information. That is why we have included important protections and limitations for such use and access in the bill. Background checks will be limited to those employees who have access to sensitive cargo information or unrestricted access to segregated ''controlled access areas,'' that is defined areas within ports, terminals, or affiliated maritime infrastructure which present a demonstrable security concern. In addition, under this bill the use of such material, once it is obtained, will be restricted to the minimum necessary to disqualify an ineligible employee. In other words, only the minimum amount of law enforcement information necessary to make eligibility decisions will be shared with port authorities or maritime terminal operators.

ADDITIONAL STATEMENTS

CHARLES KRAUTHAMMER ON PRESIDENTIAL LEADERSHIP IN FOREIGN POLICY

• Mr. KYL. Mr. President, I commend to my colleagues a recent column by Charles Krauthammer entitled ''Unilateral? Yes, Indeed.'' It ran in the December 14 issue of the Washington Post.

Once again, Krauthammer has done a fine job of articulating sentiments shared by many of us regarding the President's conduct of foreign policy. The essence of the issue can be summarized in one word: leadership. Since the start of his presidency, George W. Bush has been the target of innumerable criticisms emanating from his approach to the conduct of foreign policy. Greatly exaggerated fears of isolationism have been voiced by the president's critics, both at home and abroad. With the conduct of the war against terrorism and the decision to withdraw from the Anti-Ballistic Missile Treaty, however, the President has demonstrated not isolationism, but leadership. Leadership, as defined by the willingness to make unpopular decisions and accept the consequences out of a conviction that the decisions in question are in the best interests of the United States.

Pre-war concerns that the entire Muslim world would rise up against us if we went after Al Qaeda and its Taleban protectors have proven unfounded. Worst-case scenarios surrounding the President's decision to withdraw from the ABM Treaty have similarly failed to materialize. There are consequences to both decisions, but they were the right decisions and the consequences are far less than the benefits accruing to the United States from their having been implemented.

I urge my colleagues to take a minute to read the article by Charles Krauthammer. It articulates better than could I the importance of leadership in international affairs, and I highly recommend it.

I ask that the article be printed in the RECORD.

The article follows.

[From the Washington Post, Dec. 14, 2001]

UNILATERAL? YES, INDEED

(By Charles Krauthammer)

Last month's Putin-Bush summit at Crawford was deemed an arms control failure because the rumored deal—Russia agrees to let us partially test, but not deploy, defenses that violate the 1972 Anti-Ballistic Missile Treaty—never came off.

In fact, it was a triumph. Like Reagan at the famous 1986 Reykjavik summit, at which he would not give up the Strategic Defense Initiative to Gorbachev, Bush was not about to allow Putin to lock the United States into any deal that would prevent us from building ABM defenses.

Bush proved that yesterday when he dropped the bombshell and unilaterally withdrew the United States from the treaty, and thus from all its absurd restrictions on ABM technology.

This is deeply significant, not just because it marks a return to strategic sanity, formally recognizing that the ballistic missile will be to the 21st century what the tank and the bomber were to the 20th, but because it unashamedly reasserts the major theme of the Bush foreign policy: unilateralism.

After Sept. 11, the critics (the usual troika: liberal media, foreign policy establishment, Democratic ex-officials) were clucking about how the Bush administration has beaten a hasty retreat from reckless unilateralism. President Bush ''is strongly supported by the American people,'' explained former Senate leader George Mitchell, ''in part because he has simply discarded almost everything he said on foreign policy prior to Sept. 11.''

Bush had wanted to go it alone in the world, said the critics. But he dare not. ''It's hard to see the President restoring the unilateralist tinge that colored so many of his early foreign policy choices,'' wrote columnist E. J. Dionne just two months ago. ''Winning the battle against terror required an end to unilateralism.''

We need friends, they said. We need allies. We need coalition partners. We cannot alienate them again and again. We cannot have a president who kills the Kyoto Protocol on greenhouse gases, summarily rejects the ''enforcement provisions'' of the bioweapons treaty, trashes the ABM Treaty—and expect to build the coalition we need to fight the war on terrorism.

