Mr. President, I ask unanimous

consent that the order for the

quorum call be rescinded.

Mr. President, I ask unanimous

consent to speak as long as I may

speak beyond 10 minutes.

Mr. President, I want to

talk today about a subject that is very

much on our minds—the subject of

North Korea and the threat North

Korea poses to the entire world because

of its development of weapons of mass

destruction, including nuclear weapons,

and the fact it is the world’s largest

proliferator of those kinds of weapons.

Next week, Senator MCCAIN and I

will be introducing a bill called the

North Korea Democracy Act of 2003.

The purpose of this legislation is to establish

American policy, from a congressional

standpoint, that will help us

to move North Korea toward a more

democratic regime and forego the development

of these weapons of mass destruction

and the proliferation of them

as well as missiles throughout the

world. As we are all very much aware,

today, right now, North Korea is ruled

by a leader and leaders who have cheated

on agreements in the past not to

produce these weapons, and has really

brought the world to the brink of military

conflict, and has removed itself

from numerous agreements it had earlier

entered into, which have constrained

its activities to date.

As a result, the United States is presented

with a challenge of what to do

in North Korea that has a very short

timeline on it, a challenge in which, as

one pundit put it, ‘‘the clock is ticking.’’

Just as an aside, we know we

have to deal with countries such as

Iraq as well. Iraq is one of the fronts of

the war on terror, and we are all aware

of the fact the President has been preparing

for the potential for military

action should Saddam Hussein not

comply with the U.N. resolutions that

require him to come clean on his weapons

of mass destruction program and to

dismantle those weapons.

The President has made it clear that

while he is proceeding for those preparations

with regard to Iraq, that he

also understands the importance of

dealing with the problem of North

Korea, because North Korea has nuclear

weapons already, we believe, and

because of its recent actions, it could

create more nuclear weapons quite

quickly and, from our past understanding

of North Korea’s policies,

could begin to sell those weapons to

other countries.

To not put too fine a point on it,

think about the prospects of dealing

with a Libya or an Algeria or a Syria

or a Sudan or a country such as these

that bought a nuclear weapon from

North Korea. It is a very troubling

prospect, indeed. Yet in a matter of

months—not years, not some time way

down the line, but literally in a matter

of a few months under the current program

in which it is engaged—North

Korea could develop nuclear weapons

and sell them to countries such as

those I have mentioned. Of course, it

could also sell a weapon to a terrorist

organization, other than a state that

sponsors terror.

This is, indeed, a troubling prospect,

and that is why I say the clock is ticking.

That is why it is important for the

United States to have a very firm policy,

a very clear policy for dealing with

this and for the Congress to be engaged

in the development of that policy;

hence, the reason for the introduction

of this legislation.

I will set the stage with what this

threat is, what the U.S. policy has

been, what our current strategy is with

respect to dealing with North Korea,

and then I will describe in a little more

detail the bill about which I am talking.

The President has said that the centerpiece

of our policy with respect to

North Korea is that it must promptly

and verifiably dismantle its nuclear enrichment

program. Of what exactly is

the President speaking?

In the past, North Korea created a

plutonium enrichment facility that

produced only 5 megawatts of electricity,

so it was clearly not something

to produce power for the country of

North Korea—in fact, it requires coal

to operate—but was for producing fissionable

material to put into nuclear

weapons.

In 1994, North Korea agreed that it

would no longer produce fissionable

material from that facility and that it

would not produce any other fissionable

material. That plant was put into

a standby mode, in effect, and the

International Atomic Energy Agency,

IAEA, was permitted to install devices

that would monitor the compliance of

that commitment, as well as people

who were onsite to verify compliance.

In the interim, North Korea began to

develop a uranium enrichment project

in deep underground facilities in North

Korea. North Korea began this program

and only recently ’fessed up to the fact

that it had been engaging in this program

for a long time.

It, too, is in violation of agreements

that North Korea had entered into, including

the Nuclear Non-Proliferation

Treaty, or the NPT. North Korea

today, I believe, announced it was, in

fact, withdrawing from the NPT. It had

been threatening to do so for some

time. At the time it developed this fissionable

material, North Korea was a

signatory to the NPT.

Throughout the last several years—

and we do not know precisely how

long—North Korea had been developing

a clandestine nuclear fissionable program

with which to build nuclear

weapons. We believe that as a result of

the previous program, as well as perhaps

what might have been developed

in the uranium program, North Korea

does, in fact, possess nuclear capability

at this time. The exact number of

weapons we believe they have is a classified

number.

