

the suppliers, with Pakistan, Iran, Iraq, and North Korea—all terrorist states to one degree or another—the primary recipients. The Pakistani nuclear program, for instance, is almost entirely a Chinese production. And the Russians have been playing the same role in Iran.

#### *History of a fantasy*

Western naïveté has, over the years, helped push proliferation along, as Henry Sokolski argues in his book *Best of Intentions*. Eisenhower's Atoms for Peace program spread nuclear reactors around the globe "to serve the peaceful pursuits of mankind," with little thought to the possibility that they might serve the war-making pursuits as well. The Non-Proliferation Treaty (NPT) of 1968, which sought to maintain the exclusivity of the nuclear club, is similarly starry-eyed. It talks of "the inalienable right" of signatories to develop nuclear technology, and urges "the fullest possible exchange of equipment, materials, and technological information for the peaceful uses of nuclear energy." Cheating? Don't be silly. Sokolski quotes a Dutch NPT negotiator explaining that for parties to the treaty there should be "a clear presumption" that nuclear material and know-how won't be diverted to weapons programs.

This remarkable faith in the trustworthiness of every NPT nation is why signing the treaty was Iraq's first step toward acquiring a bomb. According to Khidhir Hamza, an Iraqi scientist who defected, Iraq used the presumption of innocence to acquire the hardware and knowledge for its massive nuclear program, which the International Atomic Energy Agency lending a hand. Hamza writes: "Few of Iraq's suppliers—or the IAEA itself—ever bothered to ask a simple question: Why would Iraq, with the second-largest oil reserves in the world, want to generate electricity by burning uranium?"

IAEA inspectors were easily deceived and manipulated, partly because any particularly aggressive inspector would simply not be invited back. Not just the NPT, but most arms-control agreements—the chemical and biological weapons conventions, for example—rely on inspecting the uninspectable. As Kathleen C. Bailey writes in a paper on bioterrorism for the National Institute for Public Policy, "Biological weapons facilities can be small, temporary, and without distinguishing features; there is no current means to detect a clandestine biological weapons production capability, absent serendipitous discovery." This is the problem with inspections generally: They can be guaranteed success only in the case of a nation not bent on frustrating them.

This circularity applies to arms-control agreements more broadly: They work so long as no one wants to violate them, in which case they simply don't work. The danger is forgetting this, and mistaking the sentiments and assurances that come with signing an agreement—which are so comforting and high-minded—with reality. This was a mistake that the Clinton administration inflated almost to a strategic doctrine: Don't verify, if you can trust instead.

Non-proliferation agreements are most effective when they are composed of like-minded nations determined to deny technology to a specific enemy, e.g., the Coordinating Committee (CoCom) of Western nations that sought to keep advanced military technology from the Warsaw Pact. The Clinton administration instead wanted to transform such organizations from, as Sokolski puts it, "like-minded discriminatory organizations to norm-based efforts that increased members' access to technology"—in other words, it sought to include the proliferators in the agreements in the hopes that it would somehow reform them.

So, instead of cracking down on Moscow's missile proliferation, for instance, the administration made Russia part of the Missile Technology Control Regime (MTCR), even as the Russians were flouting its terms. The EU wanted the Russians in so that they could be a permitted market for European aerospace sales, while the administration argued that their membership would modify their behavior. When Moscow's behavior was resolutely unmodified—it continued to proliferate to Iran and Iraq—the administration rewarded the Russians with various contracts and subsidies anyway.

Meanwhile, at the administration's urging, China bulked up on treaties and agreements. It signed the NPT, the Chemical Weapons Convention, and the Comprehensive Test Ban Treaty, and it (sort of) joined the MTCR. All these Good Housekeeping seals made it easier for China to acquire Western weapons technology, harder to punish it for any transgressions. And did nothing to stop its proliferating. As an important 1998 Senate report, "The Proliferation Primer," put it, Beijing still managed to be "the principal supplier of weapons of mass destruction and missile technology to the world."

As with Russia, the Clinton administration not only failed to punish the Chinese for their violations, it often rewarded them. After Beijing sold anti-ship missiles to Iran, Sokolski writes, the White House approved "hundreds of millions worth of sensitive U.S. missile-related exports to the very Chinese firms known to be proliferating missiles." Such was the pattern.

Russia and China—even if the Clinton administration mishandled them—are at least major states susceptible to U.S. influence. Now, thanks partly to their handiwork, proliferation is so far advanced that an isolated basket case like North Korea has graduated from weapons consumer to weapons supplier. The North Korean No Dong missile has become, as a result of Pyongyang's salesmanship, the missile of choice in the third world. The Pakistani Ghauri and the Iranian Shahab-3 are both really No Dongs. Iran, in turn, has been able to market missile technology acquired from North Korea to Syria, as the daisy chain moves from rogue to rogue.

