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Senate

The Senate met at 10 a.m. and was called to order by the Honorable THOMAS R. CARPER, a Senator from the State of Delaware.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, You have called us to be creative thinkers. We begin this day by yielding our thinking brains to Your magnificent creativity. You know everything; You also know what is best for us and the Nation You have entrusted to the care of this Senate. We are grateful that You not only are omniscient but also omnipresent. You are here in this Chamber and will be with the Senators and their staffs wherever this day's responsibilities take them. We take seriously the admonition of Proverbs 16:3: ''Commit your works to the Lord, and your thoughts will be established.''

Thank You for this secret of success in Your Word. In response we look to what is ahead this day and thank you in advance for supernatural intelligence to maximize our thinking. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable THOMAS R. CARPER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 19, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable THOMAS R. CARPER, a Senator from the State of Delaware, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARPER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

SCHEDULE

Mr. REID. Mr. President, we will be in a period for morning business until 11:30 this morning. By virtue of a previous unanimous-consent agreement, Senators KYL and BROWNBACK will be in control of the time until 10:45 a.m. and Senator DURBIN will be in control of the time from 10:45 a.m. to 11:30 a.m.

At 11:30 this morning, Majority Leader DASCHLE will be in the Chamber to move to begin consideration of the Patients' Bill of Rights. As Members know, this legislation has been around for years, and the leader is going to announce at 11:30 a.m. today his movement toward consideration of that bill. We expect to be able to move to it. We hope the minority will not have any problems with our going to that bill.

Majority Leader DASCHLE will announce at 11:30 a.m. that we are going to finish that bill before the July 4 recess. That means if there are problems moving to the bill and cloture has to be filed, we will work this weekend and perhaps the next weekend to complete this legislation.

The Senate will be in recess from 12:30 p.m. to 2:15 p.m. today for our weekly party conferences.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11:30 a.m., with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the time until 10:30 a.m. shall be under the control of the Senator from Arizona, Mr. KYL.

PRESIDENT BUSH'S EUROPEAN TRIP

Mr. KYL. Mr. President, President Bush has just returned from his trip to Europe, and the newspapers are full of glowing accounts. Some of the headlines include the following: ''Europe sees Bush's Trip Exceeding Expectations.'' That from the New York Times on June 18. The International Herald Tribune: ''President Climbs in European Esteem.''

Similarly, other headlines and stories noted the fact that the President was successful in communicating his views on a wide variety of subjects, including most especially our view of national security issues and specifically the question of missile defense.

I want to spend a few minutes talking about the President's successful trip, his vision for the future in a new post-cold-war era, and the acceptance of those views by most of our allies and even, to some extent, by those whom he characterizes as friends, countries that could, indeed, someday perhaps be allies, countries such as Russia, following especially his visit with President Putin during the course of this trip.

I think the pundits had a good time as the President was preparing for his

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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trip, speculating about whether this President, who had not extensively traveled abroad and did not have a great deal of international experience, would be able to impress these savvy international leaders.

What they found—and it was interesting—on the Sunday morning talk shows they were all doing a little bit of a retreat, which pleased me because I had seen the same kind of questioning of the President when he was beginning his run for the Presidency as Governor of Texas.

There were those who said: He is a very congenial fellow, but does he really have what it takes? I think we all saw, and even my Democratic colleagues who supported Vice President Gore at the time concluded, that this is a man who not only has great charm but also significant substance and a view of the world which is in keeping with the times as we commence our journey into this 21st century.

He proved that during the campaign. He proved it in domestic affairs, achieving a milestone of success with the tax cuts we passed and he signed into law a little over a week ago, and then this foreign trip, which was the first major trip, the trip to Europe, to visit with our NATO allies and other leaders in the region. We heard the same kind of questions: Was the President prepared to meet these leaders?

There is a problem here, Mr. President, as you know, and that is that most of the countries of Western Europe—the majority, I should say—are governed by left-of-center political leaders. They are, obviously, not of the same political viewpoint as President Bush, but our alliance with our NATO allies has gone through a series of changes where we have had generally conservative leadership, more left-of-center leadership, and then a combination of the two.

We have always been able to accommodate our differences politically because of the common goal of providing a defense for the members of the NATO alliance and in working together in national security matters that go beyond just the question of the NATO alliance, especially during the cold war as we were dealing with the then-Soviet Union and subsequent to that time dealing with other challenges, including the Balkans and, of course, in dealing with the evolution of the changes that have been occurring in the country of Russia itself.

That was the state of play when the President made this journey. Yet what we found was, notwithstanding the political differences of these leaders, there still is more that binds us than divides us. President Bush is one of those innate leaders who has the capacity to bring people together because of the force of his personality, which is one of reaching out, of showing that he is willing to listen, that he is willing to accommodate, but also making it very clear he has some very firm principles upon which U.S. policy is going to be based.

At the conclusion of my remarks, I am going to ask unanimous consent to print in the RECORD two very fine pieces by one of the finest columnists and political writers of our time, Charles Krauthammer. One of them appeared in the Weekly Standard in the June 4 issue. It is entitled ''The Bush Doctrine, ABM, Kyoto, and the New American Unilateralism.'' The other is an op-ed the Washington Post carried on June 18 in which he makes a similar point that the type of unilateralism President Bush took to Europe and is intent on pursuing with respect to United States interests throughout the world is not a unilateralism that says the United States is going to do what we want to do no matter what anybody else thinks and basically ignores their points of view at all, but, rather, as Charles Krauthammer carefully points out, this new Bush doctrine is a subtle change from the past in this regard.

It says we are going to identify what we believe is in the best interests of the United States of America and in the interests of the rest of the family of nations of the world.