We cannot? We did.

Three months is all it took to make nonsense of these multilateralist protests. Coalition? The whole idea that the Afghan war is being fought by a ''coalition'' is comical. What exactly has Egypt contributed? France sent troops into Mazar-e Sharif after the fighting had stopped, noted that renowned military analyst Jay Leno. (''Their mission?'' asked Leno. ''To teach the Taliban how to surrender.'') There is a coalition office somewhere in Islamabad. Can anyone even name the coalition spokesman who makes announcements about the war?

The ''coalition'' consists of little more than U.S. aircraft, U.S. special forces, and Afghan friends-of-the-moments on the ground. Like the Gulf War, the Afghan war is unilateralism dressed up as multilateralism. We made it plain that even if no one followed us, we would go it alone. Surprise: Others followed.

A unilateralist does not object to people joining our fight. He only objects when the multilateralists, like Clinton in Kosovo, give 18 countries veto power over bombing targets.

The Afghan war is not a war run by committee. We made tough bilateral deals with useful neighbors. Pakistan, Uzbekistan, Tajikistan, Russia. The Brits and the Australians added a sprinkling of guys on the ground risking their lives, and we will always be grateful for their solidarity. But everyone knows whose war it is.

The result? The Taliban are destroyed. Al Qaeda is on the run. Pakistan has made a historic pro-American strategic pivot, as have the former Soviet republics, even Russia itself. The Europeans are cooperating on prosecutions. Even the Arab states have muted their anti-American and anti-Israeli rhetoric, with the Egyptian foreign minister traveling to Jerusalem for the first time in three years.

Not because they love us. Not because we have embraced multilateralism. But because we have demonstrated astonishing military power and the will to defend vital American interests, unilaterally if necessary.

Where is the great Bush retreat from unilateralism? The ABM Treaty is dead. Kyoto is dead. The new provisions of the totally useless biological weapons treaty are even deader: Just six days before pulling out of the ABM Treaty, the administration broke up six years of absurd word-mongering over a bio treaty so worthless that Iraq is a signatory in good standing.

And the world has not risen up against us—no more than did the ''Arab street'' (over the Afghan war), as another set of foreign policy experts were warning just weeks ago.

The essence of unilateralism is that we do not allow others, no matter how well-meaning, to deter us from pursuing the fundamental security interests of the United States and the free world. It is the driving motif of the Bush foreign policy. And that is the reason it has been so successful.•

RUSSIA AND ENERGY SECURITY

• Mr. BIDEN. Mr. President, I rise to point out that while the attention of the world is now rightly focused on Afghanistan and the war against terrorism there, we should not forget that a large part of the oil and gas consumed by the United States and the rest of the industrialized world comes from the conflict-ridden Middle East.

In addition to addressing the issue of energy independence through new domestic sources of supply, conservation, and the development of renewable energy resources, it is imperative for us to be thinking abut the best possible way of protecting the security of alternative sources of oil and gas outside the United States. The Caspian Sea is also on Russia's doorstep, and we should encourage development that will foster positive political as well as economic relations with the world's second largest oil exporter.

Russia's recent refusal to follow OPEC's lead in slashing production is one more example of its ability to play a positive role on world oil markets, and the recently opened $2.5 billion Caspian oil pipeline, Russia's largest joint investment to date, and one in which U.S. firms hold more than a one-third interest, is an example of the kind of project that will encourage Moscow to continue to look westward.

Akezhan Kazhegeldin, an economist, businessman, and former prime minister of oil-rich Kazakhstan, has written a thoughtful article on these subjects that appeared in the Russian

journal Vremya Novostei on October 15, 2001. In his article, Dr. Kazhegeldin states that oil and gas from Kazakhstan and the other energy producing nations of the former Soviet Union could provide an important backup source of energy, complementing what now comes from the Persian Gulf countries.

