

exactly the same thing and we won't have a constitutional responsibility at all here in the Senate. We will say, all right, whatever it is you decide to give us, we will take, or whatever you decide to withhold, we will accept.

I am not willing to do that. Why not the materials from the Solicitor's Office? It has been done in other nominations. Why not now? Why won't the candidate answer basic questions? Again, I come here not as a member of the committee and as someone who has a preconceived notion that Mr. Estrada would not do a good job. I don't know. And no one else in the Senate knows. There is nobody in the Senate who can stand up and say Mr. Estrada has answered these questions for us, because he has refused to answer the questions for all Senators. Some in the Senate might be perfectly comfortable deciding the constitutional role granted us in this process of lifetime appointments on the judiciary is not very important. But I am not among them.

THE STATE OF FOREIGN AND DOMESTIC POLICY

Mr. President, let me speak for a moment, while I have the floor, about a couple of other issues that are happening that I think are very important. I know others want to come and speak about the nomination. I want to talk for a moment about what has been happening in our country with respect to foreign policy and domestic policy.

In recent days, we have had the following occur: We wake up in the morning and turn on the television programs. The lead story is, as it has always been in recent weeks, days, and months, the war with Iraq. When is it going to happen? How is it going to happen? When is it going to start? Who is going to support it? Who is going to be involved? Every week, day, and month.

As a result, this economy of ours, which desperately needs certainty, predictability about the future—and this economy, in my judgment, is in a stall, serious trouble—is not going to come out of its problems unless we stop every day the lead news story being about war. I am not suggesting Iraq is not a problem; it is. Saddam Hussein is a bad guy. North Korea is a problem—a bigger problem than Iraq, I might say. Terrorism is a bigger problem than both of them. We have a situation in which we have to deal with all three. I understand that. But the other day we get an orange alert in the country, the second highest alert for terrorist activity in our country, the terrorist threat. Today, I understand we have hardware stores that are out of duct tape. Why? Because yesterday they said we are on orange alert, under the threat of terrorist attack, and we need people to go out and buy gas masks and plastic sheeting and duct tape. So the hardware stores in our country are being cleared out of duct tape. Why? People are concerned about the potential of a terrorist attack in our country.

North Korea. Apparently, we read in the news—I have not heard it in classi-

fied briefings because we have not had any—that trucks are leaving a facility in North Korea, potentially with spent fuel rods, which will, in the not-too-distant future, be turned into weapons-grade plutonium, probably sold to a terrorist; and it is not out of the question that 18 or 24 months from now a terrorist will have a nuclear weapon with which to hold hostage an American city.

Is that a frightening thought? You bet your life it is. So what consumes our attention today? Iraq. Saddam Hussein. Oh, but today is a bit different in that Osama bin Laden also shows up. He is out there. The other day Osama "been forgotten" is what I called him, because you don't hear about him anymore from the administration. They cannot find him, don't know where he is. I have flown over those mountains; it was about a year ago. You can look down and see where the caves are, where Osama bin Laden and his band of murderers plotted the murder of innocent Americans, thousands of them. And so men and women wearing America's uniform went into Afghanistan, kicked the Taliban out, ran the al-Qaida up into the hills. But Osama bin Laden was not found. Al-Qaida still lives. The head of the CIA said a couple of months ago that the terrorist threat against this country is as serious now as it has ever been since September 11. What of terrorism? What do we make of North Korea? What about Bin Laden? And, yes, what about Iraq?

We have had a single track playing now for month after month about the country of Iraq. I want to see regime change in Iraq. I want to see Saddam Hussein displaced. My preference, by far, is that the free world in unison says to this man: You leave, you disarm, or you are going to be disarmed, and you are going to be replaced. I would hope very much the entire free world says that to Mr. Saddam Hussein, but I also hope that we understand in this country—the President and, yes, his key advisers understand—that there are more threats and, in my judgment, at this moment, more serious threats with respect to North Korea and the development of additional nuclear weapons that could possibly go into the hands of terrorists very quickly; more serious threats with respect to al-Qaida which still lives, and Osama bin Laden, who is still broadcasting to those who follow him, which is also a very serious threat to this country and to the free world.

We need to understand that we face very serious problems, and it is not just Iraq. Inattention to some parts of our foreign policy, in my judgment, have contributed to this. I understand North Korea has lied to us. I understand that. But deciding not to talk to them? It is not an option.