We are going to pursue a course that achieves the goals that sustain those interests, and we are not going to be deterred by naysayers, by countries that, frankly, do not have the same goals in mind or by any kind of international view that everything has to be done by international accord or it cannot be done at all. We are not going to have our national security interests vetoed by any other country of the world. So we will pursue our national interests, and we are not going to allow other countries of the world that do not share those goals to dictate the results.

However, that does not mean we are simply going to try to impose our will on others or that we are going to go our own way and to heck with the rest of the world. Not at all. As Mr. Krauthammer points out, President Bush has very carefully conducted an overarching strategy, and then the tactics of achieving that strategy include a very heavy dose of consultation, especially with our allies and particularly with our NATO allies. It also involves consultation with other friends of the United States, countries such as Russia and India, and other countries such as China, with which we have had some difficulties in recent times.

But the point of these consultations is not to tell other leaders what we are going to do come heck or high water but, rather, to say: Look, this is what we believe is in our best interests and your best interests. Let's work together to try to find a way to achieve these goals. There is some room for discussion. We have not finalized everything we plan to do, so there is an opportunity for everybody to help shape the future of the world as we begin this next century. But there are certain goals and objectives we are going to attempt to achieve. If you want to be with us we would like to have you come along and help us find the right way to do that. In that spirit, he visited with these European leaders.

We all know the President is very convincing. I realize the situation there is a little different. In politics, it is not the typical kind of diplomacy coming out of the State Department or other areas of diplomatic expertise, in our country and in others, where subtlety and the spoken word are so very important. President Bush is a man who means and says what he means very plainly. There is a certain advantage to that when you are dealing with foreign leaders who do not know you so well. It quickly becomes apparent to them that what you are telling them is exactly what you believe, exactly what the United States intends to do, and that there is no guile, there is no hidden agenda.

I think it has an effect of disarming some leaders who might be looking for hidden agendas or games that sometimes people in the political world like to play. President Bush is not like that. He has been very straightforward. He has been very clear about his vision. He has not wavered from that, which is, of course, tempting to do when visiting with other world leaders who do not totally share your world view.

The net result of that diplomacy and the new American vision of national security for the family of nations of the world has been an acceptance by many of the European leaders, expressed very overtly. As the headlines noted, a view among even those who do not necessarily totally share the President's view is that there is room to work with this President on these common goals.

Our NATO allies, countries such as Spain and Italy, the Czech Republic, Vaclav Havel, made some very eloquent statements in support of the President. The Polish Government, even some statements from leaders of the British Government, Hungary, and other countries in Europe, have in one way or another expressly supported the President's plans for missile defense to protect the United States, our troops deployed abroad, and our allies. Vaclav Havel said:

> The new world we are entering cannot be based on mutually assured destruction. An increasingly important role should be played by defense systems.

There are many similar quotations in these various news stories that were filed by the reporters covering the President's trip.

While there were many European leaders who overtly expressed support for what the President was trying to do, as I said, there were others who were not specific in their endorsement but who made it very clear they believed President Bush was somebody with whom they could sit down, talk these things over with, and reach some kind of mutual conclusion.

I was especially pleased this morning to find President Putin being quoted over and over again, in the lead story

in the Washington Post saying he believed there was room for the United States and Russia to talk about these issues.

He was talking about something that has been very fundamental, from the Russian point of view, to the relationship between Russia and the United States, the ABM Treaty. There is a suggestion it is no longer absolutely necessary that that treaty remain in existence as the cornerstone of the strategic relationship between Russia and the United States, as he has characterized it. President Bush has said it no longer is the cornerstone. That was a treaty developed during the height of the cold war when the Soviet Union and the United States totally mistrusted each other. Whether or not it helped keep the peace during that time is totally irrelevant to the circumstances of today, where the threat of mutually assured destruction simply cannot be the basis for the relationship, the strategic relationship between the Russian people and the American people.

It has even been put into the context of a moral statement. Dr. Henry Kissinger was one of the architects of the ABM Treaty. He was there at the creation. He has testified to Congress, and he has told many of us, that it is time to scrap this treaty. He knew why it was put into place in 1972. He knew the function it might perform at that time. But he now fully appreciates that it no longer serves that function and, more importantly, leaves us nude, unprotected, vulnerable to attack by countries that were not parties to that treaty and never would be. Here is what he said during testimony in 1999:

> The circumstances that existed when the treaty was agreed to were notably different from the situation today. The threat to the United States from missile proliferation is growing and is, today, coming from a number of hostile Third World countries. The United States has to recognize that the ABM Treaty constrains the nation's missile defense programs to an intolerable degree in the day and age when ballistic missiles are attractive to so many countries because there are currently no defenses against them. This treaty may have worked in a two-power nuclear world, although even that is questionable. But in a multinuclear world it is reckless.

He was even more blunt during a press conference with then-Governor Bush on May 23, 2000, when he said:

> Deliberate vulnerability when the technologies are available to avoid it cannot be a strategic objective, cannot be a political objective, and cannot be a moral objective of any American President.

He is correct. For any President of the United States or Congress to deliberately leave the United States vulnerable to attack when we understand that there is a growing threat of that attack, and to leave in place any kind of legal regimes that would inhibit us from developing the means of protecting ourselves, is intolerable; it is morally indefensible, especially, as Dr. Kissinger says, when the technology is there to provide a defense.

One of the questions raised by some of our European friends was, Is the technology really there?

By the way, I am somewhat amused by the twin arguments of opponents. ''This thing will be so effective that it will start another arms race.'' That is argument No. 1. Argument No. 2: ''It will never be effective.'' It is going to be effective or it is not going to be effective. I think it will be effective. I also do not think it will start another arms race.

But what about the state of technology?

The Bush administration has decided that, because of the immediacy of the threat identified in the Rumsfeld Commission report 3 years ago, we need to get on with this now; that we cannot test forever to try to develop the perfect system. There will never be a perfect system, at least for the amount of money we are willing to spend, and right now we do not need a perfect system. The threat is from an accidental launch or rogue nation, and those are not the most robust threats to have to defeat.