Moreover, referring to the debate surrounding the route of future, additional pipelines carrying oil to consuming countries, Dr. Kazhegeldin asserts that there is no reason for the West and Russia to be at loggerheads now that the Cold War is over. He goes on to describe how the West and Russia could, in his view, work together on a comprehensive pipeline solution that would benefit everyone.

Some of Dr. Kazhegeldin's ideas will undoubtedly elicit healthy debate. I urge my colleagues to read his provocative article, and I ask that the text be printed in the RECORD.

The article follows.

[From Vremya Novostei, Oct. 15, 2001]

''GLOBAL ARC OF STABILITY: THE WAY RUSSIA AND THE CASPIAN CAN MAKE THE WORLD STABLE''

(By Akezhan Kazhegeldin)

The September 11 tragic events and launching of the Afghan campaign, seen as the first stage in ''the global war against terror'', have changed the world dramatically. Protection of peaceful citizens from possible terror acts appears as just a tip of the huge pyramid of new problems. We are facing an acute and more global problem, the problem of ensuring the industrial world's economic safety.

The supply of the developed nations' energy, above all, oil and gas, is a critical and vulnerable element in the world's economic relations. A great part of the developed oil fields are concentrated in the highly insecure and conflict-ridden Middle Eastern region, which makes the threat of oil blockade and energy crisis for the industrial countries, the main oil and gas consumers, a perpetual nightmare. Unpredictable dictators are no less dangerous than terrorist groups. Should the interests of both in the region coincide, the rest of the world would find itself in an impasse.

Even if everything goes very well and the antiterrorist campaign ends quickly, the community of industrial countries will have to make sure that the threat of energy blackmail is ruled out in principle. In the global energy system, it is necessary to use reserve and back-up methods in order to ensure safety. Caspian oil reserves can play a major role here.

For the past decade, politicians and journalists have been debating about the problem of Caspian oil perhaps more heatedly than the industry professionals. It has almost been made into a stake in the new Great Game, the U.S-Russian rivalry over the control of the region and its riches. This confrontation has become the legacy of the old ''bloc'' model of the world. Wayne Merry, a former U.S. State Department and Pentagon official, now a senior associate at the American Foreign Policy Council in Washington, describes its sources: ''. . . Washington concentrated its efforts on one great strategic project to assure US primacy in the region. . . . The idea was to bypass existing pipelines in Russia, squeeze out Iran, bring energy supplies from the Caspian region to a transhipment point in a NATO country, and thereby assure the independent futures of the producing and transit countries.''

Understandably, Moscow clearly saw the threat to its interests and resisted U.S. plans. However, both sides played their parts by force of habit, without their usual passion. The reason is that the interests of Russia and the West (not only the U.S.) in the region are actually not conflicting. Some regional leaders tried to artificially keep alive the conflict between them as they hoped to secure foreign support for their authoritarian regimes.

Now that many old patterns have been left behind in the 20th century for good, the common interests of the industrial and democratic countries allow them to work out joint approaches to ensure their energy independence. Owing to this, Kazakhstan, Azerbaijan and Turkmenistan have a historic opportunity to become stable partners of both Russia and the West, and to be integrated into the world economy.

Naturally, this integration should entail bringing their political systems in line with the international democratic and market economy standards. ''A glance at other post-colonial regions in Africa and Asia shows that the first generation of 'Big Man' leaders often does as much harm to their countries as did the departing imperial powers, creating a painful legacy for future generations to sort out,'' concludes Wayne Merry. ''American long-term interests in Central Asia are best served by seeking to engage tomorrow's leaders and assuring that, when the region's energy reserves do become important to the outside world, these leaders will look to the United States as a friend and not as yet another external exploiter.''