There are only two options dealing with a problem that serious. One is military. We are not going to do that. The second is diplomacy, and that means we talk. We talk and we talk

and we talk, and we try to work through these issues.

With respect to al-Qaida and terrorism, the fact we do not mention it, the fact no one will talk about it, the fact it is not something the Defense Department, the State Department, or others want to talk much about does not mean it has gone away. It is as serious today, perhaps more so, than ever, and we have a responsibility to deal with it. I worry a great deal about these terrorist issues and the terrorist threat against our country.

My point is not to say somehow the attention to Iraq is misplaced. It is to say that the sole attention to Iraq at the expense of, in my judgment, a more serious threat from North Korea, the sole attention to Iraq at the expense of attention to al-Qaida and the growth and the continuation of a very serious threat of terrorist attacks is unwise, in my judgment. It makes no sense.

We have a responsibility to protect the national interests of this country, and I will and always have supported our President as we proceed to do that, but I think it is important with respect to not only advice and consent on judgeships, but providing advice on issues as we perceive threats to this country, it is important for some of us to speak up to say: Mr. President, you are right, Saddam Hussein is a bad guy, but you are wrong to not pay attention to North Korea and the war on terrorism with equal vigor and equal strength.

Frankly, no one can take a look at what has happened in the last 6, 8, 10 months and judge there has been that kind of balance. My hope is that in the coming days we will see greater balance dealing with this terrorist threat and also the threat of North Korea producing more nuclear weapons and potentially moving those nuclear weapons into the hands of terrorists who the next time they threaten us will do so with a nuclear weapon.

God forbid we will face a world in which a nuclear weapon is used as an act of terrorism, not killing 3,000 people but 300,000 people or 1 million people.

If ever we wonder about these issues, we have a world in which there is somewhere, we think, around 30,000 nuclear weapons. We do not know exactly. With theater weapons, strategic weapons, somewhere around 25,000 to 30,000 nuclear weapons, one of which, just one, missing or in the hands of terrorists will cause chaos. The explosion of one will be devastating, and the genie will be out of the bottle.

Pakistan and India have nuclear weapons, and the other day they were shooting at each other over Kashmir. Dangerous? You bet your life that is dangerous.

We have a responsibility, especially in the shadow of the terrorist threat against this country, in the shadow of what is now happening in North Korea and the potential of the spread of nuclear weapons, we have a responsibility

to decide that job No. 1 is protecting ourselves against the terrorist threat and then trying to find ways to reduce the number of nuclear weapons in this world.

I have kept in my desk for some long while a couple of items I have always used to remind us of what this job is about.

This little piece of metal, if I may show by consent, Mr. President, this little piece of metal is from a backfire bomber. This bomber was a Soviet bomber. It used to be flown by Soviet aircrews hauling bombs that presumably would threaten the United States of America. It was at a Soviet airbase in Ukraine when it was destroyed.

How was this bomber destroyed? Did we shoot it down? No, this bomber was destroyed with a saw, a large circular metal saw. We sawed the wings off a Soviet bomber, and we paid for it under Senate appropriations.

We destroyed a bomber, not through hostile action but under what is called threat reduction. We destroyed missiles. We took off the nuclear warheads. In the Ukraine, where there was once a missile with a nuclear warhead aimed at the United States of America, there is now no missile, no nuclear warhead, and sunflowers are now planted on that ground. Is that progress? Boy, I think so.

This is ground up copper from a Russian submarine that I assume at one point or another was lingering off the east coast of the United States with missiles in its tubes armed with nuclear warheads. But we did not sink that submarine. This is copper wire ground up from a submarine that was taken apart under the Threat Reduction Program.

Senator LUGAR, who is a real champion of this issue, and former Senator Nunn were the first to start the funding by which we actually paid to destroy weapons of our adversaries with whom we had agreements on nuclear weapons reductions and the reduction of delivery systems.

We sawed the wings off a bomber; a submarine, we simply took it apart and ground up the copper wire. Is that progress? I think it is. If we do not in this country assume world leadership in stopping the spread of nuclear weapons and reducing the stockpiles of nuclear weapons, our children and grandchildren will almost certainly see a future in which nuclear weapons are used.

It is our job, our responsibility to be a world leader in this area. There are some who seem not to understand or care about that responsibility. We have some right now in this town talking about designing new nuclear weapons. Let's design a nuclear weapon, a designer nuclear weapon, that will be a cave buster. Hard to get into caves? Let's design a little new nuclear weapon to drop on a cave someplace.