That is what the President was talking

about when he said that North

Korea must promptly and verifiably

dismantle its nuclear enrichment program—

both the plutonium enrichment

program, which it has now restarted, as

well as the uranium fissile material

program that it has recently admitted

to possessing.

I mentioned the NPT, but North

Korea has also agreed in other fora to

not produce these kinds of weapons.

Another agreement that it entered into

was the North-South Declaration on

the Denuclearization of the Korean Peninsula.

It also in 1994, as part of what is referred

to as the agreed framework with

the United States, forsworn the development

of any of these nuclear weapons.

There are actually four specific

different agreements that North Korea

is currently in violation of as a result

of these two nuclear programs with

which it is engaged.

When we confronted the Koreans last

September with the fact that we were

aware of the development of its uranium

enrichment program, at that

point North Korean leaders threatened

to pull out of the NPT and, as a result

of that, the United States and the

other nations that had been involved in

the agreed framework on the Korean

peninsula agreement decided the violation

of these accords could not be rewarded

with continued sale or providing

of heavy fuel oil or other products

to North Korea, as a result of

which the last shipment, I believe,

went to North Korea in September or

October.

That was part of the quid pro quo for

North Korea forswearing these nuclear

programs. We said: We will build nuclear

facilities for you; we will provide

you with fuel for your current facilities,

including this heavy fuel oil; if

you will continue to forswear those nuclear

weapons, we will continue to supply

that material and that fuel to you.

Once they threatened to pull out of

the NPT and agreed they were in violation,

we stopped those fuel oil shipments.

That is what brought the current

controversy to a literal boiling

point when the Korean leaders said

they would pull out of the NPT ostensibly

because we cut off the fuel shipments,

and, of course, it was the other

way around.

The question is what to do at this

point with the North Korean leaders

having not only threatened now to pull

out of the NPT, but actually giving notice

that they pulled out, and their admission

they have been in violation of

these other agreements.

There have basically been three

schools of thought. One school of

thought is we should actually engage

in a military attack on the plutonium

facility which has been restarted by

North Korea. Some people who worked

in the Clinton administration, and perhaps

President Clinton—I am not

sure—actually said that was part of

President Clinton’s threat against

North Korea: That if they ever started

that facility again, we would bomb the

facility. I do not know if that was conveyed

to the North Koreans. I do not

know whether we ever would have done

so.

The problem with military activity is

that North Korea is a country that

today possesses a very large number of

rockets and artillery pieces, as well as

missiles, all of which could very quickly,

within a matter of minutes, literally

kill millions of people in the

area of Seoul, Korea, only 30-some

miles away from the DMZ.

It is a good example, by the way, of

why, if we are going to have to deal

with Saddam Hussein, it is better to do

it today when he does not pose that

kind of threat to us than tomorrow

when he might, just as North Korea

does today.

So, the military option, while probably

not one that should be taken off

the table, is one that is fraught with

peril and difficulties. North Korea

could very probably cause great destruction

not only on South Korea,

killing South Koreans and American

servicemen, about 37,000 of which are

stationed in South Korea, but also, if

they desire to do so, could strike Japan

and possibly even Hawaii. Its missiles

are that well developed.

Because of that, the potential for

military action, while it probably

should never be taken off the table because

we do not know just how serious

North Korea will be with its aggression,

is not one most experts believe

should be threatened as a means of

making North Korea comply.

At the other end of the spectrum are

those who say we should talk with

North Korea. There are two problems.

One, it has been tried and found to

have failed. North Korea is willing to

talk, but it is not willing to make concessions

or, if it does make concessions,

it is not willing to keep them. So

talk alone is clearly, at least in my

view, not a solution to this problem.

Originally, North Koreans said if you

will talk to us, then we can get a dialog

going that will actually result in

our compliance with these agreements.

But as soon as the Secretary of State

hinted maybe the United States would

talk, all of a sudden there are new conditions.

As a matter of fact, it is reported

in the news media that the

North Korean leaders said they were

going to pull out of the nuclear nonproliferation

treaty today—unless we

would resume fuel oil shipments to

them.

This is the point. That is the way the

North Koreans talk. They are always

bargaining. They will talk to you

today if you will give them something

today; otherwise, no dice. And the

problem is you give it to them and

then even if they have made a commitment,

we find they will break it. So the

North Koreans are not exactly the kind

of partners you can rely upon and negotiate.

For the same reason, we are

not negotiating with Saddam Hussein

or the al-Qaida. We do not believe it is

in our best interest to negotiate with

the North Koreans. So talk alone will

not solve the problem.

