman and he seems to prefer this *mano a mano* kind of diplomacy as opposed to anything multilateral.

Some of us believe, however, you have to include your allies as you move forward in any kind of negotiation and I believe part of our success working with North Korea we will be able to work in collaboration with both Japan and South Korea.

Would you two please address what you think are the consequences of our not bringing them into the circle or how is our leadership in terms of getting them to work together with us on this, even though their interests may not always align and their interests may not always align with ours?

Mr. RICHARDSON. In my judgment, Congresswoman, we need to work with Japan better than we have. My sense is Japan has been left out of the negotiations with North Korea. You know, there is a rivalry with South Korea, who has been deeply engaged with us.

So Japan is vulnerable to a missile attack and this is a horrific prospect that the Japanese people are concerned about. They also are concerned about getting some of their human rights issues addressed by North Korea.

South Korea—I think President Moon has been very constructive. He was elected as a peace candidate dialog with North Korea. But sometimes I feel that he is getting ahead of us on wanting an agreement with North Korea at all costs, in my judgment.

They are great allies, and Dr. Cha mentioned I think it was a mistake initially at the first summit for the United States to make a concession, which is to reduce or terminate the number of military exercises we had with South Korea.

So the last peg here is China. I do believe China has made a positive effort at sanctions. You know, most of the commerce that goes through North Korea is through China and China, I believe, through the United Nations and other entities, there are coal sanctions, energy sanctions, people sanctions against North Korea. But they are not going to operate well unless they are enforced.

I think China has done a better job in the past of enforcing sanctions. But there is a lot of cross-border contraband that they could do a better job of enforcing.

And, quite frankly, I have been a little worried. I know we have some tense trade negotiations with China that somehow China has to say, well, you know, you want to slap some tariffs on us—maybe we will not help you as much on sanctions with North Korea, which is vital.

Russia has not observed sanctions as much as they should—in fact, very little. That is another problem.

So you are right, Congresswoman. You got to have regional support for what you are doing. I am pleased that they are having this summit in Vietnam.

I think Vietnam is an emerging positive country that is pro-private sector, that, you know, is concerned about Chinese expansionism and I am pleased that they are part of this regional situation.

But the Six-Party Talks, which Victor was involved with—the other countries, which encircle the whole issue—I am not sure the Six-Party Talks can be revived again. I hope they would. But this is how I see the regional perspective that you mentioned.

Ms. TITUS. Doctor?

Mr. CHA. Yes. So on China, the key is to get China to continue to enforce sanctions. Without Chinese economic pressure, the North Koreans are not going to be willing to negotiate in earnest.

Ninety percent of North Korea's external trade today is with China. So if they do not put pressure on it does not work.

With South Korea, it is really restraining them. They are so enthusiastic about moving forward that they too can do things that would undercut U.S. leverage at the table. And then with regard to Japan, as Governor Richardson said, they are—they are going to be important to any political and diplomatic deal that is reached with North Korea.

Historically, they have been important in the past two deals and they will be important again. So it is important that we—it is critical that as we go into Hanoi that we have all of these pieces in the right place, and that takes work. That is—there is bilateral discussions with the North Koreans but there is also all this work you have to do on the side.

Ms. TITUS. Do you feel like that is taking place?

Mr. CHA. I think with the South Koreans I have a sense that it is. But it is difficult with the Chinese because of the trade disputes, and Korea and Japan, our two key allies, are just not talking to each other right now.

And so it was important that Secretary Pompeo, in his last meeting with the South Korean foreign minister, expressly talked about the need for more trilateral coordination because usually we go into these meetings with North Korea having fully consulted with Seoul and with Tokyo. And right now, because of the difficulties between Seoul and Tokyo we are not able to do that.

Ms. TITUS. Thank you.

Thank you, Mr. Chairman.

Chairman SHERMAN. The ranking member is recognized.

Mr. YOHO. Thank you, Mr. Chairman. I appreciate your testimony.

Again, I am going to just reiterate the historic nature of this. You know, in the past there has been three attempts—in the Clinton Administration, in the Bush, and the Obama Administration—to bring peace to the Korean Peninsula.

Yet, during those negotiations they were traditional. They had traditional negotiators, people from the State Department, diplomacy and all of that, and they did not work.

And so I think this is a great tactic. History will look back on this moment, whether it was a good one or a bad one, and let us hope for the—that it turns out the way we want it to.

But and you brought this up, Governor Richardson. An agreement should be gradual and broken into small reciprocal steps, and you both have experience in the Asian market.

In order to do business, what we have heard, what is the first thing you have to establish to move forward in any negotiations over there?

Dr. Cha.

Mr. CHA. I mean, you have to establish a relationship. You have to establish a relationship with the other party. You just do not slap a legal document on the table. You have to establish a relationship.

Mr. YOHO. That is what Americans are bad at. We have been told over and over again—you guys want to get here, get the bottom line, and you do not want to know anything about us.

And so I commend, I will say, the foresight of President Trump reaching out to do this, and he has lavished praise and edification on Kim Jong-Un that he has probably never had, and I will hold off on whether he should deserve any of that at this point.

But we need to look into the future of where we are going and we cannot move forward if we do not have that initial trust and that relationship. And then I had the opportunity to talk to Special Envoy Biegun about what denuclearization is.

Do we have a firm commitment of what it is that all parties agree on? Do you guys have any speculation or any idea? Do we have a sound definition?

Mr. CHA. I think that there is a definition, Congressman, you know, that has been agreed to by the North Koreans in the past in writing and that is denuclearization means they will give up all nuclear weapons and existing nuclear programs. That is language that they signed up to in 2007.

I believe that—I believe that that is what the president believes and that is the definition I think we will try to push for in Hanoi.

Mr. RICHARDSON. I believe that the North Koreans—we have a different perspective of what denuclearization is. I think that is the problem. In other words, we think, Congressman, that denuclearization is dismantling, destroying, ending whatever—the 40 nuclear weapons, the WMD.

The North Koreans do not believe in that definition. They want to keep their weapons. They want to keep some of their weapons.

Now, so far, they have dismantled nothing. So there is a definition—what is the word I am looking for—a definition deficit here—

Mr. YOHO. Yes.

Mr. RICHARDSON [continuing]. On what denuclearization is. Now, I do agree, you have to have trust—I think maybe that was the word you were looking for—in the relationship between the two leaders and I will maybe take a little issue with what you said.

Under the Clinton Administration, the agreed framework, North Korea did not produce any weapons for 9 years and I think the Bush Administration negotiated well with North Korea. The problem was North Korea was intent on increasing their arsenal and they are still doing it right now while saying they are for denuclearization.

Mr. YOHO. Right. And I just—let me just add here, I am not putting criticism on anybody—

Mr. RICHARDSON. Right. OK.

Mr. YOHO [continuing]. You know, because that is not going to do us any good. It is what can we learn from that that we can move forward. And, again, that breakfast I had this morning with Dr. Chung-in Moon, he has been there at all three negotiations—probably the only person that was there on the first three and he has been to every meeting up there with President Moon.

He says he has seen a distinct difference in North Korea today from when it was before. Before when they went there it was all military that was present in the negotiations, in the streets, in the Pyongyang whereas today you do not see hardly any military presence.

