

## RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions which were submitted earlier today: S. Res. 312, S. Res. 313, and S. Res. 314.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

## ORDERS FOR TUESDAY, OCTOBER 31, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, October 31; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Barrett nomination postcloture; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during morning business, recess, adjournment, and leader remarks count postcloture on the Barrett nomination.

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

## ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator REED.

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

The Senator from Rhode Island.

## NORTH KOREA

Mr. REED. Mr. President, a few weeks ago, I traveled to South Korea to better understand the threat posed by North Korea. I would like to share my impressions from the trip and how I believe we should be positioning ourselves to better deal with this current crisis.

I want to recommend to my colleagues and the administration that the time for debate on this issue is

now, before the crisis comes to a head. We need to have a clear strategy and increased cooperation with South Korea, Japan, China, and Russia to contain and to deter the nuclear threat posed by North Korea. I have significant concerns that we are not doing everything we can right now to improve our bargaining position with North Korea. I am convinced we must try to find a diplomatic solution to this problem because the alternatives are extraordinarily costly. While we should always remain prepared to go to war and never take that option off the table, I believe as long as there is a possible diplomatic solution to this crisis, we must make every effort to make it a reality.

I would like to spend some time talking about the threat posed by North Korea and then review the history of our diplomatic negotiations since the early nineties.

North Korea voluntarily joined the nuclear nonproliferation treaty, NPT, in 1985. It was clear only a few years later that it was in violation of the NPT.

Our first crisis occurred when Kim Il Sung, the grandfather of the current leader, refused inspections required under the treaty in 1993. Since then, North Korea has engaged in the illegal production of fissile material and nuclear devices, and has conducted six nuclear weapons tests. The latest test occurred just last month on September 3.

The threat we face from North Korea is not just a nuclear weapon aimed at New York City or Washington, DC. This regime has proven over and over again that it will not hesitate to proliferate weapons of mass destruction for financial gain. The proliferation threat is a global one. We can all imagine the consequences of a nuclear weapon in the hands of al-Qaida or ISIS that can be deployed anywhere in the world.

North Korea poses not only a nuclear threat to the globe but also a conventional one. In 2010, the regime torpedoed and sank a South Korean warship, and 46 South Korean sailors lost their lives. Later that year, the regime killed four South Korean citizens when it shelled Yeonpyeong Island. Once this regime achieves its goal of developing a nuclear weapon that can hit the continental United States, we may see increased kinetic attacks against South Korea and Japan and possibly other countries in the region.

North Korea has repeatedly engaged in cyber attacks over the last decade and uses them as an asymmetric weapon against companies and governments alike. It has been attributed with sweeping attacks against the financial industry's Society for Worldwide Interbank Financial Telecommunication or SWIFT protocol to enrich itself to the tune of millions of dollars. This SWIFT protocol is the backbone of the world financial system.

It orchestrated the DarkSeoul cyber attacks in 2013, attacking South Ko-

rean news stations and financial institutions, and it was responsible for the destructive and coercive attacks against Sony Pictures, a successful American entertainment company, because it didn't like a movie's depiction of the current leader.

Let us not forget that North Korea engages in horrific human rights violations against its own people. It maintains a system of brutal prison camps that incarcerate thousands of men, women, and children who live in atrocious living conditions under the constant fear of rape, torture, and arbitrary execution. It keeps its civilian population isolated from the rest of the world without access to current news and information that would undermine its propaganda to brainwash its population into believing in and revering their leader and demonizing the Western ideals of freedom and democracy.

I think it is important for us to remember the long and torturous diplomatic path we have walked with North Korea for the last 25 years and recognize the wasted opportunities by past administrations that could have prevented or reduced the threat we face today.

After we realized that North Korea had failed to meet its obligations under the NPT in the mid-nineties, we almost reached a crisis point in the late spring of 1994, as the Clinton administration considered striking the Yongbyon nuclear facility. The crisis was resolved when former President Carter traveled to Pyongyang that summer and brokered the outlines of a deal. North Korea would freeze its plutonium production program in exchange for a light-water nuclear reactor. A final deal was brokered later that year called the Agreed Framework, under which North Korea agreed to freeze its plutonium production programs and to eventually dismantle them in exchange for two nuclear reactors and the prospect of normalization of economic and diplomatic relations.

How did we get from that agreement to today? For starters, in 1998, North Korea tested its first long-range ballistic missile, and that began to unravel the deal. The Clinton administration attempted to salvage the Agreed Framework by negotiating additional terms to stop its missile program but was unable to conclude arrangements before President Clinton left office. After President Bush took office in 2001, the new administration wanted to distance itself from Clinton's policies and stopped negotiating the Agreed Framework in earnest. North Korea, reacting to the Bush administration's new hostile tone, also stepped away from the talks.

