Trent Lott lies on China satellites

by Marsha Freeman

On July 14, Senate Majority Leader Trent Lott (R-Miss.) delivered remarks he characterized as an "interim report," on the investigation into U.S. policy toward satellite exports for launch in China. Lott stated that "five major interim judgments" were made from material offered at 13 Senate hearings, held by four Senate committees, at which 32 witnesses testified.

In effect, Lott stated that the allegations made in the press, that military technology had been transferred to China during the launch of U.S.-built satellites, are true. These include charges that the Clinton administration's export-control policies "have not protected sensitive U.S. technology," that such technology has been transferred to China which received military benefit from U.S. satellite exports, and that the administration "has ignored overwhelming information regarding Chinese proliferation."

In fact, Lott's assertion that "we" have come to these judgments was contradicted by Intelligence Committee Chairman Richard Shelby (R-Ala.), who responded, "I have not made any preliminary judgments as to where we are at this time. We've only had six hearings." The vice chairman of the Intelligence Committee, Robert Kerrey (D-Neb.), attacked the partisan nature of Lott's accusation, saying it "endangers national security because it threatens our committee's capacity to produce a bipartisan set of recommendations."

It seems likely that Lott did not release his statement because he is concerned about threats to national security, or because he found evidence of malfeasance by the administration. Lott is trying to give the Republicans a head start in Congressional elections in November, and a Presidential election two years later.

But, there is a broader policy fight. On April 28, in a hearing before the Joint Economic Committee, Commerce Undersecretary for Export Administration William Reinsch stated, "Some in the Congress and the media have apparently already decided that China is a committed adversary that we should treat the same way we treated the Soviet Union during the Cold War. Others, including the administration, believe that the old Cold War controls aimed at the Soviet Union are not relevant to new and more complex situations like that of China."

Some Conservative Revolutionaries in the Congress do believe that China is run by the "butchers of Beijing." Others will use the China issue as any other that can be sensationalized, regardless of veracity, to try to destabilize the Presidency and the President. But Lott has stepped onto shaky ground. All of his "judgments" have been contradicted by witnesses, testifying under oath.

Lies by the barrel

Point one of Lott's "interim judgment" is that "the Clinton administration's export controls for satellites are wholly inadequate." He cited testimony by a "senior official" of the Defense Technology Security Administration (DTSA) before the Committee on Governmental Affairs on June 25, stating that the "process to control the dual-use items has failed in its stated mission—to safeguard the national security of the United States." This official, Peter Leitner, described the export-control regime as a "Potemkin Village" to "deceive" the Congress and "lull us all into a false sense of security." He listed military technologies he suggested were decontrolled under the President Clinton.

However, on July 8, Principal Deputy Assistant Secretary of Defense Frank Miller, Leitner's boss, testified before the same committee. When asked by Sen. Carl Levin (D-Mich.) about Leitner's statements, Miller said, "I disagree with much of what was said in that testimony. I think that it was unfortunate that a number of issues were raised and confused." Miller stated that "throughout that testimony, there were a number of serious charges that were put in front of the committee that I believe . . . the record will show, that facts will show, were without any substance whatsoever."

Next, Lott cited the testimony of the General Accounting Office (GAO) before the Senate Intelligence Committee on June 10, which stated that the 1996 transfer of license authority for additional commercial satellites from the State Department to the Commerce Department "reduced the influence of the Defense Department."

But the leadership of the Defense Department itself has a diametrically opposed view. In a hearing on June 18 of the International Security, Proliferation, and Federal Services Subcommittee of the Senate Committee on Governmental Affairs, Senator Levin raised the GAO issues with Jan Lodal, Principal Deputy Undersecretary of Defense for Policy. Lodal explained that changes made in satellite export policy in 1996 *strengthened* the DOD's oversight, and that safeguards identified by the GAO "are mandatory under our '96 procedures," but were not before.

On June 23, before House hearings, Undersecretary of Defense for Policy Walter Slocombe explained that the new policy guarantees DOD monitoring of satellite transport, preparation, and launch; and requires defense monitors to be present at every technical meeting.

Commerce Undersecretary Reinsch stated that before President Clinton's 1996 changes, Commerce was "referring about 52% of our licenses for other agencies to review. Now we are referring between 92 and 95%." With the changes, he

said, "we provided to the Defense Department something that they had wanted for 15 years: . . . to be able to review all [export] licenses."