#### *What can be done*

Despite this dismaying picture, the U.S. must still do all it can at least to slow proliferation. Instead of ambitious global agreements and conventions, the U.S. should seek to create a CoCom-style regime focused on stopping proliferation to the block of nations that are most likely to use or threaten to use a weapon against the West or leak one to a terrorist: Iraq, Iran, Sudan, Libya, North Korea, and even our rent-an-ally Pakistan. One reason the success of the CoCom wasn't duplicated after the Cold War was that there was no agreement on who the enemy was; now there should be.

The effort should spread in concentric rings, beginning with tough export controls here in the U.S. No one—not businessmen, not politicians, not our allies—likes export controls, since they necessarily mean forgoing cash: but some things are just more important. The argument against controls is often that the technology in question is available elsewhere, so why not have American-supplied Libyan poison-gas plants rather than German? But we should lead by showing our own willingness to spurn certain profits. Meanwhile, European allies like Germany and France need to be convinced that joining the war on terrorism means recognizing that some export markets simply aren't worth having. Finally, we should urge nations that are loitering on the outskirts of the civilized world to choose up sides. Russia

may choose the right way, China probably won't.

But there are limits to what can be done to stop the spread of weapons technology. Non-proliferators are in the position of anti-drug warriors, constantly involved in a futile effort to keep supply from meeting demand. It inevitably will. Then what? When supply-side non-proliferation fails, demand-side counter-proliferation should fill the breach. The best way to end demand for weapons of mass destruction is to seek the end—through diplomatic, economic, and military means—of the governments that want them. Iraq should be the easiest case. After years of flouting U.N. resolutions and international inspections, after stockpiling tons of chemical and biological agents and seeking a nuclear bomb, Saddam's regime should be made into a demonstration of the consequences of seeking weapons of mass destruction: It should be destroyed.

This would have an important educational effect. The reason governments seek weapons of mass destruction is that they know these weapons will increase their power. If they are shown that the pursuit of these weapons could also end their power, they might alter their calculations. In this light, aiding the Iranian opposition is a more important act of non-proliferation than getting President Khatami's signature on some agreement. In a similar way, missile defense can change the cost-benefit equation of acquiring missile technology by undermining the utility of ballistic missiles. So, this supposedly dangerously "unilateral" initiative—American missile defense—buttresses the cause of non-proliferation. Other unilateral actions, such as preemptive strikes on the model of Israel's take-out of an Iraqi reactor in 1981, or covert operations to sabotage technology shipments, can also repress proliferation in a way that gaudy treaties cannot.

None of this will be easy. It will require Western self-confidence, moral clarity, and, above all, military superiority. The cause of keeping our enemies from attaining weapons is achievable only with lots of weapons of our own: an enormous conventional military superiority, a credible nuclear deterrent, and—as a fail-safe—missile defense. But adopting this more muscular, realistic approach to non-proliferation is as urgent as the other kind seemed in 1946. In the words of Bernard Baruch, "to delay may be to die."

#### NOMINATIONS

Mr. KYL. Mr. President, I note with some dismay that the majority leader now seeks to fill time, given the fact we are not proceeding with the debate on the stimulus package, with other matters, such as the railroad retirement legislation. It seems to me we have a perfect opportunity to do what we should be doing in this interregnum, and that is to consider all the President's nominees who are languishing. We have the time to debate these nominations and vote on them. Let's do it.

Case in point: The majority leader talks about bringing up the railroad retirement legislation. This is the European-style, Government-backed occupational pension scheme. I think we would do better to complete the filling of the President's Cabinet.

Mr. President, as you know, John Walters is the last Cabinet member awaiting confirmation.

He is awaiting Senate confirmation to serve as Director of the Office of National Drug Control Policy, otherwise

known as the national drug czar. When did his nomination come to us from the President of the United States? Way back in June, over 5 months ago. Finally, on October 10, the Senate Judiciary Committee held a hearing on John Walters. It lasted over 3 hours. It was very complete. Following the hearing, Mr. Walters answered over 100 written followup questions, including questions from Members who were not on the committee itself.

Finally, on November 8 the committee reported out John Walters by a vote of 14 to 5, but we understand that his nomination cannot be brought up for us to debate and then vote because there are holds being placed on his nomination by unnamed Democratic Senators.

I am calling upon the majority leader today to bring this nomination to the Senate. If there are objections to its consideration, let those who object stand up and voice their objection and explain to us why they object, even to the consideration of the nomination of an individual who, as I say, has been pending now for over 5 months and is the last person to complete the composition of the President's Cabinet.

There is another reason to try to conclude this matter, because the Office of Drug Control Policy is one of the central parts of our Government that deals with drug trafficking around the world. Drug trafficking is one of the ways in which terrorists who we are fighting finance their terrorist activities. For the life of me, I cannot see how someone would stand in the way of the confirmation of a person who is in line to help fight this way of funding terrorism around the world.

We are supposed to be pulling out all of the stops to fight terrorism. Apparently, it is all except for one thing, and that is their financing because we have some political problem with confirming the drug czar.