For example, in January 2002, President Bush delivered his "axis of evil" State of the Union speech that identified North Korea as a regime "arming [itself] with missiles and weapons of mass destruction, while starving its citizens." In April of that year, President Bush issued a memorandum stating he would not certify North Korea's

compliance with the Agreed Framework. Rumors also abounded at this time about North Korea's pursuit of a uranium-based nuclear weapon, which were confirmed in October of 2002. By the end of 2002, diplomatic efforts having stalled, North Korea expelled inspectors from the country, withdrew from the NPT in early 2003, and turned fuel rods that the United States had helped to store safely under the Agreed Framework into weapons-grade plutonium. It was a lost opportunity to go back to the drawing board, reengage with the North Korean regime, and attempt to find a comprehensive deal that would include both its plutonium and uranium programs, as well as the missile program.

After North Korea admitted in April 2003 that it possessed nuclear weapons but was willing to get rid of its program in exchange for something "considerable" from the United States, the so-called Six-Party Talks started in August of that year and eventually reached an agreement in September of 2005, in which North Korea committed to the other five parties that it would abandon all nuclear weapons and existing nuclear programs.

At this point, North Korea's nuclear program had made significant progress, and forcing the North Korean regime to implement the agreement and stop its program would have required a significant diplomatic investment by the United States, but at that time we were fighting two wars in Iraq and Afghanistan and did not see North Korea as the highest priority.

After North Korea tested a nuclear device in 2006, we had a moment when the other parties to the Six-Party Talks were even more resolved to work together. The Six-Party Talks did produce two additional agreements in which North Korea froze the plutonium program, turned over operating records, and dismantled the cooling tower, but they again faltered and then failed over verification measures. It is possible that with consistent pressure and cooperation with the other parties, we could have convinced North Korea to follow through on its verification commitments. Then the North Korean leader suffered a stroke in 2008, and President Bush left office in January 2009, complicating matters even more. North Korea greeted the newly elected Obama administration with a ballistic missile test in April 2009 and a nuclear test in May.

After Kim Jong Un took control of North Korea in 2011, the situation became even more challenging when it became clear that there was a new and concerted effort to advance their nuclear program. The Obama administration struck the so-called Leap Day Deal—both countries separately announced an agreement to suspend operations at its Yongbyon uranium enrichment plant and invited the International Atomic Energy Agency or IAEA inspectors to monitor the suspension and implement moratoriums

on nuclear long-range missile tests. In exchange, we offered a generous food aid package. It was an attempt to begin the process of denuclearization but was short-lived since North Korea announced its plans to launch a satellite in violation of U.N. resolutions only 2 weeks after the agreement was announced. Yet, again, it was a lost opportunity to really challenge the current leader before he had consolidated power within North Korea over a provocation that did not need to derail negotiations.

My purpose in reviewing this history is to note that there were opportunities, especially under the Agreed Framework and later during the Six-Party Talks, to reengage the North Korean Government and find a comprehensive diplomatic solution.

We missed those opportunities and deferred this problem and now we are in a much worse negotiating position than in any time in history. Of course, we cannot ignore that the biggest problem has always been North Korea's failure to stand by its commitments and its covert development of programs despite repeated assurances during negotiations. That is why I believe we need to make sure any deal includes stringent verification measures, with snapback sanctions and economic measures that will cripple the North Korean economy and starve it of any resources it can use for a nuclear program. While I understand the risks inherent in any deal with North Korea, I believe the alternatives are much riskier.

I would like to be very clear. While we will prevail in a war against North Korea, it will not look like winning. I want to paint for you the very stark and grim reality we will be facing in a conflict against North Korea. First, it would and should not be lost on anyone that the United States has never fought against a nuclear-armed state. Even if we were to engage in a preemptive war with North Korea now, it currently has the capability to hit both South Korea and Japan, our main staging areas and where the majority of our troops would be located, with a nuclear weapon. The irony is that by striking first to prevent a nuclear strike against the United States, we would be significantly increasing the likelihood of a nuclear strike against ourselves or our allies.