Somewhere in between military action

and talk there has to be a solution

to this problem. As I pointed out, the

clock is ticking. We do not have a long

time to wait. So even though the legislation

I will be describing in a moment

contains components that would gradually

pressure North Korea to become

more democratic, to become more

peaceful, to eschew its weapons of mass

destruction and stop its nuclear program,

the question is whether even this

kind of approach can take hold quickly

enough to force North Korea to stop

before it develops the nuclear weapons

and gets them in somebody else’s

hands. That is the real question.

So, even this middle ground, this

third wave, as I call it, has the potential

of not working if North Korea believes

it can gain enough time to build

these nuclear weapons and sell them to

somebody else or build them and

threaten to do that as a way of extracting

concessions from us. That is the

problem. I don’t want to get too specific

about the timing. I will say that

in a matter of months, much less than

a year, North Korea could develop a

number of nuclear weapons. That is the

kind of timeframe we are talking

about.

I am happy to yield.

I ask unanimous consent to

have printed in the RECORD a very well

thought-through op-ed piece called

‘‘Don’t Rule Out Force,’’ penned by

Dennis Ross, which appeared in today’s

Washington Post newspaper.

There being no objection, the material

was ordered to be printed in the

RECORD, as follows:

The reason I do this at this

point, Mr. President, Dennis Ross

makes the point, and I think eloquently,

that the administration

should not rule out force; that it ought

to make it clear not only to North

Korea but to North Korea’s neighbors,

Russia and China, that, of course, force

is always an option; that there have to

be some consequences to an absolute

refusal of North Korea to agree to

abide by the norms all the rest of us

abide by, and to abide by the agreements

it has entered into.

I hasten to point out neither Dennis

Ross nor I are advocating the use of

force. He points out, and I reiterate the

point, one would hope it would never

come to that because the use of force

against North Korea is fraught with

the perils I discussed before.

But Ross makes the point, and I

think it is a valid one, that without

consequences to failing to agree to be

reasonable, it is unlikely North Korea

will be reasonable. And more importantly,

without that kind of a potential

development, it may well be our

allies in the region—the Russians and

Chinese—who may also not be willing

to put the kind of pressure they can

and should against North Korea to

cause North Korea to back down.

So that is the reason why this kind of

action by the United States should not

necessarily be ruled out, even with all

of its potential dangers.

The reason I make this point is as

follows: Talks can only succeed if we

change the circumstances on the

ground today. As of right now, talks result

in promises by North Korea in exchange

for fuel oil or food or whatever

to North Korea, and then they violate

the agreements and we are left in a position

of reacting to their violation. We

have to change that dynamic in some

way so that North Korea feels some

pressure to come to terms with its violations,

some pressure to comply with

the commitments it has made, some

pressure to begin to dismantle its nuclear

programs. Without that kind of

pressure, without something to lose by

refusing to go along in our negotiations

or violating the agreements they

make, talk alone is not likely to

change anything. We have to change

the circumstances.

How do we do that? That is where our

legislation comes in. This legislation

would put into place several circumstances

which we believe would

cause North Korea to more seriously

consider negotiations as a means toward

real, peaceful resolution of the

dispute and real disarmament of its nuclear

facilities. But without these

kinds of pressures or conditions or circumstances,

they are not likely to do

so.

Let me briefly summarize the legislation.

The first thing is to recognize

what the North Koreans themselves

have said, but to make it official: That

the agreed framework entered into 9

years ago has failed and is no longer

extant and it related to a circumstance

North Korea has no longer permitted

to exist and, as a result, the subsidization

of North Korea called for under

the agreement will cease; that they are

not going to continue to be supported

by the United States under the agreed

framework.

The second thing we do is prohibit

the United States assistance to North

Korea or the Korean Peninsula Energy

Development Organization under the

agreed framework. This is designed,

among other things, to help deny

North Korea the funds, the hard currency

it needs, to continuing the development

of its nuclear program.

That is the third thing the act would

do. It would reinstitute the sanctions

that were previously in place and permit

the President to invoke new sanctions.

In effect, what I have called for

is a resolution similar to resolution 611

against Iraq. Same terms, prohibiting

exports and imports, as a way of denying

hard currency to a country to engage

in illicit activity. In the case of

North Korea, this is especially important.

The biggest source of hard currency

for North Korea is the illicit

drug trade and the weaponry it sends

to other countries.

Where do countries such as Iraq get

Scud missiles? North Korea. Where did

Pakistan get some of its equipment?

North Korea. Where do other countries

get weapons of mass destruction?

North Korea.