So the atmosphere in North Korea has changed. Let us just hope that we can have a definition that we all agree on that we can move forward based on that trust, and what he said that Kim Jong-Un has said that we have destroyed Yongbyon nuclear site.

But it was a nonfunctional one, as we understood it. But, yet, he has not sent anybody in there to verify it from the outside world other than their word and those things have got to be built upon to move forward.

And let us just hope that the skilled people we have, with Secretary Pompeo and Stephen Biegun, can move in that direction to help facilitate those documents to move forward and that once and for all we bring this Korean conflict to an end, peace to the Peninsula with reunification as they see fit to serve them between North and South, and that we look at trade because our top four trading—after World War II we were in a war with Germany, France.

Since then it was Korea and Vietnam. None of those countries today have nuclear weapons and are—some of them are our best trading partners.

So the idea that we want to implore to Mr. Kim is you do not need nuclear weapons. Let us just focus on trade and get rid of this and move forward on our economies and our countries.

I yield back. Thank you.

Chairman SHERMAN. Thank you.

The gentleman from Virginia.

Mr. CONNOLLY. I thank the chair. Well, maybe on a more critical note—I think a case could be made for diplomatic malpractice in how we are approaching North Korea. Remember that this is the administration that ripped up the JCPOA with Iran, that by all accounts is working in every metric, because it was inadequate.

And yet, they meet with the nuclear threat, Kim Jong-Un and North Korea, and he gets international legitimacy from meeting with the president of the United States, that audience with the president directly, the cancellation of military exercises with our South Korean allies, and in the joint statement they do not even mention that denuclearization needs to be irreversible and verifiable, which is one of our goals.

Not even mentioned in the joint statement. Nor is there any mention of the North's ballistic missile program—a criticism used to justify the evisceration of the JCPOA.

Why should we not look at that and call that what it is, diplomatic malpractice? We have nothing, and Kim Jong-Un has a lot.

Now, maybe that is a strategic sort of move where we are being patient and waiting for the future and this summit may then prove that there are other steps. But it seems to me that thus far nothing has happened and we have not even furthered the goals ostensibly we say we are committed to.

Dr. Cha.

Mr. CHA. Thank you, Congressman.

So I am a professor so I will give you another number, and that is seven. That is the number of pages that the agreement that we worked on in 2007 was. It was seven pages long—the Six-Party joint statement.

The JCPOA, I think, was 150 pages. I do believe that if we are going to move forward with denuclearization with North Korea, we are going to need a document that is much more detailed, certainly, than what came out of Singapore and even what came out of the previous two agreements under President Bush and under President Clinton.

Mr. CONNOLLY. Well, let me just—a little footnote. Yes, but from your point of view after the first summit, did Kim Jong-Un commit to anything?

Mr. CHA. No. I think the first summit laid out a statement of principles. In many ways, it was an agreement between the leaders about what the outcome of diplomacy should be, which is normalized relations, a peace treaty, and a fully denuclearized North Korea.

But subsequent to that, there were really no steps that took us tangibly down any of those paths.

Mr. CONNOLLY. Governor Richardson.

Mr. RICHARDSON. With what Dr. Cha—what you said, on the diplomacy side, I have been very involved with the remains issue. I think something positive has come out of that. We need to do a lot more.

I do think there are some human rights family reunifications between North and South that are better.

Third, you know, this is very vague but there is less tension in the Peninsula. However, Congressman, I agree with you in terms of what North Korea committed to in the first summit—complete denuclearization.

They have done nothing there. In fact, they increased their enriched uranium capability. You know, they are not doing much.

Mr. CONNOLLY. That is right.

Mr. RICHARDSON. This is why I just hope the president, and Congressman Yoho mentioned Stephen Biegun and Pompeo—especially Biegun. He knows what he is doing.

Mr. CONNOLLY. Mr.—Governor Richardson, because I am going to run out of time but I thank you for that answer.

Let me ask one other question. One of the concerns some people have is that North Korea is about to get us into a trap so that we sign an agreement ending the war, after 66 years.

But in doing that, which is a laudable goal, we undermine the rationale for U.S. troop trip wire presence in South Korea. Is that a realistic concern, Dr. Cha, and also Governor Richardson?

And I yield back the balance of my time.

Mr. CHA. Yes. I mean, I think there is some concern among experts that in trying to get bigger steps on denuclearization we might put bigger chips on the table.

As I said in my testimony, I think there should be a bright red line between things that we do on sanctions versus things that we do with our alliances. Sanctions, liaison offices, some of the things that Governor Richardson mentioned—they may be part of the bargain. But we should not be trading away alliance equities.

Mr. CONNOLLY. If the chair would allow Governor Richardson also to answer, I thank the chair.

Mr. RICHARDSON. Yes. Congressman, I agree. I would not trade an end to the war treaty or unless there is a denuclearization of sizable numbers of dismantling of weapons and WMD and missiles. I would not.

Perhaps a vaguer statement that says tensions are less and the war is over, OK. Maybe. But not as a tradeoff unless there is substantial denuclearization.

And I am concerned. There have been some reports that we are considering that. And it means exactly what you said—the vulnerability of us being or having to look at troop reductions in South Korea. We have 30,000 troops there—28,000.

Chairman SHERMAN. I will recognize Mr. Bera after I recognize the gentleman from Utah.

Mr. CURTIS. Thank you, Mr. Chairman and Ranking Member. This is an important hearing. Thank you to our witnesses for being here.

I am hopeful that we see a productive summit. I, for one, view it as historic and important to be taking these steps. However, we know that the Kim regime does not negotiate in good faith and I think many of us are optimistic but worrisome.

Regardless of the outcome of the summit, I for one will continue to urge the administration to use every possible economic and diplomatic solution to find answers and bring us forward.

As I listened to your testimonies and questions of my colleagues, I sometimes feel like we have a cultural thing here in America where we want to solve everything immediately and we hope that one summit or two summits has this magic ability to solve it.

So I am curious, from both of your perspectives, not whether we are on the cusp of solving this but how do you see the trajectory? Are we improving and moving in a good trajectory? I guess that is my simple question.

Governor first, and then Dr. Cha.

Mr. RICHARDSON. Well, the trajectory is going to depend a lot on the results of this summit—this upcoming summit starting today or tomorrow. My hope, Congressman, is that there be substantial progress on the denuclearization issue.

You talked about long range. I think it was unrealistic for anyone to expect North Korea to denuclearize completely. They always have—and if you look at that language, they have said it in the agreement with Clinton, with Bush, and they never do it.

Now, is there a trajectory that is more positive? I think we have underestimated Kim Jong-Un. I think in the end—and I am not—

I am not praising him. I am saying he is—his vision is an exchange for the lesser—some dismantling of nuclear weapons.

He wants American investment. He wants European investment. He wants infrastructure. He wants energy, a new grid, and so the trajectory is in that direction. His father, I think, was more of a—I will not call him—he was more of a negotiator.

He used to say, OK, well, you want this prisoner back from the United States—send President Clinton to pick him. You know, things like that.

Mr. CURTIS. Right. And I hate to push you but I am going to be short on time so let me—let me move on.

Mr. CHA. So I think if we look, starting, Congressman, from 2017, in 2017 there were 20 North Korean ballistic missile tests and a hydrogen bomb test and we were moving military assets to the region.