Setting aside the controversial definition of the Central Asian countries as post-colonial ones, one should admit that the time when the region's energy reserves do become important to the outside world is nearing. Though geological exploration of the Caspian shelf is far from being completed, and many experts are not inclined to share the fanciful expectations of ''dozens of new Kuwaits'', it is clear that the region's oil and gas reserves are extremely large. However, energy projects can't become global automatically, thanks only to rich oilfields. Stable export routes are required to deliver oil and gas to the global markets. Even all the reserves of the Caspian states put together won't make the Caspian project global. It is necessary to select and develop the routes to transport oil and gas to the global markets—to the consumers in Europe, U.S., and Asian countries.

The most politically and economically viable option is to transport the Caspian ''big oil'' up to the north, into Russia and further on into Eastern and Western Europe, to the consumers and transshipment ports. Economically, this option seems much more attractive, since the construction is to take place on a plain, in populated areas with a developed infrastructure. Russia's European region has enough qualified manpower and electricity for oil pumping. Russian plants produce pipes and other equipment. Stability in Russia and the neighboring countries guarantees safety of the route and its uninterrupted operation.

If chosen, the Russian option would mean turning the energy flow from south to north. It will permit the in-depth integration of Russia and Central Asia into a united Europe and simultaneously charge Europe and Russia with a common political mission of ensuring energy independence for the industrial countries. It will allow oil-producing countries of the Caspian region to play a major role in the global energy market. Russia, Kazakhstan, Azerbaijan, and—in the long term, Turkmenistan, could, along with the North Sea oil producing countries, become a real alternative to OPEC and get significant political benefits.

The main advantage of the northern export route for Caspian oil consists in the availability of a branched pipeline network in Russia. It is much easier and cheaper to improve and develop the existing system than to construct a new one. I mean the pipelines owned by the Transneft company and the recently constructed CPC line from Western Kazakhstan to the Black Sea. The CPC alone cannot provide exporters with access to the global market. For natural reasons, the Bosporus and Dardanelles have a limited carrying capacity. The Black Sea ecosystem is vulnerable, as this sea is warm and almost closed. Turkey has already announced its intention to limit the number of giant tankers passing through its straits. Instead of forcing Turkey to agree by means of political pressure, we should respect its fundamental interests and seek other solutions in addition to the CPC capacities.

The pipeline would enable Russia to solve several of its specific problems. For instance, to strengthen the special status of the Kaliningrad region as Russia's outpost in Western Europe. If the pipeline goes via the Kaliningrad region, the region could not only solve some of its economic problems, but also get additional security guarantees in case of NATO's expansion to the East. A place of its own in the EU economy would be the best guarantee for the region.

In any case, with any combination of routes, Russia would be the main player in a Caspian-European project. Moreover, Russia should initiate its realization. Technological and economic calculations will give optimal solutions. However, political will and vision are still primary considerations. History teaches us that it is they rather than mathematical and economic calculations that have brought into existence such giant projects as the Suez and Panama Canals that formed the global markets of those days.

Looking into the future and putting aside the required political decisions, I would like to stress that the Russian route could give an incredibly promising opportunity of opening up global markets for Eurasian oil and gas. This opportunity includes building an oil-carrier port in the Murmansk region on the Barents Sea. The non-freezing, deep-sea port would become the gateway to the global market for Caspian, Siberian and, prospectively, for Timanoperchersk oil as well, as the northern oil will require outlets to world markets. In the Murmansk region, some former military ports can reportedly be used right now by tankers. From there, they can quickly and safely reach not only Western European ports, but also the U.S. and Canada's eastern coast.

If gas-liquefying installations are built there, it would be hard to imagine a more natural route for a pipeline which will transport gas from the Russian polar regions and the Arctic Ocean's shelf.

In addition to the oil pipeline, a parallel gas pipeline should be built to provide Kazakh and Turkmen gas access to global markets that will not compete with the existing Russian gas routes to Western Europe. Constructing gas and oil pipelines simultaneously will make it possible to significantly cut capital expenditures and make transportation for long distances economically viable. By the way, the length of this route can be compared to the gas export line running from Tyumen's north to Western Europe.