So I think what Secretary Rumsfeld and the President have in mind doing is fielding, as soon as possible, whatever technology we have, understanding that it is not necessarily the best and it may not work in all circumstances.

Now, is that an indictment of what they intend to do? I do not think so. It is an honest acknowledgement of the fact that there is no such thing as a perfect shield, and that we are in the beginning stages of actually fielding this equipment.

We have done a lot of research, to be sure. But, frankly, for political reasons, a lot of that research has been wasted because the systems that could take advantage of that research have been stopped from development and eventual deployment. So we have had a lot of starts and stops, but we have never gone the next step, which is to actually put it out in the field and see how it works.

What Secretary Rumsfeld has said is go back to the gulf war. That was an emergency. We knew the Iraqis had Scud missiles. In fact, they were beginning to shoot them toward Israel. We did not have a missile defense. But Secretary of Defense CHENEY at that time said: Don't we have anything that we might employ here? And the answer from the Pentagon was: Yes, we have the Patriot. It is an anti-aircraft system, but it is very good at that, and it might be able to shoot down some Scud missiles.

So they tinkered with it. They took the Patriot batteries that we had—I think some of them were even test batteries—and put them into the field. And those Patriots did a remarkably good job. I think that the end result was somewhere in the neighborhood of about one-third of the Scud missiles were brought down by the Patriot.

That is important when you recognize—and you will recall, Mr. President—that the single biggest loss of life of U.S. servicemen in the gulf war occurred when 28 American soldiers were killed by one Scud missile.

It is a very lethal weapon if you don't have a defense against it. So what Secretary Rumsfeld and President Bush have decided to do is to take what we have—such as the Patriot missile of the gulf war time—get it into the field and begin working with it, all the while continuing to test more and more advanced systems. In this way, we will actually have a rudimentary defense to begin with, and we can continue to build on that as the technology evolves.

I will give you an analogy. We build ships in classes. We will start the *Los Angeles* class of attack submarines, for example. The first of the *Los Angeles* class submarines that came out of the dock was a good submarine, but it was not nearly as good as the last *Los Angeles* class submarine that came out many years later. Throughout the time that basic class of submarines was built, changes were being made and embodied in that submarine, so that the last one that came off the dock, in many respects, was not much like the very first one; it was much, much improved and, frankly, was the basis for the evolution to the next generation of attack submarines.

And so it is with missile defenses. I believe what the Secretary and the President have in mind is fielding a combination of air and space and land systems, combined with the satellite and radar that is necessary to detect a launch, and continue to follow a rogue missile, and then provide information at the very end of its flight for intercept and shootdown.

That combination might include the airborne laser, something with great promise. It might include standard missiles aboard the so-called Aegis cruisers, cruisers with very good radar, and a missile which today is, obviously, not capable against the most robust of intercontinental ballistic missiles but at least has some capability if especially you are able to sail the cruisers close enough to the launching point of the missile.

As those missiles are made bigger, and another stage is added to them, and a more sophisticated seeker is put on top of that missile, it will become more and more robust, to the point that at some point it will have the capability of stopping just about any missile that might be launched against us. We also have the potential for land-based systems.

The point is this: The President has in mind moving forward, getting off the dime. Almost no one, any longer, denies the threat. Even President Putin has pointed that out.

So the question is: Do you test forever, until you are absolutely certain, or do you move forward?

I saw my little nephew over the weekend. He is just now trying to crawl and walk; and he is falling down

more than he is walking, but he is trying. And the next time I see him, I suspect he is going to be walking. You don't quit just because you fell down the first time. And we don't stop just because we had a couple tests that were not totally successful.

The point is, we will continue to test; we will continue to develop; we will deploy what we have as we get it ready to deploy, and we will continue to evolve those systems until we are satisfied that we have a system that can work.

To those critics who say we don't have the technology or we won't have it, I say, give us a chance. Let's try. Let's see. Don't say, you can't do it, and we never start and we never try. The consequences are simply too great. As Dr. Kissinger said, it would be literally reckless and immoral for us not to try when the technology is there.

Another question in this respect that the allies asked is, What would the reaction from Russia be? It is a fair question. Russia has some concerns. But Russia should not have concerns. Does anybody believe that the United States intends to attack Russia? Even the Russians have to acknowledge that is no longer the relationship between our two countries. And we don't believe they intend to attack us. Why would they?

So these large inventories of nuclear weapons that both sides have, frankly, are going to come down. We are not going to maintain that level of warhead, and we do not think the Russians are either. In fact, they have made it clear they cannot afford to do so. Frankly, we would rather not have to spend the money on all those weapons so both sides can draw down their nuclear weapons.

For anybody to suggest that our building the rudimentary defense is going to cause the Russians to begin spending billions more to build new weapons, when they cannot afford to keep the ones they have, is, I think, ludicrous. It is not going to happen. It is a misplaced fear.

I acknowledge the concern that these people express, but I ask them to think about the facts. Even Russian leaders have acknowledged they would not be able to maintain more than about 1,500 warheads—down from about 6,000 or more that they have today.

So I do not think it makes sense to argue that we should not prepare to defend ourselves just because the Russians might be fearful somehow and, therefore, might decide to spend billions more that they do not have in developing new weapons. Nor do I think that argument applies to anyone else.

What we are talking about is building a defense that rogue nations will understand, making it unprofitable for them to develop and deploy the technology of missile defenses.

Are there other threats out there from these countries such as the so-called suitcase bomb? Yes, we are spending a lot to try to deal with that, too. The cruise missile is another challenge that we have to meet. But the mere fact that we have other kinds of challenges as well does not mean that we ignore the one that is first and foremost on the minds of these rogue leaders. Why else would they be spending the billions of dollars they are spending to develop or buy the technology for these missiles and the weapons of mass destruction that they put on top of the missiles? Why?