I mean, it was a really scary time. I mean, since then we have gotten no diplomacy. We have gotten no more testing by the North Koreans.

I just came back from South Korea about 10 days ago and there is a completely different view now in South Korea. Everybody says, the war is over—like, why do not we just admit the war is over.

So I think there has been certainly a positive trajectory since 2017. But, as the Governor said, the key piece is we really need to see tangible steps on denuclearization coming out of the summit because this has to be a road to somewhere, right, and so that is the key piece.

Mr. CURTIS. Let me kind of followup on that. We almost exclusively talked about denuclearization and yet we have said in this hearing today that Japan could be hit by long-range ballistic missiles.

Is it a mistake not to have a broader scope than just denuclearization?

Mr. CHA. No. I agree that it must include ballistic missiles, not just the long-range but also the shorter and medium range ones.

Mr. CURTIS. As well. What is there culturally that Americans need to understand that would help us better understand this process. The two cultures, right, are very, very different.

I mentioned earlier ours is one of immediate expectations and things like that. What is there culturally that Americans could better understand that would help us get our arms around this process?

Mr. RICHARDSON. From my experience—from my experience, they negotiate totally differently than we do. Their idea of a concession is they think they are always right.

It is a deity that guides them—the father or the grandfather of Kim Jong-Un—and their idea of a concession is they will give you a little more time for you to get to their point of view.

That is their idea of a concession. They always want you to go first. You make the concession and then we will—you know, we will see about whether we reciprocate or not. They are deeply suspicious of us, totally.

I mean, they think if we—if they disclose where their weaponsites are we are going to bomb them. I mean, there is just—I have been there several times. It is just another—another world.

Mr. CURTIS. OK. I am out of time. Let me thank both of you and yield my time back.

Chairman SHERMAN. I know I had said it would be the gentleman from California. However, the gentlelady from Pennsylvania has returned. She is vice chair of this subcommittee and she is recognized.

Ms. HOULAHAN. Thank you. I appreciate that, and thank you, gentlemen, for your testimony.

The history of negotiations between the U.S. and North Korea is, obviously, long and tumultuous. But one thing is clear and I think a lot of people have been talking about it—the importance of all of our allies and our partners in the region and making sure that we are respectful to them.

What is your assessment of how the administration is or is not implementing ARIA, or the Asia Reassurance Initiative Act, which we recently signed in December?

And, specifically, can you talk a little bit about the U.S.-Korea special measures agreement that was recently also agreed to and the impact that it might have on our bilateral relationships since it is a short timeframe instead of a longer timeframe?

And then, finally, if you could talk about that impact on Japan, who is also up for that same kind of conversation as well and its impact on our relationship with that important ally.

Mr. CHA. So, Congresswoman, I would say that the special measures, or SMA negotiations, have created a lot of ripple effects I think not just in Korea but in Asia and allies, more broadly.

I mean, it is clearly a different template for negotiating, at least in the Korean case, the nonpersonnel cost of stationing U.S. forces in Korea.

You know, someone said the president wants cost plus, which is very different from what has been negotiated in the past. A very tumultuous 12 months of negotiation led to this interim agreement. It is not followed as much here in the United States but it is followed very carefully in the region.

And the SMA Korea negotiations were watched by Japan. They were watched by NATO because they are next on the block. These are not easy negotiations even in the best of times. But I think these particular negotiations are quite contentious and it is not clear to me what the ultimate effect will be in terms of how the allies perceive the United States as we continue to as for more and more of these allies.

Mr. RICHARDSON. Congresswoman, sometimes I feel that the U.S.-South Korea relationship is very important. But, if anything, I would say to this administration, for instance, they are obsessed with having South Korea pay more for the military relationship that we have.

We do want to save money, but the U.S. military relationship with South Korea is in our interest, too, and sometimes, I will say, the president says, well, they should pay more. All right, and South Korea is paying a little more.

But that is a very valuable military relationship for us, not just because of—not just because of North Korea but because of China and the region.

Second, with Japan, we should be more conscious of Japan's needs in this security relationship with North Korea. Yes, the president and the prime minister of Japan have a very good personal relationship.

But somehow the Japanese government—you can get a briefing on this—feels that they have been left out of this negotiation.

Ms. HOULAHAN. Yes.

Mr. RICHARDSON. China—again, it is a very complicated relationship we have with China and we absolutely need them to keep enforcing sanctions or the pressure on North Korea will deteriorate.

Now, there are some very good, as I mentioned, family relationship, more investments between North and South. I think all of that is good—less tension.

Ms. HOULAHAN. Thank you.

And my last question is, as a member of the Armed Services Committee as well as this one, I am very concerned about the suspension of exercises in other committee hearings that I have had.

The military folks have been also similarly concerned about how long we can do this and still remain ready and effective. Do you all have any insight into that as well?

Mr. CHA. So my understanding is that when we go for a full year without exercising then we are really starting to erode readiness. There are elements, as you know well, of these exercises that we can do in other places like Cobra Gold. But there are certain elements of the exercise that can only be done on the Peninsula.

So this is something really that has to be considered, you know, if we are looking to suspend the spring exercises, which were to start actually this month. If we suspend those again, I think we really need to think about how we are going to maintain readiness because readiness is part of deterrence and that is what has made the Peninsula peaceful since 1953.

Ms. HOULAHAN. Thank you.

And sir?

Mr. RICHARDSON. I would just add, this was a concession in the first summit that we got nothing in return. So we should not concede that one again. Maybe you bring them back, those exercises, if North Korea is not conscious of doing something on denuclearization.

They are valuable for South Korea, for the United States, for our troops. You know, you want them ready in case there is a misfire or some kind of small conflict that could light up the whole region.

Ms. HOULAHAN. Thank you. That is incredibly helpful, gentlemen. Thank you very much for your time. I yield back.

Chairman SHERMAN. The gentleman from Utah is recognized.

Oh, excuse me. No. The gentleman from Pennsylvania is recognized.

Mr. PERRY. Thank you, Mr. Chairman. Thank you, gentlemen, for your testimony.

Dr. Cha, what was the United States posture vis-a-vis North Korea prior to this administration from a hostility/wartime footing? I mean, I am trying to—I am not trying to evoke—I am not trying to put words in your mouth but what would you—how would you characterize our posture vis-a-vis North Korea?

Mr. CHA. Prior to the state of this Administration it was, I think, popularly known as strategic patience, which was sort of a medium level sanctions plan with the effort of trying to bring North Korea to the table to negotiate.

Mr. PERRY. And what was North Korea doing under that posture?

Mr. CHA. They were actively building their nuclear weapons programs and ballistic missile programs and were on the verge of testing at the end of—at the end of 2016 and I believe that those tests would have happened in 2017 no matter who was president.

Mr. PERRY. Right. So they were building, progressing, testing, and from the—from the United States standpoint, I think that we were at a posture of considering armed conflict with North Korea.

But if I am the only one here that thinks that—I mean, do you get that sense that that is where we were?

Mr. CHA. My sense is that the previous administration was really focused on sanctioning toward the last—sort of last 12 months in office, were really focused on ramping up the sanctions campaign, which then the Trump administration took to an even higher degree.