Apparently, after the al-Qaida situation in which they hold up in caves, we have some people thinking they can

create designer nuclear weapons. Once that thinking starts, the thinking that you can use nuclear weapons in circumstances such as that, others will say: We can use nuclear weapons. Once the thinking starts that you can use preemptive strikes against countries because you are worried what they might do later, other countries will say: We can do preemptive strikes.

I worry a lot about where we are headed with the multiple policies with respect to weapons programs. I think we ought to be strong. I have supported many weapons programs, but I also believe, with respect to nuclear weapons, we must lead the world. We must stop the spread of nuclear weapons. We must reduce the stockpile of nuclear weapons all around the world. It is our job. It is our responsibility. We are the world leader. We are the ones.

ECONOMIC POLICIES

These are challenging, difficult, tricky times. Every one of us in this Chamber wants this President to succeed. We want our country to succeed. I do not want us to have foreign policy failures. I do not want us to have an economy that is in trouble. I want this President to succeed. I am a Democrat. He is a Republican. It is in my interest and our country's interest for him to do well. It is also in our interest, where we have differences of opinion, differences on policies, for us to bring out those differences and debate them aggressively.

There is an old saying that when everyone in the room is thinking the same thing, no one is thinking very much. I know some do not like that. There are some who think if questions are raised these days, shame on you. But with the challenges we have in both domestic and foreign policy, we ought to have questions flying from every direction in every corner and every philosophy of this Chamber and then pick the best of those ideas and suggestions.

There is a tendency for each side to want the other to lose these days, and so instead of getting the best of each, we get the worst of both, and that does not serve the interests of this country, whether it is foreign policy challenges, which I just discussed, or the challenges in economic policy which I am going to talk about for a moment. We really need to understand that there is not only one way to address these. On some occasions, there are wrongheaded ideas, things that will make things worse with the economy or with foreign policy. There are some good ideas, some brilliant ideas, some in the middle. Our job is to select from the range of alternatives and to work with this President.

I will talk for a moment about the challenge with respect to the economy. I know there are others who want to speak. I started by talking about the Estrada nomination, but I do want to take a moment to talk about the foreign policy and the economic policies that I think are significant challenges as well.

Yesterday, Mr. Greenspan came to the Congress and I think he poured a 5-gallon pail of cold water on President Bush's fiscal policy proposals. I am thankful for that because the President is proposing, in the face of the largest budget deficits in history by far, more tax cuts, the bulk of which will help upper income taxpayers. I do not think that is what we need to do for the economy.

As I said earlier, this economy is not going to grow if every day, in every way, the lead story is about war, as it has been every day and every week and every month for some long while. This economy does not grow when that happens. The price of oil increases. People are uncertain about the future, and they manifest that uncertainty by what they do. So we need to get through this.

When we get through it, the question is: How is a jump start provided to this ship of state of ours? How is this economy provided a boost? The President says what we need to do is more tax cuts. He said what we ought to do is exempt dividends from taxation.

That is interesting. Certainly, if one were discussing tax reform, if that were the subject, they would have that as part of their discussions, no question about that. Of course, that is not the subject at the moment. The subject at the moment is, should we do an economic stimulus package? So the President takes the opportunity to say let's exempt dividends.

I am wondering why exempting taxation from dividend checks has a priority over exempting taxation from work, such as paychecks. Dividend checks should be exempt; paychecks should be taxable? Is that a value system that says let's tax work and exempt investment? If so, does that make sense? I do not know. I do not know how one chooses that approach.

I will talk now about where we are and how we have gotten to this point. Mitch Daniels, who runs the fiscal policy program at the White House—he is at the Office of Management and Budget—has been the prognosticator of where we have been and what we have been doing.

On March 2, 2001, which is not quite 2 years ago, he said:

It has become clear that this new era of large surpluses is more dangerous to the taxpayer than the preceding era of large deficits.

So Mr. Daniels was gnawing at his fingernails worried about these large surpluses: Woe are we; the surpluses are going to kill us. He said these big surpluses are a big problem. That was about 2 years ago.

Then about a year and a half ago, he said:

We're going to have an enormous surplus, \$160 billion or more.

So he must have gotten his crystal ball at a Dollar Store, I guess, because in November—that is, about 15 months ago—he said:

It is, regrettably, my conclusion that we are unlikely to return to balance in Federal accounts before, possibly, fiscal year 2005.