This kind of weapon offers them a blackmail potential. In the wrong hands, with this kind of weapon a country can essentially say to the rest of the world—at the time they intend to attack someone else, or want to get something from the rest of the world—look, you know we can launch this missile against you. We have done it in the past. We will do it again. So you better give us what we want, or you better stay out of our way, or you better do whatever we want you to do. It is that blackmail component that worries so many of our leaders the most.

Go back to the Persian Gulf war again. If Saddam Hussein had had the weapons that could put a missile on London or Paris or Berlin or Rome or any other country in that area of the world, do you think we would have had the same quality of allied contingent to face him down in that Persian Gulf war? Do you think other countries would have been as willing to join the United States? And if, in fact, those weapons could have killed a lot more Americans, would the United States have been as anxious to kick him out of Kuwait?

The argument would have been: Kuwait is of no interest to us, especially when he can rain so much destruction down upon us. So you need the kinds of defenses that prevent these rogue nations from carrying out their aggressive intentions.

That is why—just getting back to the President's visit in Europe this week—I am so heartened by not only the way he has laid this vision out but the way he has stuck to his guns, all the while being very open in his discussions with allied leaders, as well as the Russians.

I must say, I was also heartened by the descriptions of the policy, and the steadiness with which Secretary of State Colin Powell and National Secretary Adviser Condoleezza Rice presented this case again Sunday on the talk shows. Dr. Rice, despite, I would say, bating by the questioner, was very calm and very firm in articulating that the United States will do what it takes to protect the citizens of the United States and the interests of other freedom-loving people around the world but that we will do so in a way in which we engage these other leaders. We will listen to what they have to say, and to the extent we are able to do so, within the confines of what is necessary for the United States, we will find ways to accommodate their needs as well.

One of these would be to actually provide that kind of missile defense protection for them as well.

I applaud the President. I congratulate him for a successful trip. I hope we will have more opportunities to discuss this important issue in the future.

Mr. President, I ask unanimous consent that two articles by Charles Krauthammer be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Weekly Standard, June 4, 2001]

THE BUSH DOCTRINE

ABM, Kyoto, and the New American Unilateralism

(By Charles Krauthammer)

I. THE WORLD AS IT IS

Between 1989 and 1991 the world changed so radically so suddenly that even today the implications have not adequately been grasped. The great ideological wars of the twentieth century, which began in the '30s and lasted six decades, came to an end overnight. And the Soviet Union died in its sleep, and with it the last great existential threat to America, the West, and the liberal idea.

So fantastic was the change that, at first, most analysts and political thinkers refused to recognize the new unipolarity. In the early '90s, conventional wisdom held that we were in a quick transition from a bipolar to a multipolar world: Japan was rising, Europe was uniting, China was emerging, sleeping giants like India were stirring, and America was in decline. It seems absurd today, but this belief in American decline was all the rage.

Ten years later, the fog has cleared. No one is saying that Japan will overtake the United States economically, or Europe will overtake the United States diplomatically, or that some new anti-American coalition of powers will rise to replace the Communist block militarily. Today, the United States remains the preeminent economic, military, diplomatic, and cultural power on a scale not seen since the fall of the Roman Empire.

Oddly enough, the uniqueness of this structure is only dimly understood in the United States. It is the rest of the world that sees it—undoubtedly, because it feels it—acutely. Russia and China never fail in their summits to denounce explicitly the ''unipolarity'' of the current world structure and to pledge to do everything to abolish it. The French—elegant, caustic, and as ever the intellectual leader in things anti-American—have coined the term ''hyperpower'' to describe America's new condition.

And a new condition it is. It is not, as we in America tend to imagine, just the superpowerdom of the Cold War writ large. It is something never seen before in the modern world. Yet during the first decade of unipolarity, the United States acted much as it had during the preceding half-century.

In part, this was because many in the political and foreign policy elite refused to recognize the new reality. But more important, it was because those in power who did recognize it were deeply distrustful of American power. They saw their mission as seeking a new world harmony by constraining this overwhelming American power within a web of international obligations—rather than maintaining, augmenting, and exploiting the American predominance they had inherited.

This wish to maintain, augment, and exploit that predominance is what distinguishes the new foreign policy of the Bush administration. If successful, it would do what Teddy Roosevelt did exactly a century ago: adapt America's foreign policy and military posture to its new position in the world. At the dawn of the 20th century, that meant

entry into the club of Great Powers. Roosevelt both urged and assured such entry with a Big Stick foreign policy that built the Panama Canal and sent a blue water navy around the world to formally announce our arrival.

At the dawn of the 21st century, the task of the new administration is to develop a military and foreign policy appropriate to our position of overwhelming dominance. In its first four months in office, the Bush administration has begun the task: reversing the premises of Clinton foreign policy and adopting policies that recognize the new unipolarity and the unilateralism necessary to maintain it.

II. ABM: BURYING BIPOLARITY

In May 2000, while still a presidential candidate, George W. Bush gave a speech at the National Press Club pledging to build a national missile defense for the United States. A year later, as president, he repeated that in a speech at the National Defense University. This set off the usual reflexive reaction of longtime missile defense opponents. What was missed both times, however, was that Bush was proposing far more than a revival of the missile defense idea that had been put on hold during the Clinton years. Bush also declared that he would make unilateral cuts in American offensive nuclear arms. Taken together, what he proposed was a radical new nuclear doctrine: the end of arms control.

Henceforth, the United States would build nuclear weapons, both offensive and defensive, to suit its needs—regardless of what others, particularly the Russians, thought. Sure, there would be consultation—no need to be impolite. Humble unilateralism, the oxymoron that best describes this approach, requires it: Be nice, be understanding. But, in the end, be undeterred.