Mr. PERRY. I agree with that. But having—I participated personally in the military exercises on the Peninsula as a service member and I was in this house at the time of the last administration and the conclusion of it and I attended briefings with uniformed service members who, I would just tell you, in my opinion, the posture of the United States military was planning for armed conflict if necessary in North Korea. And I just want to ask if you dispute that—if you can dispute that. Maybe that is the best way of putting it.

Mr. CHA. I do not know, Congressman. I mean, I think what I—what I recognized the most was this effort at building sanctions on the regime and focusing on more robust exercises.

Mr. PERRY. Sure. Sure. But the sanctions were not working, right? They were still constructing, they were testing, and they were posturing—the rhetoric, everything, was, in my opinion—maybe I am wrong so if I am wrong correct me.

But everything we were seeing from North Korea was bellicose.

Mr. CHA. Yes.

Mr. PERRY. Yes. Right? So let me ask you this. Is the fact that they are not launching missiles out into the ocean and over Japan and continue with nuclear tests for the last—essentially, the greater part of the last 2 years, is that—can that be viewed as a concession or not?

Mr. CHA. It is certainly an important nonevent. Yes. Fifteen months of no testing of any sort is good for the diplomatic climate and also makes it harder for them to develop their programs.

Mr. PERRY. Right. Right. So, look, I am not pie in the sky here and I am not looking, like, through rose-colored glasses. North Korea is a hostile actor and an enemy of the United States of America and Western civilization and democracies all around the world. That is a given, right?

But I think we are at a—you know, I think it is hard to say objectively that we are not, at this very point, in a better place from a rhetorical and a wartime footing vis-a-vis North Korea than we were at the end of the last administration.

I think it is—and there has been a price to pay for that. Let us just—let us just admit there has been a price to pay for that.

But I think that Americans right now are sleeping a little better not wondering if tomorrow their sons and daughters are going to be called up to go to war on the Korean Peninsula with potential horrific artillery barrage on Seoul or nuclear weapons being exchanged across the lines. I mean, is that reasonably safe to say?

Mr. CHA. Yes. I mean, I think the—this administration's decision to engage in the summit diplomacy with North Korea has certainly played a role in their not testing—

Mr. PERRY. Right.

Mr. CHA [continuing]. And that has made the situation a lot calmer.

Mr. PERRY. So, because the tenor of the meeting seems to be that the president has failed. It is more dangerous. We are giving everything away. We are getting nothing for it.

Look, I do not like dealing with dictators at all. But I understand they live in the world today and if we are going to—and if we are going to, you know, try and fix things we are going to have a discussion with them and I do not remember anybody on this committee on the other side of the aisle being too upset when the last administration negotiated with Cuba and opened up relations with them.

One last question, though, for you, sir. With Asian diplomacy particular and specifically vis-a-vis other places in the world, is not the personal relationship key to success in that as opposed to the tenets of an agreement or the—or the facts of the matter.

I mean, the relationship is what folks from that part of the world see as key and building a trusting relationship to moving forward. Is that true or not true, generally speaking?

Mr. CHA. Yes. I mean, I think if we want a watershed agreement with North Korea there needs—you need to establish trust with the only person who makes a decision.

Mr. PERRY. And how many meetings has this president has with that—with President Kim?

Mr. CHA. This is now his second meeting.

Mr. PERRY. This is now—so we have—we have one meeting. We have had one meeting and we are predicating all the rhetoric here in this committee on one meeting the start. Not the end of negotiations, like in the JCPOA, but the beginning.

With that, Mr. Chairman, I would yield.

Chairman SHERMAN. I recognize the gentleman from California.

Mr. BERA. Great. Thank you, Mr. Chairman.

I am going to take a little bit of different perspective than my colleague from Pennsylvania. I do not view foreign policy and our strategic aims through a lens of partisanship or one administration or another administration and I would say, you know, I had my issues with the prior administration—President Obama and strategic patience, which I did think eroded some of our strength in that region. You know, I would point to the South China Sea and the complexity of not addressing that a bit more aggressively.

I would also argue that, you know, having been on the same committee, having gone through those same briefings, I do not think the prior administration was putting us on a war footing.

I do think our troops on the Peninsula constantly are training, constantly are prepared. For those of us that have gone to the DMZ and talked to those troops, they are constantly ready for anything to happen.

I do think 2 years ago this time and even a year and a half ago the tensions on the Peninsula, the potential of kinetic conflict, the potential of war was much higher.

I will credit the Trump administration for being willing to negotiate and, you know, maybe there was a strategic goal there of increasing those tensions, increasing the possibility of war, increasing the sanctions, to bring them to the table.

So, I am going to give credit to the Trump administration just starting a dialog. I have very real concerns that the outcome of the first summit was, you know, a halting of our troop preparation, our exercises in the region.

I think we have to continue to maintain a strong posture there. I am very concerned, and both of you referenced it. We hear the rumblings of troop reductions, troop withdrawals. You know, regardless, even if we had a safe peninsula that was moving forward with denuclearization, the presence of our troops on the Peninsula served broader strategic importance—served strategic importance of stabilizing that region.

We have an adversary in China. It serves a strategic importance in being a check on China's aggressiveness in the region and I would caution the administration. I would point out that Congress does have an oversight role here. There are checks and balances.

Our colleague from Arizona, Mr. Gallego, has in the prior Congress introduced legislation to—you know, if troop levels fall below a certain level you have got to come to Congress and justify that, and I think those are the right steps for us as a body.

This is going to be a long process and, again, I am not criticizing the Trump administration. I would rather see dialog. I would rather see where we are today, where the atmosphere on the Peninsula is not one of imminent war or concern but is one of looking at how do you—how do you move forward.

So both of you, in your opening testimony and, you know, my sense is let us not set expectations for this summit super high but let us actually be realistic. And if we can come out of the summit with that framework and that parameter of what does this look like, moving forward, in terms of meetings, who is going to be negotiating—future Chairman and President Trump negotiations.

Governor Richardson, what would—if you were sitting at the negotiating table what would success look like to you? And then I will ask the same question to Dr. Cha.

Mr. RICHARDSON. Well, success for me would be a commitment by North Korea to dismantle some—some of their weapons, missiles. I will not get into a number because they vary. WMD—some tangible dismantling. What else are remaining?

Mr. BERA. Do you think that is realistic out of this particular summit as opposed to, I guess, success—what a framework—next negotiating steps would be?

Mr. RICHARDSON. A freeze would be a mild success of existing testing, weapons, new development. But, in a way, North Korea has already done that, you know, so you want to move forward.

Establishing a liaison office is good for both sides. Dialogue—it would allow, for instance, our inspectors to have a chance. Our inspectors' verification time lines—that is also a definition of success. More joint excavations of our remains. I think Dr. Cha mentioned eventually a discussion on human rights, religious freedom there. But I think that is more—

Mr. BERA. And since I am going to run out of time let me just—you know, some of us also think part of the reason why Chairman Kim is willing to sit at the table now is they have acquired their nuclear capabilities. They have acquired their missile capabilities, et cetera.

So now they are not negotiating from a place of weakness. They are negotiating from a place where they have acquired some of those capabilities and that is certainly—let us go into this with our eyes wide open.