Today's situation on the gas market is such that the Central Asian countries will long sit on their riches waiting for investors hindered by the lack of access to global markets. I am speaking not only about the

Turkmen gas. The share of gas in the Caspian hydrocarbon reserves can be much higher than those suggested by the most optimistic forecasts. On the one hand, Caspian gas should be available when the industrial world needs it badly. On the other hand, Caspian gas won't be a rival for Russian gas and a source of contention between Russia and its neighbors in Central Asia.

Where the two huge pipelines run side by side, where a joint exploitation system exists, one will naturally expect to have a transcontinental highway and info-highway—a powerful communication line originating from Europe and going further to the south.

These prospects are both exciting and distant. However, they should be taken into account when addressing today's problems. No doubt, the global economy does have enough investment resources for such a large-scale project. The U.S. Congress has given $40 billion for primary measures to safeguard national security. Much less investment is needed to ensure energy security of the industrial states. Especially as it is much more reasonable and profitable to invest in crisis prevention than in recovering from them.

A pipeline bridge between the Caspian region and Western Europe, Central Asia and the world's oceans will help solve the problem of the globalization of Eurasian energy resources. It could become a basis for an ''arc of stability'' in Europe. It not only shifts the so-called arc of tension running close to Russia from the Balkans via the Caucasus, Central Asia, Iran, and Afghanistan, but will also exclude the Caspian states—the critical link—from this chain. When involved in the global economy, these countries could turn into strongholds of stability in a part of Asia that today poses major threats to the world.●

IN HONOR OF LUCY S. CICILLINE ON HER 90TH BIRTHDAY

● Mr. REED. Mr. President. I would like to take a moment to recognize a dear friend on her 90th birthday.

Lucy Cicilline, the daughter of Italian immigrants, was born Lucy Miragliuolo on December 26, 1911 in Providence, RI.

Lucy is the mother of four, the grandmother of twenty-one and the great grandmother of twenty-five. But more than this, Lucy is a vital, active personality who has always lent a helping hand to others.

When I was a boy, Lucy lived close to our family's summer home at Scarborough Beach in Narragansett, RI. Together with her husband, John, and her children, she was a wonderful friend to me and to my family. Always a kind and caring person, she showered her affection and attention on all her neighbors. As a nurse, it was Lucy who tended to my injured elbows and knees, and sometimes bruised spirit, during all the times I fell down and encountered the other mishaps of childhood.

As a Registered Nurse, employed at St. Joseph's Hospital in Providence, Lucy shared her kind and giving personality with her patients until her retirement.

But retirement did not stop her either. In 1980, at the age of sixty-nine and after the death of her husband of forty-seven years, Lucy decided it was time for her to learn how to drive.

Lucy approached this task with the same dogged determination and positive attitude that she has with everything in her life. She took driving lessons, received her license and continued to drive for the next ten years until her declining eyesight took her off the road.

Still, despite her eyesight and her getting on in years, Lucy is an important member of her community. For over fifty years, she has been contributing to the St. Joseph's Indian Tribe and has been named an honorary member of their community.

Now at the Village at Waterman Lake in Smithfield, RI, Lucy is an active adult who exercises and socializes with her fellow residents.

When I think of Lucy Cicilline, I recall the magic days of youth when I was surrounded and protected by adults like my parents and the Cicillines who set an extraordinary example of kindness and commitment to faith and family and country. At many moments in my life, I drew on those memories for inspiration and strength. Her example is with me today.

So today, I would like to thank Lucy for her kindness and her friendship and also wish her the happiest of birthdays.●

THE URGENT NEED FOR BALLISTIC MISSILE DEFENSE

● Mr. KYL. Mr. President, I rise to submit for the RECORD an article written by Brian T. Kennedy, vice president of the Claremont Institute, entitled ''The Urgent Need for Ballistic Missile Defense.'' Published in the Imprimis publication of Hillsdale College, Mr. Kennedy persuasively argues that ''the United States is defenseless against [the] mortal danger . . . of a ballistic missile attack.''