Liberal critics argue that a missile defense would launch a new arms race, with the Russians building new warheads to ensure that they could overcome our defenses. The response of the Bush administration is: So what? If the Russians want to waste what little remains of their economy on such weapons, let them. These nukes are of no use. Whether or not Russia builds new missiles, no American defense will stop a massive Russian first strike anyway. And if Russia decides to enlarge its already massive second strike capacity, in a world in which the very idea of a first strike between us and the Russians is preposterous, then fine again.

The premises underlying the new Bush nuclear doctrine are simple: (1) There is no Soviet Union. (2) Russia—no longer either a superpower or an enemy, and therefore neither a plausibly viable nor an ideological threat—does not count. (3) Therefore, the entire structure of bilateral arms control, both offensive and defensive, which was an American obsession during the last quarter-century of the Cold War, is a useless relic. Indeed, it is seriously damaging to American security.

Henceforth, America will build the best weaponry it can to meet its needs. And those needs are new. The coming threat is not from Russia, but from the inevitable proliferation of missiles into the hands of heretofore insignificant enemies.

Critics can downplay and discount one such threat or another. North Korea, they say, is incapable of building an intercontinental ballistic missile. (They were saying that right up to the time when it launched a three-stage rocket over Japan in 1998). Or they will protest that Iraq cannot possibly build an effective nuclear capacity clandestinely. They are wrong on the details, but, even more important, they are wrong in principle: Missile technology is to the 21st century what airpower was to the 20th. In 1901, there was not an airplane in the world. Most people did not think a heavier-than-air machine could in theory ever fly. Yet 38 years later, the world experienced the greatest war in history, whose outcome was crucially affected by air power and air defenses in a bewildering proliferation of new technologies: bombers, fighters, transports, gliders, carriers, radar.

It is inconceivable that 38 years from now, we will not be living in a world where missile technology is equally routine, and thus routinely in the hands of bad guys.

It is therefore inexplicable why the United States should not use its unique technology to build the necessary defense against the next inevitable threat.

Yet for eight years, the U.S. government did nothing on the grounds that true safety lay in a doctrine (mutually assured destruction) and a treaty (the antiballistic missile treaty) that codifies it. The logic of MAD is simple: If either side can ever launch a first. And because missile defenses cast doubt on the efficacy of a second strike capacity, they make the nuclear balance more unstable.

This argument against missile defense was plausible during the Cold War. True, it hinged on the very implausible notion of a first strike. But at the time, the United States and the Soviet Union were mortal ideological enemies. We came close enough in Berlin and Cuba to know that war was plausible. But even then the idea of a first strike remained quite fantastic because it meant initiating the most destructive war in human history.

Today, the idea of Russia or America launching a bolt from the blue is merely absurd. Russia does not define itself as our existential adversary. It no longer sees its mission as the abolition of our very way of life. We no longer are nose-to-nose in flashpoints like Berlin. Ask yourself: Did you ever in the darkest days of the Cold War lie awake at night wondering whether Britain or France or Israel had enough of a second strike capacity to deter an American first strike against them? Of course not. Nuclear weapons are not in themselves threats. They become so in conditions of extreme hostility. It all depends on the intent of the political authorities who control them. A Russian or an American first strike? We are no longer contending over the fate of the earth, over the future of Korea and Germany and Europe. Our worst confrontation in the last decade was over the Pristina airport!

What about China? The fallback for some missile defense opponents is that China will feel the need to develop a second strike capacity to overcome our defenses. But this too is absurd. China does not have a second strike capacity. If it has never had one in the absence of an American missile defense, why should the construction of an American missile defense create a crisis of strategic instability between us?

But the new Bush nuclear doctrine does not just bury MAD. It buries the ABM treaty and the very idea of bilateral nuclear coordination with another superpower. Those agreements, on both offensive and defensive nuclear weapons, are a relic of the bipolar world. In the absence of bipolarity, there is no need to tailor our weapons to the needs or threat or wishes of a rival superpower.

Yet the Clinton administration for eight years carried on as if it did. It spent enormous amounts of energy trying to get the START treaties refined and passed in Russia. It went to great lengths to constrain and dumb down the testing of high-tech weaponry (particularly on missile defense) to be ''treaty compliant.'' It spent even more energy negotiating baroque extensions, elaborations, and amendments to the ABM treaty. Its goal was to make the treaty more enduring, at a time when it had already become obsolete. In fact, in one agreement, negotiated in New York in 1997, the Clinton administration amended the ABM treaty to include as signatories Kazakhstan, Ukraine, and Belarus, thus making any future changes in the treaty require five signatures rather than only two. It is as if Britain and Germany had spent the 1930s regulating the levels of their horse cavalries.

That era is over.

III. KYOTO: ESCAPE FROM MULTILATERALISM

It was expected that a Republican administration would abrogate the ABM treaty. It was not expected that a Republican administration would even more decisively discard the Kyoto treaty on greenhouse gases. Yet this step may be even more far-reaching.

To be sure, Bush had good political and economic reasons to discard Kyoto. The Senate had expressed its rejection of what Clinton had negotiated 95–0. The treaty had no domestic constituency of any significance. Its substance bordered on the comic: It exempted China, India, and the other massively industrializing polluters in the Third World from CO_2 restrictions. The cost for the United States was staggering, while the environmental benefit was negligible. The exempted 1.3 billion Chinese and billion Indians alone would have been pumping out CO_2 emissions equal to those the United States was cutting. In reality, Kyoto was a huge transfer of resources from the United States to the Third World, under the guise of environmental protection.

All very good reasons. Nonetheless, the alacrity and almost casualness with which Bush withdrew from Kyoto sent a message that the United States would no longer acquiesce in multilateral nonsense just because it had pages of signatories and bore the sheen of international comity. Nonsense was nonsense, and would be treated as such.