Mr. CHA. So I would say that in terms of what would be success, you know, the key word is verifiability. Whatever the North Koreans give us, whether it is a couple of sites or whether it is a promise not to produce more fissile material, it has to be verifiable, right.

And so they decommissioned some sites after the Singapore Summit, as Congressman Yoho said, but they did not allow anybody to verify it. And so that is really the key piece to me is to see whatever they have put on the table—how small or how large—it has to be verifiable.

Chairman SHERMAN. I recognize the gentlelady from Missouri.

Mrs. WAGNER. I thank—thank you, Mr. Chairman, for organizing this hearing and thank you to our witnesses for their time.

Following up on my friend and colleague, Mr. Bera's, line of questioning, Dr. Cha, U.S. special representative for North Korea, Stephen Biegun, who Governor Richardson has spoken so highly of, has noted that even as United States pursues a direct leader-to-leader format for the current talks with North Korea, it is supplementing summit-level meetings with intensive working-level negotiations.

Do you think this strategy will better ensure the U.S. walks away from Hanoi with some sort of acceptable deal, agreement?

Mr. CHA. Congresswoman, I think what—certainly what was better in process with regard to this summit was that there was a lead up of intense, as you said—

Mrs. WAGNER. Right.

Mr. CHA [continuing]. Working-level negotiations that Steve Biegun led. The first summit in Singapore, as you remember, was just an announcement that they were going to meet and there was no working-level effort.

So those working-level meetings are important to help the outcome of the summit be successful.

Mrs. WAGNER. Not just happening at the summit. Let us be clear, Dr. Cha. It has been in the lead-up to the summit—

Mr. CHA. Yes.

Mrs. WAGNER [continuing]. In a very intensified way, from what I understand. Is that your understanding?

Mr. CHA. Yes. Yes. And that is—that is the way it should be done. Yes.

Mrs. WAGNER. Great. Wonderful.

Governor Richardson, you have spent decades working through formal and informal channels in North Korea to secure the release of American citizens held unjustly by the Kim regime.

Informal exchanges like the relationships you have built over the last several years can be highly effective in promoting mutual understanding. How do your efforts support and intersect with official talks?

Mr. RICHARDSON. I think you asked a question about Special Envoy Biegun. I think he is very effective. You know, the administration consults with me. They do not listen, though.

[Laughter.]

Mrs. WAGNER. They do not listen to me either.

Chairman SHERMAN. They do not even talk to me.

[Laughter.]

Mr. RICHARDSON. They do, sometimes.

Mrs. WAGNER. I know.

Mr. RICHARDSON. My point here, Congresswoman, is I think you need, yes, Presidential—the president. That is good. Personal relationships. But you need the staff work in preparation for that.

Mrs. WAGNER. Right.

Mr. RICHARDSON. And sometimes I wonder, because of the president's style, that that does not happen as much as it should. I hope he is listening. I mean, we are going to find out in 2 days whether this summit is a success or not. He listens to Envoy Biegun, the Secretary Pompeo, you know, who has had to negotiate with the North Korean's spy chief ever since the first summit or before the first summit.

My worry is—and before, I think, you came in I said it is better to negotiate with the foreign ministry types in North Korea rather than the intelligence people because they are more flexible.

We will see what happens in this next summit. We are kind of hanging on to—for the result.

Mrs. WAGNER. But you would agree that both formal and informal lines—

Mr. RICHARDSON. Absolutely.

Mrs. WAGNER [continuing]. Of communication are important, correct?

Mr. RICHARDSON. Absolutely. Absolutely. You know, on prisoner exchanges.

Mrs. WAGNER. Right.

Mr. RICHARDSON. On rescuing American servicemen, on remains—yes. I mean—

Mrs. WAGNER. We thank you for your leadership in that—

Mr. RICHARDSON. Thank you.

Mrs. WAGNER [continuing]. In that regard. Russia and China appear to be weakening on sanctions enforcement, although U.S. negotiators are working to solidify support in advance of the Hanoi Summit.

Dr. Cha, how worried should we be about Chinese and Russian compliance and how can the U.S. convince the international community to kind of hold the line?

Mr. CHA. So it is—I think it is a real problem, Congresswoman. Any agreement we make with North Korea has to be enforceable,

and enforceability means also sanctioning if they violate the agreement, and China holds a lot of cards when it comes to sanctioning.

I mean, I think the only—the only way to really compel China to do this is to be willing to secondary sanction—I mean, to go after Chinese companies that are willfully and knowingly violating U.S. law. That is the only way to—

Mrs. WAGNER. Well, you found that secondary sanctions can be very effective in that regard?

Mr. CHA. I think—I think they can. They certainly spread the net of who is responsible when it comes to this. I mean, China is a U.N. Security Council member so they should be complying with the 11 U.N. Security Council resolutions with regard to North Korea on—particularly on trade. But they really have not been for about 15 months now.

Mrs. WAGNER. Well, thank you. I think my time is about to expire so I yield back, Mr. Chairman.

Chairman SHERMAN. Thank you. I will recognize myself at this point. As to denuclearization, I am not sure that we disagree as to what it means. I think we disagree as to when.

All the signatories of the nonproliferation treaty including Russia and the United States are on record saying we look forward to eventually having no nuclear weapons in the world and I am confident that Pyongyang will denuclearize as soon as the United States and Russia do so.

As to the change in the level of tension, 2015 and 2016 was not a period of particularly high blood pressure. We had a policy of strategic patience. It was not a good policy but at least it was not a policy fraught with tension.

The tension was in 2017. It has declined since then. As to a minimal level of success, I think I mostly agree with the Governor. But I would say that if we had a verifiable halt to the creation of more fissile material that would mean we were safer.

If all we have is a halt to testing, well, Kim has said he has done all the testing he needs. So a new test might not make us less safe since it would give him the information he already has or claims to already have, whereas, clearly, a halt to the creation of new fissile material, if verifiable, would make us safer.

Dr. Cha, you talk about the importance of human rights. We, obviously, need to be bringing this up. It is very important to the North Koreans. One place where they could make a concession easily is to allow more family reunification visits, particularly for the 100,000 Korean Americans who have family north of the 38th Parallel.

Is there any reason why Kim would not make that concession other than he knows we want it so he would not want to give it to us? Any disadvantage to him to allowing such family reunifications with Korean Americans?

Mr. CHA. No. I mean, I think, as you said, that there are still many divided families as a result of the Korean War. This could be a very useful humanitarian gesture.

I say useful because, from the perspective of incentives, there is every reason for him to do it if he wants to have, you know, a more positive view of the—of himself in the broader—in the broader press.

But there still needs to be—there needs to be a raising of the human rights abuses, not just humanitarian issues.

Chairman SHERMAN. Gotcha.

Mr. RICHARDSON. Congressman, could I just add to that?

Chairman SHERMAN. Yes.

Mr. RICHARDSON. What North Korea needs more than anything in terms of investments, it is not necessarily the United States. It is South Korea. And there is an effort by South Korea to possibly invest in the railway in North Korea, the Kaesong joint facility that was shut down.

So my point is that North Korea will want to make strong family reunification. It is in their interests if they want this South Korean investment. I mean, it is called politics. It is something that you are all the experts.