If we impose sanctions that both prohibit

the importation and the exportation

of these items from North

Korea, we can help to impose upon

their regime an economic circumstance

which might persuade them it is more

beneficial to talk and to make promises

they intend to keep than to continue

on their present course of action.

Another provision of the act would

prohibit any nuclear cooperation

agreement or type of nuclear interaction

with North Korea unless and

until the President made several determinations

and sent them to the Congress

and Congress approved of such an

interaction or agreement by congressional

action.

We would also encourage the President

to obtain multilateral sanctions

including the blocking of remittances

from ethnic Koreans to North Korea.

That’s the other source of hard currency,

the remittances from North Koreans

elsewhere in the world to their

relatives in North Korea itself.

But with regard to multilateral activity

here, it is interesting to me that

probably the most significant pressure

that could be put on North Korea to

begin complying with its commitments

would come from China. China supplies

approximately 80 percent of the fuel oil

to North Korea. It provides over half of

the food and fuel generally to North

Korea. It has a long border with North

Korea. It clearly would be called upon

to help enforce sanctions if they were

imposed. And it clearly would suffer,

probably more than any other country,

from any kind of nuclear explosion on

the North Korean peninsula or any

other explosion in which poison gases

or nerve agents or biological agents of

some kind were released from the atmosphere

since the wind is prevailing

south to north.

China has a great deal to lose from

North Korea acquiring a nuclear capability

as well. In the first place, I don’t

think China wants other countries in

the region to have nuclear weapons.

China has those weapons, but I don’t

think it wants Japan to acquire those

weapons. I don’t think it would want

South Korea or Taiwan to acquire nuclear

weapons. I am not sure it would

want the United States to extend its

nuclear umbrella to South Korea, for

example.

All of those things could happen if

North Korea is permitted to develop

nuclear weapons. It seems to me, therefore,

it is very much in China’s interest

to quietly, if that is the way they have

to do it, but firmly dissuade the North

Koreans from progressing with its nuclear

development program.

It is especially troublesome that very

recently China has continued to supply

North Korea with materiel and other

assistance for the further development

of North Korea’s nuclear program.

Again, without going into details, we

are well aware of what China has been

doing. The United States needs to come

down very firmly against this kind of

export from China to North Korea. Not

only do I think we should argue to

China what we believe is in China’s

best interests, but in other ways to

exert what other kind of influence we

can on China to stop this kind of activity

and assist us working with the

North Koreans to stop their program.

To some extent, arguments similar

to that relate to Russia, although Russia

is not as close to North Korea as

are the Chinese. But in both cases,

both Russia and China could assist us.

One of the things our bill urges is the

development of those multilateral

kinds of agreements and actions that

would stop North Korea from furthering

its program.

We would also in this act do a variety

of things which we think would help to

put pressure on North Korea, in terms

of democratization and in terms of liberalizing

its country in general. For example,

granting North Koreans refugee

status in the United States, encouraging

the executive branch to work

with other countries to care for and resettle

refugees from North Korea and

provide money for that purpose. We

would require Radio Free Asia to increase

its broadcasting to North Korea

to 24 hours a day and authorize whatever

money is necessary to do that.

We also believe it is important for

Congress to actually take measures, including

military reinforcements, if

that is called for, and enhanced defense

exercises and other steps as determined

appropriate to assure the highest level

of deterrence against North Korea.

This is important for two reasons.

First, there are those who called on us

to bring our troops home from South

Korea and, frankly, the temptation is

great, when South Korean leaders basically

talk about not wanting the

United States in South Korea anymore,

to do precisely that. Why should we

have our own troops there when they

allegedly do not want us there? Unfortunately,

that’s a shortsighted way of

looking at the problem. If we are to put

the pressure on North Korea to make

dialog meaningful, the third way I was

talking about, to back it up with some

potential action, then you do have to

have a military presence and demonstrate

you mean it when you talk

about the North Koreans needing to

comply with their agreements. Therefore,

it would be the wrong time to either

remove our troops or suggest they

are not prepared. Thus, the reason our

bill calls for enhanced measures to ensure

our deterrence in that area.

What these provisions of the bill

demonstrate is that there are a lot of

alternatives in between just talk

which, as I said, is cheap, and military

action, which is to be avoided at all

costs here because of the consequences

of it. There are a lot of things we could

be doing in between that. I have described

in not very much detail what

our bill provides in that regard, to just

demonstrate there are a lot of things

we could be doing to cut off its supply

of hard currency, to isolate it, and to

put pressure on North Korea to begin

to comply with the agreements it has

made in the past.

Some might say this is provocative.

Frankly, I don’t think it is very provocative.