That alarmed the usual suspects. They were further alarmed when word leaked that the administration rejected the protocol negotiated by the Clinton administration for enforcing the biological weapons treaty of 1972. The reason here is even more obvious. The protocol does nothing of the sort. Biological weapons are inherently unverifiable. You can make biological weapons in a laboratory, in a bunker, in a closet. In a police state, these are unfindable. And police states are what we worry about. The countries effectively restricted would be open societies with a free press—precisely the countries that we do not worry about. Even worse, the protocol would have a perverse effect. It would allow extensive inspection of American anti-biological-warfare facilities—where we develop vaccines, protective gear, and the like—and thus give information to potential enemies on how to make their biological agents more effective against us.

Given the storm over Kyoto, the administration is looking for a delicate way to get out of this one. There is nothing wrong with delicacy. But the thrust of the administration—to free itself from the thrall of international treaty-signing that has characterized U.S. foreign policy for nearly a decade—is refreshing.

One can only marvel at the enthusiasm with which the Clinton administration pursued not just Kyoto and the biological protocol but multilateral treaties on everything from chemical weapons to nuclear testing. Treaty-signing was portrayed as a way to build a new structure of legality and regularity in the world, to establish new moral norms that would in and of themselves restrain bad behavior. But the very idea of a Saddam Hussein being morally constrained by, say, a treaty on chemical weapons is simply silly.

This reality could not have escaped the liberal internationalists who spent the '90s pursuing such toothless agreements. Why then did they do it? The deeper reason is that these treaties offered an opportunity for those who distrusted American power (and have ever since the Vietnam era) to constrain it—and constrain it in ways that give the appearance of altruism and good international citizenship.

Moreover, it was clear that the constraints on American power imposed by U.S.-Soviet bipolarity and the agreements it spawned would soon and inevitably come to an end. Even the ABM treaty, the last of these relics, would have to expire of its own obsolescent dead weight. In the absence of bipolarity, what was there to hold America back—from, say, building ''Star Wars'' weaponry or raping the global environment or otherwise indulging in the arrogance of power? Hence the mania during the last decade for the multilateral treaties that would impose a new structure of constraint on American freedom of action.

Kyoto and the biological weapons protocol are the models for the new structure of ''strategic stability'' that would succeed the ABM treaty and its relatives. By summarily rejecting Kyoto, the Bush administration radically redefines the direction of American foreign policy: rejecting the multilateral straitjacket, disenthralling the United States from the notion there is real safety or benefit from internationally endorsed parchment barriers, and asserting a new American unilateralism.

IV. THE PURPOSES OF UNILATERALISM

This is a posture that fits the unipolarity of the 21st century world. Its aim is to restore American freedom of action. But as yet it is defined only negatively. The question remains: freedom of action to do what?

First and foremost, to maintain our preeminence. Not just because we enjoy our own power (''It's good to be the king''—Mel Brooks), but because it is more likely to keep the peace. It is hard to understand the enthusiasm of so many for a diminished America and a world reverted to multipolarity. Multipolar international structures are inherently less stable, as the catastrophic collapse of the delicate alliance system of 1914 definitively demonstrated.

Multipolarity, yes, when there is no alternative. But not when there is. Not when we have the unique imbalance of power that we enjoy today—and that has given the international system a stability and essential tranquility it had not known for at least a century.

The international environment is far more likely to enjoy peace under a single hegemon. Moreover, we are not just any hegemon. We run a uniquely benign imperium. This is not mere self-congratulation; it is a fact manifest in the way others welcome our power. It is the reason, for example, the Pacific Rim countries are loath to see our military presence diminished.

Unlike other hegemons and would-be hegemons, we do not entertain a grand vision of a new world. No Thousand Year Reich. No New Soviet Man. By position and nature, we are essentially a status quo power. We have no particular desire to remake human nature, to conquer for the extraction of natural resources, or to rule for the simple pleasure of dominion. We could not wait to get out of Haiti, and we would get out of Kosovo and Bosnia today if we could. Our principal aim is to maintain the stability and relative tranquility of the current international system by enforcing, maintaining, and extending the current peace. Our goals include:

(1) To enforce the peace by acting, uniquely, as the balancer of last resort everywhere. Britain was the balancer of power in Europe for over two centuries, always joining the weaker coalition against the stronger to create equilibrium. Our unique reach around the world allows us to be—indeed dictates that we be—the ultimate balancer in every region. We balanced Iraq by supporting its weaker neighbors in the Gulf War. We balance China by supporting the ring of smaller states at her periphery (from South Korea to Taiwan, even to Vietnam). One can argue whether we should have gone there, but our role in the Balkans was essentially to create a micro-balance: to support the weaker Bosnia Muslims against their more dominant ethnic neighbors, and subsequently to support the (at the time) weaker Kosovo Albanians against the dominant Serbs.

(2) To maintain the peace by acting as the world's foremost anti-proliferator. Weapons of mass destruction and missiles to deliver them are the greatest threat of the 21st century. Non-proliferation is not enough. Passive steps to deny rogue states the technology for deadly missiles and weapons of mass destruction is, of course, necessary. But it is insufficient. Ultimately the stuff gets through.

What to do when it does? It may become necessary in the future actually to preempt rogue states' weapons of mass destruction, as Israel did in 1981 by destroying the Osirak nuclear reactor in Iraq. Premption is, of course, very difficult. Which is why we must begin thinking of moving to a higher platform. Space is the ultimate high ground. For 30 years, we have been reluctant even to think about placing weapons in space, but it is inevitable that space will become militarized. The only question is: Who will get there first and how will they use it?

The demilitarization of space is a fine idea and utterly utopian. Space will be an avenue for projection of national power as were the oceans 500 years ago. The Great Powers that emerged in the modern world were those that, above all, mastered control of the high seas. The only reason space has not yet been militarized is that none but a handful of countries are yet able to do so. And none is remotely as technologically and industrially and economically prepared to do so as is the United States.