Chairman SHERMAN. Now, the North Koreans have a conventional military double the size of South Korea and yet they are pressuring us to remove some of our 28,000 troops while, of course, North Korea has almost a million, or to make those troops less effective by canceling exercises.

I have been told that the long-term North Korean dream is you get America to withdraw its forces. This makes international business less interested in investing in South Korea. That leads to the kind of economic decline in South Korea that makes unification on their terms possible.

Is there any—how do the North Koreans argue for a diminution of American forces in South Korea when they have such a powerful conventional military?

Governor or Doctor?

Mr. CHA. Well, I think it goes along with, and this goes back to the gap and denuclearization definitions—it goes back to the way the North Koreans define denuclearization.

They define it as being—their willingness to do this will be—will happen when the United States is off the Peninsula and no longer has a security commitment to South Korea. That is when they consider real—the real concept of denuclearization.

Chairman SHERMAN. It's good politics in the United States to announce an end to the Korean War and sign the peace treaty. All Americans like peace treaties. This would not cause pressure on the United States to move its forces from South Korea.

We have a—World War II is over with peace treaties in Europe and Japan and we had troops in Germany—we have troops in Japan. So the question is would a peace treaty with North Korea—it, obviously, is important to them—but it—would it create pressure in South Korea to expel American troops?

Doctor or Governor?

Mr. CHA. Quickly, I will just say that—yes. Quickly, I will just say that I think it would start to create a discussion about the utility of U.S. forces in Korea once a peace declaration of some sort was made, certainly, among the progressive camp in South Korea. Maybe less so among the conservative camp, but certainly among the progressive camp.

Chairman SHERMAN. OK. And then, finally, Governor, what are the phony concessions that North Korea can make? Are there facilities that are no longer useful to them? Yongbyon, I guess, may

have outlived its usefulness. The nuclear weapons testing facility they destroyed some or all of because it outlived its usefulness.

What are the things they can give up that sound important that are not important?

Mr. RICHARDSON. You mentioned the two that are, I think, most obvious—the Yongbyon facility, this test site where they blew up I think the sides and they did not allow inspections or the press there.

Those are what I would expect they will try to get away with. I just happen to think that if they continue to say, we are not going to have any testing—nuclear testing, missile testing—they have already done that. I want them to do a lot more.

While I am not diminishing that but, this is something that they have done the last—it is now almost a year. Let them do more. Again, I agree with Dr. Cha. Verification is essential of what they do, and I am concerned with one concession that I sense we may be giving up and that is list all of your sites, your facilities, and inventory so this can be inspected and verified, and I sense that we are kind of—may lose that at this summit.

Chairman SHERMAN. All the press reports are that we have given up on that, and that—and with that, I will recognize the gentleman from Michigan.

Mr. LEVIN. Thank you, Mr. Chairman, and thanks to you and the ranking member for the terrific witnesses here. I thank both of you for coming. Good to see you, Governor Richardson.

Dr. Cha, I want to start with a question for you about human rights. The logic behind choosing Vietnam for this summit's setting seems to be that if Kim sees firsthand Vietnam's economic success he will want to mirror that success in North Korea. Or, put another way, he may see an incentive to denuclearize.

One issue that seems to be missing from this calculus, though, is human rights. Human Rights Watch reported earlier this month that, and I am quoting, "Vietnam's one-party state severely restricts fundamental civil and political rights and has stepped up its harsh crackdown on activists and dissidents."

Reports indicate that these crackdowns range from arbitrary arrests of activists to a lack of press freedom to a grossly unfair legal system. Amnesty International has documented more than a hundred prisoners of conscience who remain in prison at the risk of being tortured or ill-treated.

So my question to you is, is there a risk that Kim will get the message that North Korea can indeed achieve what Vietnam has and that just like Vietnam he does not need to respect human rights to do it?

Mr. CHA. Thanks, Congressman. It is a great question.

I certainly hope that is not the message that he will get. I mean, if anything, I think what would be very useful would be for the North Korean leader to get a briefing about all the laws that now exist passed by this body with regard to not just proliferation but human rights abuses that will make it impossible for U.S. companies to do any sort of business in North Korea.

That could probably be the most important thing that could be told to him that would be incentive for him to try to address the human rights abuses in the country.

Mr. LEVIN. I really need to study up on that because I have noticed a lot of U.S. companies doing a lot of business in countries with gross human rights violations over the years. Maybe we have done a better job more recently before I came to Congress. I think of not—this is not just about Korea or Asia, you know—in Latin America and Central America and all over the world, in Africa and so forth.

You mentioned earlier, that the Trump administration has failed to appoint a special envoy for human rights in North Korea, which is a requirement set forth in the North Korea Human Rights Act of 2004. What impact do you think this vacancy has on the coordination of our larger North Korea policy?

Mr. CHA. So as you mentioned, it is mandated by Congress. President Bush appointed the first Special Envoy for Human Rights, Jay Lefkowitz, and then President Obama appointed Bob King.

I think the most important job—position—role that this position plays is a leadership role not just here in Washington but at the United Nations and, indeed, around the world with regard to getting the international community to focus on the human rights abuses in North Korea.

One very quick example—last December the U.N. Security Council did not vote for raising U.N.—North Korean human rights in the Security Council agenda, which I think was a big defeat because they had done it previously.

And there is another opportunity this spring, perhaps after the summit, but it requires U.S. leadership and if we do not have an envoy and if we do not have a U.N. Ambassador it is harder to do that.

Mr. LEVIN. And do you think that this lack of appointing someone sends a signal to the international community about our commitment to human rights, more broadly?

Mr. CHA. Well, I think that there are a number of people around town who have drawn a relationship between the absence of a human rights envoy and things that are happening in China—more crackdowns in China—the Uyghur camps in China.

So the United States always has been a beacon for human rights and human freedom, and we should continue to do so.

Mr. LEVIN. Thank you very much. I hope we do continue to do so and I fear that we are not being that beacon right now.

Mr. Chairman, I yield back my time.

Chairman SHERMAN. Thank you.

I recognize the gentlelady from Virginia.

Ms. SPANBERGER. Thank you, Mr. —

Chairman SHERMAN. Oh, and I will point out we will do a second round, but we will adjourn by 12:20 at the very latest.

Ms. SPANBERGER. Thank you, Mr. Chairman.

So, Dr. Cha, you have written extensively and, Governor Richardson and Dr. Cha, we have talked extensively today about undeclared North Korean missile operating bases that may not be included in denuclearization discussions.

News reports earlier this month described a U.N.—a confidential U.N. report that North Korea was engaging in what the intelligence community calls denial and deception techniques—deliberate efforts to hide their nuclear and ballistic weapons to prevent U.S. and others from discovering them.

Dr. Cha, you spoke a bit as well about the idea that any agreements have to be verifiable. So my question is, given the denial and deception, how can we ensure that inspectors, given whatever agreement is made, are gaining access to all of North Korea's weapons and facilities and operating bases and how can the U.S. negotiate an agreement that North—with North Korea that would actually account for any undeclared weaponsites, development facilities, or operating bases and ensure that we can verify whatever agreements are made?

Mr. CHA. Well, it requires the president to raise it. I mean, this is—I think there are things that North Korea will be willing to put on the table in the discussions over the next 48 hours. But the key condition, I think, for our side to say that this is useful or successful would be conditions and protocols for verification.