In view of the events of September 11, I commend this article to the Senate for review as a cautionary warning to the U.S. Government of the potential danger of failing to meet its fundamental constitutional obligation to ''provide for the common defense.''

The article follows.

[From Imprimis, Nov. 2001]

THE URGENT NEED FOR BALLISTIC MISSILE DEFENSE

(By Brian T. Kennedy)

On September 11, our nation's enemies attacked us using hijacked airliners. Next time, the vehicles of death and destruction might well be ballistic missiles armed with nuclear, chemical, or biological warheads. And let us be clear: The United States is defenseless against this mortal danger. We would today have to suffer helplessly a ballistic missile attack, just as we suffered helplessly on September 11. But the dead would number in the millions and a constitutional crisis would likely ensue, because the survivors would wonder—with good reason—if their government were capable of carrying out its primary constitutional duty to ''provide for the common defense.''

THE THREAT IS REAL

The attack of September 11 should not be seen as a fanatical act of individuals like Osama Bin Laden, but as deliberate act of a consortium of nations who hope to remove the U.S. from its strategic positions in the Middle East, in Asia and the Pacific, and in Europe. It is the belief of such nations that the U.S. can be made to abandon its allies, such as Israel, if the cost of standing by them becomes too high. It is not altogether unreasonable for our enemies to act on such a belief. The failure of U.S. political leadership, over a period of two decades, to respond proportionately to terrorist attacks on Americans in Lebanon, to the first World Trade Center bombing, to the attack on the Khobar Towers in Saudi Arabia, to the bombings of U.S. embassies abroad, and most recently to the attack on the USS Cole in Yemen, likely emboldened them. They may also have been encouraged by observing our government's unwillingness to defend Americans against ballistic missiles. For all of the intelligence failures leading up to September 11, we know with absolute certainty that various nations are spending billions of dollars to build or acquire strategic ballistic missiles with which to attack and blackmail the United States. Yet even now, under a president who supports it, missile defense advances at a glacial pace.

Who are these enemy nations, in whose interest it is to press the U.S. into retreating from the world stage? Despite the kind words of Russian President Vladimir Putin, encouraging a ''tough response'' to the terrorist attack of September 11, we know that it is the Russian and Chinese governments that are supplying our enemies in Iraq. Iran, Libya, and North Korea with the ballistic missile technology to terrorize our nation. Is it possible that Russia and China don't understand the consequences of transferring this technology? Are Vladimir Putin and Jiang Zemin unaware that countries like Iran and Iraq are known sponsors of terrorism? In light of the absurdity of these questions, it is reasonable to assume that Russia and China transfer this technology as a matter of high government policy, using these rogue states as proxies to destabilize the West because they have an interest in expanding their power, and because they know that only the U.S. can stand in their way.

We should also note that ballistic missiles can be used not only to kill and destroy, but to commit geopolitical blackmail. In February of 1996, during a confrontation between mainland China and our democratic ally on Taiwan, Lt. Gen. Xiong Guang Kai, a senior Chinese official, made an implicit nuclear threat against the U.S., warning our government not to interfere because Americans ''care more about Los Angeles than they do Taipei.'' With a minimum of 20 Chinese intercontinental ballistic missiles (ICBMs) currently aimed at the U.S., such threats must be taken seriously.

THE STRATEGIC TERROR OF BALLISTIC MISSILES

China possesses the DF–5 ballistic missile with a single, four-megaton warhead. Such a warhead could destroy an area of 87.5 square miles, or roughly all of Manhattan, with its daily population of three million people. Even more devastating is the Russian SS–18, which has a range of 7,500 miles and is capable of carrying a single, 24-megaton warhead or multiple warheads ranging from 550 to 750 kilotons.

Imagine a ballistic missile attack on New York or Los Angeles, resulting in the death of three to eight million Americans. Beyond the staggering loss of human life, this would take a devastating political and economic toll. Americans' faith in their government—a government that allowed such an attack—would be shaken to its core. As for the economic shock, consider that damages from the September 11 attack, minor by comparison, are estimated by some economists to be