This is not as radical an idea as one might think. When President Kennedy committed the United States to a breakneck program of manned space flight, he understood full well the symbiosis between civilian and military space power. It is inevitable that within a generation the United States will have an Army, Navy, Marines, Air Force, and Space Force. Space is already used militarily for spying, sensing, and targeting. It could be uniquely useful, among other things, for finding and destroying rogue-state missile forces.

(3) To extend the peace by spreading democracy and free institutions. This is an unassailable goal and probably the most enduring method of promoting peace. The liberation of the Warsaw Pact states, for example, relieved us of the enormous burden of physically manning the ramparts of Western Europe with huge land armies. The zone of democracy is almost invariably a zone of peace.

There is a significant disagreement, however, as to how far to go and how much blood and treasure to expend in pursuit of this goal. The ''globalist'' school favors vigorous intervention and use of force to promote the spread of our values where they are threatened or where they need protection to burgeon. Globalists supported the U.S. intervention in the Balkans not just on humanitarian grounds, but on the grounds that ultimately we might widen the zone of democracy in Europe and thus eliminate a festering source of armed conflict, terror, and instability.

The ''realist'' school is more skeptical that these goals can be achieved at the point of a bayonet. True, democracy can be imposed by force, as both Germany and Japan can attest. But those occurred in the highly unusual circumstance of total military occupation following a war for unconditional surrender. Unless we are willing to wage such wars and follow up with the kind of trusteeship we enjoyed over Germany and Japan, we will find that our interventions on behalf of democracy will leave little mark, as we learned with some chagrin in Haiti and Bosnia.

Nonetheless, although they disagree on the stringency of criteria for unleashing American power, both schools share the premise that overwhelming American power is good not just for the United States but for the world. The Bush administration is the first administration of the post-Cold War era to share that premise and act accordingly. It welcomes the U.S. role of, well, hyperpower. In its first few months, its policies have reflected a comfort with the unipolarity of the world today, a desire to maintain and enhance it, and a willingness to act unilaterally to do so. It is a vision of America's role very different from that elaborated in the first post-Cold War decade—and far more radical than has generally been noted. The French, though, should be onto it very soon.

[From the Weekly Standard, June 4, 2001]

BIG ROTTEN APPLE

NEW YORK CITY AFTER GIULIANI

(By James Higgins)

Liberalism, or paleoliberalism to some, is what New Yorkers are told will return to City Hall when term limits force mayor Rudolph Giuliani to depart in 2002. Four Democrats are vying to succeed him.

But the potential return of unreconstructed liberalism is not the most menacing aspect of this fall's election. The greater threat is the potential return of unreconstructed crime. Not the kind in the streets, but the kind in the suites—the suites of city government and the Democratic party.

Everyone old enough to have watched TV in the 1980s and early 1990s knows that New York City before Giuliani was where foreign tourists came to pay the world's highest hotel taxes while waiting to be robbed and shot. But the depth and breadth of corruption in the city's Democratic establishment during the pre-Giuliani years may be difficult for non-New Yorkers to grasp. The problem was not just a few rotten apples at the top. Under a series of Democratic mayors—Abraham Beame, Edward Koch, and David Dinkins—the whole tree was rotten. It was corruption that the New York City Democrats stood for even more than liberalism, and it was corruption at least as much as liberalism that brought Giuliani to office. It was as if, having jailed much of the leadership of New York's ''Five Families'' of crime while he was U.S. attorney for the Southern District of New York, Giuliani had to become mayor to flush out this Sixth Family.

To appreciate the significance of the upcoming election, it's essential to know this background. The chief reason the rot was not always visible to outsiders is the canniness of Dems in the Big Apple. Unlike their counterpart New Jersey crew, the New York City Democratic leadership has refrained from putting into the highest offices sticky-fingered characters like U.S. senators Harrison Williams and Robert Torricelli. The New York Democrats could have been working from the template of the mobsters who once

controlled Las Vegas: They've always chosen clean front men. There was never a hint of personal corruption on the part of Beame, Koch, or Dinkins. Their administrations were another story. Consider:

Under Ed Koch, the entire city department charged with inspecting restaurants had to be closed because there was almost no one left to do the job after investigators arrested the inspectors who were taking bribes. Not long afterwards, the department that inspected taxicabs had to be closed for exactly the same reason.

Over an extended period of the '80s and early '90s, the felony rate among Democratic borough leaders in New York City approached 50 percent. Criminal defense lawyers tell me that if senior managers of a private business used their jobs to commit crimes at this rate, the entire enterprise would be inviting a RICO indictment.

The Beame, Koch, and Dinkins administrations approved a contract with school custodians that was close to being criminal on its face: The custodians were required only to maintain schools to ''minimum standards,'' and the contract precluded any effective enforcement mechanism. The lucky custodians then personally got to keep whatever money in their budgets they didn't spend doing their jobs. This type of contract came to an end only after a 1992 60 Minutes segment showed the custodians spending less time at the filthy schools they were ostensibly maintaining than attending to the yachts they acquired—and did maintain—at taxpayer expense.

As pre-Giuliani taxi and limousine commissioner Herb Ryan described the system after he was caught taking bribes, ''Everybody else has their own thing. I just wanted to get my own thing.'' The literal translation of ''Our Thing'' is, of course, La Cosa Nostra.

This is just a small sample of what the Sixth Family Democrats and their appointees did—indeed, just a small sample of what they were caught doing. That predicate criminal activity is a major part of what in 1989 lured political rising star and crimefighter Rudy Giuliani to run for mayor, a job that for more than a century had been a political dead end.

[From the Washington Post, June 18, 2001]

. . . FROM A NO-WOBBLE BUSH

(By Charles Krauthammer)

''Remember George, this is no time to go wobbly.'' So said Margaret Thatcher to the first President Bush just days after Saddam Hussein attacked Kuwait. Bush did not go wobbly. He invaded.