Let me give a couple of examples. Afghanistan grossed an estimated \$180 billion in the drug trade last year. The Taliban generates an estimated \$50 million in annual revenue from heroin trafficking. The Taliban, which of course has been harboring Osama bin Laden, has overseen the world's greatest growth in poppy plant cultivation as well as heroin production and trafficking.

According to the State Department, Afghanistan's poppy plant cultivation area has quadrupled since 1990. Just 2 weeks ago, the Wall Street Journal reported that an Italian Government official stated that Osama bin Laden's al-Qaida terrorist network is funded through trafficking.

The bottom line is, if we are really going to pull out all the stops in fighting terrorism, we have to cut off their financing, and that includes their drug trafficking. One of the best ways of doing that is ensuring the office we have set up to do that is headed by the President's nomination; namely, John Walters. Yet we cannot get this nomi-

nation before the Senate for confirmation.

John Walters has over 15 years of experience in drug prevention, beginning in the middle 1980s. He served with the Office of National Drug Control Policy for a total of 4 years in the 1989 to 1993 period. In his hearings, he made it very clear he would execute the policies of the President, which have been widely hailed as necessary for us not only to deal with the problems of drug use in the United States but to cut off the sources of drugs which, among other things, fund the terrorists. So I urge my colleagues, and I urge the majority leader, it is time to confirm John Walters as Director of the Office of National Drug Control Policy. Let us not delay this any longer. There apparently is no excuse in terms of time because the majority leader pointed out this morning we apparently have time to consider other matters. So let us finish the confirmation process for the President's Cabinet before we conclude our work in the first full year of the Bush administration. It seems to me that is only fair. It is good policy, and it would help us in fighting the war on drugs.

The PRESIDING OFFICER (Mrs. CLINTON). The Senator from Arkansas.

Mrs. LINCOLN. Madam President, I ask unanimous consent that Senator HELMS from North Carolina and Senator CLELAND from Georgia be added as cosponsors to S. 1278, the United States Independent Film and Television Production Incentive Act of 2001.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNITED STATES INDEPENDENT FILM AND TELEVISION PRODUCTION INCENTIVE ACT OF 2001

Mrs. LINCOLN. Madam President, this is a bill I introduced awhile back. It is a good way to reinvest in America, looking at our films that have gone offshore because of the incredible incentives that other nations are giving them. We want to keep our film industry in the United States. We want to keep the jobs in the United States, and that is why we introduced this bill in order to direct the incentives according to the jobs that are created. We are hoping we can move this bill along, and we are delighted to have two more cosponsors.

#### RAILROAD RETIREMENT REFORM

Mrs. LINCOLN. Madam President, I came to the Chamber after listening to several of my colleagues earlier this morning. The majority leader, Senator DASCHLE, was visiting with Senator DURBIN about some of the important legislation we could be considering in these last couple of weeks in the Senate that would really be good for the American people.

First they spoke about the railroad retirement reform package, which was mentioned by Senator KYL. I think it

is absolutely essential we bring up this issue. Last week, when I was in Arkansas celebrating Thanksgiving, I was approached by an older woman who said: Why in the world has this not been done?

This legislation has passed the House twice by incredibly large margins. The last time it was 384 to 33. There are 75 Members of the Senate who are cosponsors of this issue. We have the railroad industry, the union members, the workers in agreement. It is absolutely practical and realistic that we should bring up this issue and move it forward because it is going to benefit everybody, and that is what our job is, to bring up legislation that everyone has worked on, that we have come to some agreement on, that we have the majority of individuals in both bodies excited about and willing to move forward.

So I applaud the majority leader for bringing up this issue. I think the time is right. I think the work has been done. The debate has been had. People have worked out this issue, and we should be moving forward. We should be productive for the American people and particularly for those in the railroad industry and those who are retired. I applaud the majority leader for his efforts, as well as the other Members of this body, and encourage him to move forward with it. This is something we can do and something we should do before we leave, and I hope we will.

#### FREEDOM TO FARM

Mrs. LINCOLN. One of the other issues that was brought up by my colleagues earlier was the issue of our agricultural policy in this country, which, in my opinion, in the last 4 years has been less than what our farmers deserve. It is time now to give them some predictability and some understanding of where their Government is going to be for them.

It has been said the only constant is change, and that certainly has been true with our national farm policy. For the last 4 years or better, farmers—certainly Arkansas farmers—have harvested their crops without knowing if they would be able to afford to plant another crop in the following growing season. They had no predictability, no understanding of whether their Government was going to be for them.

As they looked at what was happening in the global economy with the fact that the European Union was consuming well over 80 percent of export subsidies worldwide, they said they were not competing with other farmers across the globe.

Our farmers are competing with other governments. Where has their Government been in terms of a solid agricultural policy they can depend on, particularly when they go to their financial institutions to get the backing they need to put seed in the ground?

Of course, many remember that Congress passed the Freedom to Farm Act