I mean, once they agree to verification we know how to do it. The International Atomic Energy Agency knows how to do it. There are people there who have known these North Korean sites for years from working on them in the past.

But it requires the president to raise it and for the North Koreans to agree to it.

Ms. SPANBERGER. As a former intelligence officer myself—I am a former CIA officer—I am particularly concerned about what appears to be a growing disconnect between our political and intelligence leaders and, in particular, the undermining of objective nonpartisan intelligence assessment.

So following up on that notion of what is verifiable, allowing third-party organizations to determine what is in fact happening on the ground in North Korea and also listening to our intelligence community assessments based—about what is happening in North Korea.

Do you have any thoughts about what we, as Members of Congress, can do to ensure that the White House is, in the first place, receiving, considering, and then evaluating the intelligence information and other information that is available and created to help inform U.S. policy engagement with North Korea?

Mr. CHA. It is a great question and, again, given your experience in this area, you know a lot more than I do about this. I will just say that when we were doing the negotiations 10 years ago, the intelligence briefing that we had every morning was about the most important information that we could work from and without it, personally, I felt like we were just flying blind.

This is the hardest intelligence target in the world. I think Governor Richardson would agree it is the hardest intelligence target in the world. But I think our IC—the intelligence community—has done a remarkable job trying to gain information not just about their capabilities but their intentions.

Mr. RICHARDSON. I would just add, Congresswoman, what is critical is that you and this committee get the best briefings from our intelligence people. That is No. 1.

And I believe that what the NSA and CIA and DIA the—and I am concerned about this gap between the White House and our intelligence people. And, you know, we spent billions on intelligence—human assets, technological assets, and we should listen to them.

But I think you, in your role of oversight, should insist on those briefings. What else would I suggest? You know, verification inspections are key. The North Koreans will object if we are the inspectors, I believe—we, the United States.

We should insist on that. Perhaps the International Atomic Energy Agency—the IAEA, that is involved with the Iran deal in the past—well, it still is—that that may be part of the inspections regime.

Ms. SPANBERGER. Thank you very much to the witnesses.

And to the chair, I yield back.

Chairman SHERMAN. Without objection, we will recognize a member of the full committee who is not a member of this subcommittee but the former chair of the subcommittee, Mr. Chabot.

Mr. CHABOT. Thank you very much.

I apologize, first of all. I was in Judiciary and unable to—but I definitely wanted to stop by. It is a very important topic and I will go back and review the questions with my colleagues and the answers later on.

You know, I have to be very honest about this whole negotiations and meetings with Kim Jong-Un. He is somebody—he, being Kim Jong-Un, is somebody—if he is anything like this father and grandfather and, I think in this case, the apple does not fall too far from the tree, we have to be extremely leery of anything he says and, obviously, the president and the people that he has surrounded himself with, the number-one—the number-one thing that we have to be focused on is what is in best interests of the United States and our security—security of the American people.

Now, diplomacy certainly is better than military confrontation and I think we were getting closer and closer to that. I think it was a game changer when we believe that they had either reached or were very close to having the ability to land a nuclear device on American soil.

I think previous administrations maybe had somewhat of a luxury in that we could continue to try to get North Koreans to back off their nuclear program and we could negotiate on occasion and we saw that when we had—when we would get together with them and, in general, we would provide food and energy resources and in return they would promise that they were going to back off their program or discontinue it or close down facilities and we would continue underground full speed ahead.

Maybe not full speed ahead but they would continue the programs, maybe not quite as quickly as they would have if they had not agreed but they moved forward nonetheless.

So I am concerned that that behavior will be repeated here. That being said, I hope and pray that the president is successful and that he really will be able to get some behavior changed in Kim Jong-Un. We cannot predict the future but I think we all are hoping that that is where we get.

So I guess my question then, after rambling on there for a couple of minutes, is should we be—should we be in a, like President Reagan said—he said, obviously, when negotiating with the Soviet Union, trust but verify?

Is this a—should we be distrust but verify, but hopefully—I will, for example, as somewhat of a—well, not somewhat—quite skeptical, will I—am I likely to be surprised and there really is a possibility here that we will have peace on the Peninsula and they will denuclearize?

So I would be happy to open it up to either Bill or the other gentleman here.

Mr. RICHARDSON. Congressman—Mr. Chairman—

Mr. CHABOT. Thank you for your years of service here, too. We—a lot of us, especially those that have been around the block, it was an—it was an honor to call you a colleague and you have done great and done wonderful things for our country all over the globe. So thank you for that.

Mr. RICHARDSON. Well, my answer is I was going to commend you for your very hopeful and positive statement. I believe we need to continue these negotiations, even if this next summit does not appear to bear many results. I am concerned about that.

But this is the most—this is the tensest region in the world right now, I believe, with nuclear weapons, with missiles, with our allies, with our troops—28,000 in South Korea, 30,000 in Japan.

I think we need to keep talking and dialog, even if we do not get the results we want at this summit, needs to continue and regardless of what administration is in power.

Mr. CHABOT. Thank you.

Sir?

Mr. CHA. I am—yes, I am uncertain, as you are, Congressman, of whether we can get to full denuclearization. But I do know that any steps we take along those paths cannot simply be promises that are made without verification because it makes no sense if nothing can be verified.

And in the end, if we take steps along those lines then we are moving in a positive direction.

Mr. CHABOT. Thank you. Thank you very much. I appreciate that, and I want to thank the chair and the ranking member for allowing me to participate.

Thank you very much.

Chairman SHERMAN. Thank you.

One thing about sanctions is that if you are dealing with a democracy you have a little bit of sanctions. You say depress income in the country by 10 percent—that is a big deal.

It is not a big deal to Kim whether his people are 10 percent richer or 10 percent poorer, and so the problem with partially relaxing sanctions is that you certainly do not have regime-threatening sanctions if you go from what I think are the inadequate sanctions we have now to something even less.

My first question is about the train. Kim flew to Switzerland when he was a student. He flew to Singapore last year. He is on a train through China. Why?

Mr. RICHARDSON. Well, first, the maintenance record of North Korean aircraft is not the best. That is why. Second, you know, this has been a tradition in his family—

Chairman SHERMAN. Yes. I mean, his father used to go to Beijing on an armored train.

Mr. RICHARDSON. He would go to China, Russia, by train. I have seen that train. You should go to see it. It is in a museum in Pyongyang. Well, they move it in and out.

But, last, I think it is mainly a security issue and, symbolically, I think Kim Jong-Un was trying to show that he went through and he needs China. So he was giving visibility to China, and I think going to Vietnam is a signal that North Korea wants to do business outside of China with Vietnam.

Chairman SHERMAN. We have this image that Kim is in total power. Yet, I study dictators and none of them are in total power. If he was in total power he could do whatever he thought was in the long-term interests of his dynasty.

What restraints are there? What red lines cannot he cross? What people in Pyongyang cannot he cross? What institutions? Or is he really that—the thing I have not been able to find in history and that is the total dictator?

Mr. CHA. It is a great question, Congressman. It is a hard one to answer, I think. There was a view when he first started that because of his inexperience he needed to balance different factions in the party, the military, and, of course, the family.