It is certainly not as provocative

as having to resort to military

force. It seems to me it is also not provocative

to let the North Koreans

know there are consequences to violating

agreements they have made with

the rest of the world.

If we are not able to back up these

agreements, then why ever have agreements

in the first place? Why couldn’t

any country simply get out of the NPT

and say, We didn’t really mean it when

we signed up? The United Nations charter

itself—I have forgotten the exact

chapters; I think it is chapters 6 and

7—provides for the imposition of international

norms of behavior in cases

where the peace of the world is threatened

by a particular country. That applies

directly to North Korea in this

case.

So we have the ability to act as an

international group of nations, in addition

to unilaterally in the case of the

United States. But I would also say to

those who say this is dangerous and

provocative, that’s the same thing people

criticized Ronald Reagan for when

he talked about the Evil Empire, Russia.

It was the pressure the United

States put on Russia in the latter

stages of the Soviet Union, during

which time the President not only

built up our military to create a strong

deterrence to any military action by

the Soviet Union but also began to expand

our push for democratization and

freedom in Eastern Europe and in the

outlying areas of the Soviet empire.

Many think it was the combination

of those factors that caused the Soviet

Union to break up, the combination of

a strong deterrence on our part, the

peace-through-strength concept of

Ronald Reagan, but also the declaration

that it was an evil empire, the assistance

to Lech Walesa, the characterization

of the country and all of the

eastern satellite countries of the Soviet

Union as evil and nondemocratic

and abusive of human rights, the Jackson-

Vanik amendment. Those actions,

over time, I believe, had a very salutary

effect on the people in the Soviet

Union and caused them to eventually

conclude they could not confront the

democratic nations of the world. As a

result, Russia has been the product,

fortunately for the people of Russia, of

that kind of push.

I do not think you create a more dangerous

or provocative situation here. I

think in the case of North Korea you

begin to lay the groundwork for the

North Koreans to become a democratic

society that can actually take care of

its people and not starve them to death

and engage in the human rights abuses

it has in the past.

Let me just quote something Ronald

Reagan wrote to himself. This is in a

book called ‘‘Reagan’s War.’’ It is talking

about the philosophy Reagan had

in dealing with the Soviet Union, but I

think it is relevant to North Korea as

well. In his diary the President wrote

the following with respect to a meeting

that had been convened, an emergency

meeting of the NSC. He jotted these

notes to himself about his goal with respect

to Poland. He said:

Bearing in mind that all know what

the result of President Reagan’s policies

were, I think that is the same philosophy

that should animate our policy

today toward North Korea. We should

not be seen as vacillating. Some have

characterized the administration as

vacillating.

We should be sure the positions we

are taking are clear-cut, firm, and no

one can mistake what our intentions

are, as the first step. Second, we should

adhere to the President’s policy of forcing

North Korea to promptly and

verifiably dismantle its nuclear enrichment

program. And third, Congress can

play a role in this by enacting legislation

of the kind I have described that

would not only create the conditions

for more democratization in the country

by granting refugee status to political

refugees, broadcasting into North

Korea the message of freedom to its

people, but also squeezing economically

the military leaders of the country

to deny them the hard currency

they are currently using to build up

this nuclear capability, to prevent

them from exporting these weapons of

mass destruction to other countries.

Just as a final point, such an export

limitation or quarantine as part of the

sanctions that could be imposed here

would not only deny the economic reward

to the North Koreans from the

production of this material, but it

could result in an interdiction of such

material if in fact they are going to try

to send it some place else. Remember

that shipment from North Korea that

was recently intercepted going into

Yemen. This kind of sale of weapons of

mass destruction by North Korea,

therefore, if interdicted, would not

only deny the country the hard currency

that it uses for its nuclear program

but perhaps ultimately more importantly

would prevent this kind of

equipment from getting into the hands

of terrorists or terrorist nations that

mean us harm.

This is the approach we believe is appropriate

for the United States to take.

Neither military action nor just plain

talk, but a dialog backed up by firm,

positive, constructive actions on the

part of the United States would put a

lot of pressure on North Korea and

would hopefully bring countries such

as China and Russia along with us to

help us put pressure on North Korea to

cause it to come to meaningful agreement

with the United States that is

verifiable and that would result in

peace in the region and the dismantlement

of dangerous nuclear weapons

they have been building.

We will be introducing this legislation

next week. I appreciate the support

Senator MCCAIN has provided in

putting this legislation together, and I

look forward to visiting with my colleagues

and getting sponsorship of the

legislation with an early commitment

to get it passed by this body and sent

on to the President.

I yield the floor.