

States and having to make the decision between shutting down a reactor you believe to be inimicable to your security interests, and knowing if you do, you may very well be in a position of starting a war—justified in literal terms, in my view—that would cause such overwhelming damage to the—and we would win the war, by the way, but it would cause such overwhelming damage to the very people we went to Korea in the first place to protect, the South Koreans.

What do we do? I suggest the members of this administration have the answer if they listen to the people who are now in their administration. The Bush administration claims the ball is in North Korea's court. North Korea says the ball is in our court. From where I sit, the ball is stuck somewhere in the net, or not even in the net. You know how once in awhile when you were a kid you would fake a jumpshot from the corner and it would get wedged between the back corner and the rim? That is where the ball is right now. Somebody has to jump up and put the ball back in play.

How does the ball get put back in play? There was a report written not long ago called The Armitage Report. He happens to be the No. 2 guy at the State Department now. In that report, Mr. Armitage and others—including the following people: Paul Wolfowitz, the No. 2 guy at Defense; the former Deputy Assistant Secretary of Defense, Peter Brookes; current Assistant Secretary of Intelligence and Research, Carl Ford, among others. They are all part of this Armitage Report filed before President Bush became President—called for a policy of hardheaded engagement, developing close coordination with our allies and backed by a credible threat of military force. Their prescription was remarkably close to that offered by former Secretary of Defense Perry, but has the tremendous political advantage of having been embraced by so many leading figures on the Bush foreign policy team, the people running the show now.

What did Armitage advocate? Here are the key recommendations.

First, regain the diplomatic initiative. U.S. policy toward North Korea has “become largely reactive and predictable with U.S. diplomacy characterized by a cycle of North Korea provocation or demand and an American response.”

Good idea. Now the Bush administration claims the ball is in their court, as I said.

The second recommendation was “a new approach must treat the agreed framework as the beginning of a policy toward North Korea, not as an end to the problem. It should clearly formulate answers to two key questions. First, what precisely do we want from North Korea and what price are we prepared to pay for it.”

I am quoting from the Armitage report that Wolfowitz signed off on and

Carl Ford signed off on, major players in this administration.

They said, “Are we prepared to take a different course if, after exhausting all reasonable diplomatic efforts, we conclude that no worthwhile court is possible?”

What diplomatic efforts have we exhausted? These are great questions, but the administration has yet to answer them. Indeed, the administration cannot seem to decide what it is about the north that bothers it the most. Is it human rights abuses or past support of terrorism, export of missiles, its military threat, or its nuclear program?

To me, the priority must be a verifiable ending of North Korea's weapons program, particularly nuclear weapons. Everything else must be put off for another day.

The third recommendation of the Armitage report: A U.S. point person should be designated by the President in consultation with congressional leaders and should report directly to the President.

We have a fine man named Kelly out of the State Department, but he has no direct access to the President. This has not been raised up to that level because we are being told—I don't know why—that this is not a crisis.

I think the American people and this Congress are fully capable of handling more than one crisis at a time. Iraq is a crisis. So we are told. Well, it is. But not in my view in terms of the immediate threat to the United States. Or the crisis could be in North Korea. Why can't we do both?

President Bush has downgraded the special envoy position, thereby assuring that we cannot gain access to Kim Chong-il, the only man in North Korea with whom we can get a deal, or at least figure out what he is about.

Fourth recommendation: Offer Pyongyang clear choices in regard to the future. On the one hand, economic benefits, security assurances, political legitimization. On the other hand, the certainty of enhanced military deterrence.

For the United States and its allies, the package, as a whole, means we are prepared, if Pyongyang meets our concerns, to accept North Korea as a legitimate actor up to and including full normalization of relations.

This is not JOE BIDEN writing this recommendation; it is Paul Wolfowitz. It is the Assistant Secretary of State, Mr. Armitage. What happened in a year and a half? What happened to change their mind?

The good idea of the administration almost seems ready to be embraced. The President has spoken about bold initiatives toward the north but talk of carrots still has been undermined by the Bush administration's insistence that incentives are the equivalent to appeasement.

Before my committee today, the Secretary of State says we have no intention to go to war with the north, et

cetera, et cetera. The right words, right phraseology. The Secretary of Defense walked out of a hearing yesterday with the House Armed Services Committee and said this is an evil empire, something much more provocative. Accurate but provocative.

The fifth recommendation by this committee that the notion of buying time works in our favor is increasingly dubious. Let me reiterate the fifth point of the report signed by Carl Ford, No. 2, over at CIA, Wolfowitz, No. 2 at Defense, Armitage, No. 2 at State: The notion that buying time works in our favor is increasingly dubious.

President Bush, please, even if you don't want to enunciate it, in your mind, treat this as a crisis because, if it is not contained now, our options are only diminished as time goes by, not increased.

ADJOURNMENT UNTIL 11 A.M. MONDAY, FEBRUARY 10, 2003

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 11 a.m., Monday, February 10, 2003.

Thereupon, the Senate, at 1:15 p.m., adjourned until Monday, February 10, 2003, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate February 6, 2003:

THE JUDICIARY

EDWARD C. PRADO, OF TEXAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE ROBERT M. PARKER, RETIRED.

ROBERT ALLEN WHERRY, JR., OF COLORADO, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE LAURENCE J. WHALEN, TERM EXPIRED.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER SECTION 211, TITLE 14, U.S. CODE:

To be lieutenant

SCOTT ATEN, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. STEVEN J. HASHEM, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ALBERT A. RUBINO, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JAMES L. WILLIAMS, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WAYMON J. JACKSON, 0000