But he has since then gone on, as you know well, such a ruthless purging campaign that I think many experts saw his trip to—his first trip to China, first time out of the country, for as long as he was gone as a sign that he really had consolidated power.

So I think there still is a degree of purging taking place but, you know, I think relative to when he started he seems to be in about as secure a position as we could have imagined, you know, 6 years ago and he does seem to be calling the shots.

Chairman SHERMAN. If—and this would be my wildest fantasy—he just goes to Vietnam and gives up his nuclear program in return for getting the Apple headquarters and maybe Amazon as well move to Pyongyang—whatever it took—if he were to do that, and none of us expect it, what repercussions would he have at home or can he just go back and say, hey, it is time to be Silicon Valley?

Mr. RICHARDSON. He has total control in North Korea. I think he is more secure than ever before. His main objective, Congressman—Mr. Chairman—is—his main objective is to stay in power, more so than detente with the United States or—stay in power and I think a source of that is keeping his nuclear weapons or some of his nuclear weapons.

I think what you suggested may be a little wishful thinking that he will give it up. But he has said to his people, we have to improve our economy and, in a way, he said, you know, the only way we can do that perhaps is—they always want to deal with the United States.

They would say to me, we should settle things. The U.S. and North Korea—not China, not Russia, not South Korea. We are the big guys around here. So I think that is why they are talking.

Chairman SHERMAN. I am going to make one more comment and that is the fact that Japan and Korea cannot cooperate is harmful to the United States' national security and I recognize—I brought this home to both Korean and Japanese leaders recently—that they have a certain animosity from the first half of the 20th century.

But Poland and Germany cooperate and that helps our national security, and if I had more time I would ask for—you could respond for the record as to if there is anything we can do to get these two countries to cooperate on that—on security matters.

I am going to recognize the ranking member for a limited time and then I have to go, and I know the witness has to go as well.

Mr. YOHO. Thank you both, and I think the important thing is that we look forward where we are going. We cannot worry about what did not work in the past—I mean, we have to learn from that—but more forward looking.

The thing that brought North Korea to the negotiating table—correct me if I am wrong—was the unanimous U.N. agreement resolution that I think 17 countries placed severe sanctions on North Korea.

With people pretty much adhering to that—i.e., us, Russia, China, South Korea—that put enough pressure where they did come to the table. Since that point in time, we have seen Russia, China, even South Korea with a transfer of—it was either coal or petroleum that they said was a mistake—it did happen and they went after the people, you know, taking that on good faith.

We have a report, and I do not have the U.N. report—it will be out later this year—that we have a report of over 148 ship-to-ship transfers from January to August. It was oil at sea.

How detrimental is that to our negotiations and moving forward if they start normalizing and allow this to happen, and then, more importantly, what I would really like to hear from you your recommendations to us on this committee as a bipartisan group to where we can hold the administration or South Korea or China or Russia accountable so that we keep that maximum pressure on them until we get a clear blueprint of where we are going and then the verification. I wanted to ask you real quickly about that. But if you would answer those.

Mr. CHA. So, first, to the chairman's earlier point about trilateral coordination, for the record, it is absolutely necessary. We are stronger—the United States is stronger if we are lined up with our allies, Japan and Korea, for the record.

Mr. YOHO. Sure.

Mr. CHA. On the maximum pressure, diplomacy does not work without maximum pressure. The president's efforts at diplomacy will not work without maximum pressure and that—and that speaks not just—as you said, not just to China but also to South Korea.

And then the third point is there is a way—if we start to lift sanctions it will most likely be through South Korea—South Korea reopening Kaesong Industrial Complex with the North.

I think where human rights matters there is we can require the South Koreans to ensure that they can pay the North Korean workers directly in Kaesong, which would address the human rights issue and address the desire for—

Mr. YOHO. You know, that came up today in our meeting I had. How can you pay them directly? I mean, is Kim Jong-Un going to allow that to happen? I mean, that would have to go through him and he would have to OK that.

Mr. CHA. Right. Right. Yes. Yes.

Mr. YOHO. If that happens, that would be—I mean, that would be a huge concession on his part, I would think, to allow people to actually earn—keep what they earn and put in the labor.

Mr. CHA. Right. And it would be—for our policy it would be a huge success if that could happen.

Mr. YOHO. That would be a huge success.

Governor, do you have any thoughts?

Mr. RICHARDSON. Congressman, my sense is that Russia is not observing sanctions. There is massive violations that—

Mr. YOHO. Oh, terrible.

Mr. RICHARDSON [continuing]. The site of the border there, the port. Victor, what is the name of that port where the—China has—Russia has a short border.

Mr. YOHO. Yes.

Mr. RICHARDSON. So—

Mr. YOHO. I know where you are talking.

Mr. RICHARDSON. Russia needs to get tougher and they are not doing it. I think these U.N. sanctions were the strongest that we have ever had. A lot of it has been working and it is essential that China continue the sanctions.

But the cross-border contraband, the verification—

Mr. YOHO. Right.

Mr. RICHARDSON [continuing]. There is key. I always found that the most effective sanctions, and I think this was in the Bush Administration on North Korea, were banking sanctions on their banks and how—I think there is some of that left.

But the sanctions that have, I think, bitten—that bite the most have been the coal, the uranium, the oil sanctions that are imposed now by the U.N.

Mr. YOHO. Right. But, yet, China and Russia are cheating and so what we wanted to do is go after the bigger banks, the bank of—the construction bank, their agriculture bank—the big ones. That would really hurt China.

And so we are going to followup on our letter to the Treasury Department through this administration, and I guess we are at a point to demand why are these not taking place. Because if we put that pressure on China and Russia they will come to the table and I see China as just—they are insecure because they fear North Korea becoming more like South Korea.

But, yet, if they look at the world overall, we are their largest trading partner and they are going to benefit hugely from this. But they are intimidated by success, I guess, of an open society.

And then you brought up, and I agree with you, what would—the inspectors. I do not think they need to be U.S. inspectors. They just need to be verifiable inspectors that we have the faith in that they carry this out. And you are in agreement with that, right?

I am out of time. He has got to get to a meeting. Thank you both.

Chairman SHERMAN. I want to thank our witnesses and my colleagues, and I look forward to exploring this further.

[Whereupon, at 12:18 p.m., the committee was adjourned.]

APPENDIX

**SUBCOMMITTEE HEARING NOTICE**  
**COMMITTEE ON FOREIGN AFFAIRS**  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515-6128

**Subcommittee on Asia, the Pacific, and Nonproliferation**  
**Brad Sherman (D-CA), Chairman**

February 26, 2019

**TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS**

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Asia, the Pacific, and Nonproliferation in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at [www.foreignaffairs.house.gov](http://www.foreignaffairs.house.gov)):

**DATE:** Tuesday, February 26, 2019

**TIME:** 10:15 a.m.

**SUBJECT:** On the Eve of the Summit: Options for U.S. Diplomacy on North Korea

**WITNESSES:** The Honorable Bill Richardson  
*(Former Governor of New Mexico, U.S. Ambassador to the United Nations and Member of Congress)*

Dr. Victor Cha  
*(Senior Adviser and Korea Chair,  
Center for Strategic and International Studies)*

**By Direction of the Chairman**

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