Take it up with Bush

In another attempt to make the case that "export controls are wholly inadequate," Lott brought up the fact that there were three communications satellites launched from China where DOD monitors were not present. However, this charge, Lott should take up with George Bush.

On June 18, John Holum, Acting Undersecretary of State for Arms Control and International Security Affairs, presented a detailed history to the Government Affairs subcommittee on export-control policy regarding satellites. He explained that when the Clinton administration came into office in 1993, it inherited a set of amendments to the International Traffic and Arms Regulations prepared by the Bush administration.

The Bush policy, under pressure from Congress and the satellite industry, was to transfer from State to Commerce dual-use satellites that did not contain any one of nine military technologies. Under this policy, continued by Clinton administration, Commerce-licensed launches were not required to have monitors, and three of them did not.

At the hearing, Defense Deputy Undersecretary Lodal explained that "before the 1996 [Clinton] revision," the three unmonitored launches, "were launches of purely commercial satellites that were licensed by Commerce." But, "since 1996, monitoring by the U.S. government is required in all launches of commercial satellites, and this monitoring is provided by the DOD." On June 23, this view was stated again in a hearing by DOD's Slocombe.

Lott's second "interim judgment" was that "sensitive technology related to satellite exports has been transferred to China." This issue involves the investigation into a 1996 Long March rocket failure carrying a satellite built by Loral, and is what the *New York Times* used to kick off the China-satellite scandal in April. Without citing any specifics, Lott referred to assessments by "elements" of the State and Defense Departments, that China derived technical benefit from the investigation after the accident. These assessments have been countered by high-level DOD officials.

Lott claims that one proof of this assertion is the improved launch reliability of the Long March rocket since 1996. Members of Congress have derided the argument that "practice makes perfect," or that the Chinese might have made improvements themselves, insisting that China must have gotten access to U.S. technology. But the history of successes and failures of U.S., Soviet, or other launch systems, proves that practice does, indeed, make perfect.

A July 17 press release by the Embassy of the People's Republic of China reviewed launch services for foreign satellites performed by China Great Wall Industry. Following the 1996 launch failure, the Chinese aerospace industry "stepped up its management regime, including the issuance of a 72-article provision on production control, a 28-article provision on quality control, and 5 go-no-go criteria to minimize and eliminate problems."

A third "interim judgment" announced by Lott, is that "China has received military benefit from U.S. satellite exports." Lott claims that there is "division within the Executive branch" on this issue, which is true if you count as "within the Executive branch," classified reports from unnamed sources in the Pentagon, who express their disagreement with administration policy by leaking classified reports to anti-Clinton scribblers such as Bill Gertz of the *Washington Times*.

At a House hearing on May 7, Defense Undersecretary Slocombe was asked if any U.S. technology had found its way into Chinese missiles. Slocombe replied, "The ICBMs that are now deployed are, to the best of our knowledge . . . the same that [were] deployed five years ago. . . . There's no evidence that any American technology has been incorporated into Chinese ICBMs."

During a June 23 hearing, Slocombe was asked about the similarities and differences between launching satellites and launching missiles. He explained, as an example, that the requirements for multiple satellite deployments, which the Chinese have done for a U.S. satellite manufacturer, allows for a "wide margin of error." "By contrast," he said, "the objective of a MIRV [multiple re-entry] system is extremely accurate reentry. . . . The idea that there's a one-for-one correlation, and that you could use the civil space program as the driving force for a missile program, is simply not right."

Lott's final "interim judgment" is that the "administration has ignored overwhelming information regarding Chinese proliferation," to protect China from sanctions. Lott referenced testimony on June 11 before the Senate Foreign Relations Committee, by a former director of the Nonproliferation Center of the CIA who stated that the administration has used "almost any measure" to block the judgment that China had shipped missiles to Pakistan.

Testifying on June 18, DTSA Director David Tarbell described how disagreements within government agencies are worked out, and that individual "facts" do not make a policy. "I have overruled my analysts plenty of times, because this is a balance of judgment that I'm paid for," he said. "Occasionally my analysts will bring forth a case that they believe has policy merit, and has policy considerations around it, that frankly don't. . . . Many times . . . I will make a judgment that says this is just not important enough at this point in time to bring up the line [of appeal for a specific export license] and I balance that against other views within the department."

While Lott and others have tried to cloak these accusations in all manner of technical mumbo-jumbo, the record shows that there is no substance to the charges. Had Lott honestly assessed the testimony of the hearings in the Senate, he would have to admit as much.