A decade later, the second George Bush came into office and immediately began a radical reorientation of U.S. foreign policy. Now, however the conventional wisdom is that in the face of criticism from domestic opponents and foreign allies, Bush is backing down.

Has W. gone wobbly? In his first days, he offered a new American nuclear policy that scraps the 1972 anti-Ballistic Missile Treaty, builds defenses against ballistic missile attack and unilaterally cuts U.S. offensive nuclear forces without wrangling with the Russians over arms control, the way of the past 30 years. He then summarily rejected the Kyoto protocol on climate control, which would have forced the United States to undertake a ruinous 30 percent cut in CO2 emissions while permitting China, India and most of humanity to pollute at will.

Bush's assertion of American freedom of action outraged those—U.S. Democrats, Europeans, Russians—who prefer to see the world's only superpower bound and restrained by treaty constraints, whether bipolar (ABM) or multipolar (Kyoto), in the name of good international citizenship.

The word now, however, is that Bush has gone soft. He sends Secretary of State Colin Powell to Europe to try to get agreement on missile defenses. He tries, reports the New York Times in high scoop mode, to cook an ABM deal with the Russians—shades of the old days. He then concedes there is global warming and promises action. ''When President Bush announces . . . that he will seek millions of dollars for new research into the causes of global warming,'' reported the Times just one week ago, ''. . . it will mark yet another example of how global and domestic politics have forced him to back away from the hairline pronouncements of his first five months in the White House.''

The Bush administration, explained Newsweek, began by ''playing the bully.'' But then ''the Bushies began to see that they could not simply impose their agenda on a balky and complex world.''

The alleged cave has been greeted with smug satisfaction from those on the left who see Bush returning, after a brief flirtation with the mad-dog ideological right, to the basic soundness of post-Cold War foreign policy as established by the Clinton administration.

Dream on.

Has Bush gone wobbly? Not at all.

Ask yourself: If you really wanted to reassert American unilateralism, to get rid of the cobwebs of the bipolar era and the myriad Clinton-era treaty strings trying Gulliver down, what would you do? No need for in-your-face arrogance. No need to humiliate. No need to proclaim that you will ignore nattering allies and nervous enemies.

Journalists can talk like that because the trust is clarifying. Governments cannot talk like that because the truth is scary. The trick to unilateralism—doing what you think is right, regardless of what others think—is to pretend you are not acting unilaterally at all. Thus if you really want to junk the ABM Treaty, and the Europeans and Russians and Chinese start screaming bloody murder, the trick is to send Colin Powell to smooth and sooth and schmooze every foreign leader in sight, have Condoleezza Rica talk about how much we value allied input, have President Bush in Europe stress how missile defense will help the security of everybody. And then go ahead and junk the ABM Treaty regardless. Make nice, then carry on.

Or, say you want to kill the Kyoto protocol (which the Senate rejected 95–0 and which not a single EU country has ratified) and the Eueopeans hypocritically complain. The trick is to have the president go to Europe to stress, both sincerely and correctly, that the United States wants to be in the forefront of using science and technology to attack the problem—but make absolutely clear that you'll accept no mandatory cuts and tolerate no treaty that penalizes the United States and lets China, India and the Third World off the hook.

Be nice, but be undeterred. The best unlateralism is velvet-glove unilateralism.

At the end of the day, for all the rhetorical bows to Russia, European and liberal sensibilities, look at how Bush returns from Europe: Kyoto is dead. The ABM Treaty is history, Missile defense is on. NATO expansion is relaunched. And just to italicize the new turn in American foreign policy, the number of those annual, vaporous U.S.-EU summits has been cut from two to one.

Might the administration yet bend to the critics and abandon the new unilateralism? Perhaps. But the crowing of the Washington foreign policy establishment that this has already occurred is wishful thinking.

Will he wobble? Everything is possible. But anyone who has watched Defense Secretary Rumsfield, read Deputy Secretary Wolfowitz known Vice President Cheney or listened to President Bush would be wise to place his bet at the ''no wobble'' window.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10:45 a.m. shall be under the control of the Senator from Kansas, Mr. BROWNBACK.

Mr. BROWNBACK. Thank you, Mr. President.

EMBRYONIC STEM CELL RESEARCH

Mr. BROWNBACK. Mr. President, I rise today to address the issue of embryonic stem cell research and cloning. The two issues are inexplicably tied together. I want to discuss this in the narrow context of Federal funding for embryonic stem cell research and cloning. The two are tied together in what is currently being discussed. They take an embryo, raise it to a certain age, kill the embryo, take the stem cell out of the embryo—the young stem cells inside that are reproducing on a rapid basis—and use those in research, or use those for human development and in the capacity of making other organs in the future.

The next step will be to take the Presiding Officer's DNA material, my DNA material, the Official Reporter's DNA material, or the DNA material of some of the new interns, take it out, and put it into an embryo that has been denuclized, take that DNA material, put it into the embryo, and start the growth that is again taking place so you will have a cloned individual.

That is an individual who has exactly the same DNA as somebody else. Scientists grow it to a certain age, kill the embryo, and take those stem cells from that embryo to be used to make an organ, or make brain cells, or make something else.

These two topics are tied together. It is a gate which shouldn't open.

Initially, I think we need to talk about Federal funding in Congress. We need to discuss the issue raised regarding Federal funding of destructive embryonic research. My position is that federally funded human embryonic stem cell research is illegal, it is immoral, and it is unnecessary for where we are and what we know today. We have other solutions that are legal, ethical, moral, and superior to where we are going with these Federal funds today regarding embryonic stem cell research and cloning.

The issue of destructive embryo research has come into better focus over the past few weeks as the new administration prepares to take definitive action on the Clinton-era guidelines which call the destruction of human embryos for the purposes of subsequent federal funding for the cells that have been derived through the process of embryo destruction.

Currently, we say, OK. You can't destroy the embryo, but you can use what is taken from the destruction of