Even if North Korea does not hit South Korea or Japan with a nuclear weapon, a conventional war would be devastating. Within the first weeks, we would see tens, if not hundreds, of thousands of civilian casualties from the long-range artillery strategically aimed at the 25 million citizens of Seoul. There are some 250,000 American citizens living in South Korea who would need to be evacuated, mostly from Seoul, while the city is under siege. The United States has never conducted a noncombatant evacuation operation of this scale. It is likely that most U.S. citizens would not be able to

be evacuated within the first week of hostilities, resulting in massive U.S. civilian casualties in addition to the thousands of our Korean friends who would also lose their lives.

Moreover, either in anticipation of hostilities or in response to a preemptive attack, North Korea will engage in significant cyber operations that will strike at infrastructure throughout the world, including the United States. Further complicating the scenario is the fact that North Korean cyber operations are conducted outside of its territory, principally in China. Without any prior agreement with these countries, we would be faced with the difficult decision of how to stop these remote North Korean operations.

Let us also not discount the cascading economic effects of war. The South Korean economy would be in ruins, and shortly thereafter, the Asian markets and the global market would begin to see the effects. As noted by Emerging Asia Economics Focus by Capital Economics with regard to the potential economic impacts of such a war, South Korea accounts for around 2 percent of global economic output. If South Korea's GDP fell only by half, that would result in a 1-percent decrease in global GDP, not to mention a huge disruption to global supply chains. The U.S. Federal debt would go up considerably. Collectively, this war could cost us billions, in addition to the actual financial and military resources that we would need to expend.

To those who think we will have a quick and certain military victory, I would say that our assumptions of a quick victory have been proven wrong many times in our history. We will not be viewed as liberators by the majority of the North Korean population, who have been taught from birth that the United States initiated the hostilities that led to the Korean war and is determined to destroy their country. The Korean war, during which the North Koreans suffered massive casualties and a constant bombing campaign that reportedly killed almost 20 percent of its population, is within the living memory of older North Koreans.

Add to that the incredibly risky missions of locating, isolating, and neutralizing nuclear, chemical, and biological weapon sites and the thousands of underground facilities in North Korea and we are looking at a month-long kinetic campaign with a years-long stabilization effort, not to mention the decades it will take not only to reconstruct North Korea but to bring its infrastructure and population forward to the 21st century.

We also cannot underestimate the reactions of the global community, especially China, if we act prematurely. China has a defense treaty with North Korea, and although it has publicly stated that it will not aid North Korea if North Korea attacks first, we cannot gauge what China's reaction will be if it determines that we were the initial aggressors.

Again, we will prevail after a long, bloody, and costly fight, but it will not look like winning. We must do everything we can now to set the theater to win the war, and then do everything in our power to avoid it. To that end, we should exhaust every single diplomatic avenue for peace before considering other options. We have an obligation to our men and women in uniform to vigorously seek a diplomatic solution before using military force. We also need to convince our allies, especially South Korea and Japan, that we are serious about their security and have made every effort to avoid conflict. We will undermine our own credibility and our standing in the world if we rush to war without demonstrating our commitment to peace.

Finally, even if diplomacy fails—and I fear that our likelihood of success is low, given the history I have laid out above—there are certain advantages to being secured solely through the process of negotiating that will be significant achievements in their own right.

First, we will have a much better sense of what the current regime's strategic interests are. It was clear Kim Il Sung, the present leader's grandfather, had three strategic priorities: to use the nuclear program to blackmail the rest of the world for economic concessions; to appeal to the North Korean populace, who had been told that nuclear weapons were a mantle of legitimacy; and to scapegoat the United States with North Korea's economic problems, arguing that the sacrifices made by the North Korean people were necessary to fend off U.S. imperial aggression.

It is less clear where the current regime's interests lie. It is possible that Kim Jong Un is interested only in regime survival and will be willing to agree to a deal that will freeze its programs and instead focus its attention on developing its infrastructure and improving its economic growth in exchange for guarantees that we will not seek regime change.

Despite our strongest sanctions programme to date, the North Korean economy is growing, albeit from a remarkably low starting point. Kim Jong Un has taken a page from the Chinese economic plan of the 1980s and 1990s and significantly increased the economic prosperity of his people. While maintaining strict social and political control, he has opened the economy through decollectivization, the reduction of market restrictions, and allowing small private enterprises to flourish. The North Korean economy grew more than 3 percent last year. It is clear that Kim Jong Un is interested in allowing his economy to develop and in providing greater economic opportunity to his people.

But it is also possible that Kim Jong Un has more aggressive ambitions and seeks to finish his grandfather's goal of reuniting the peninsula under North Korean rule. I believe we should spend the time to try to understand Kim

Jong Un's ultimate goals and whether peace is really on the table.

Second, we will have the moral authority to go to war having demonstrated to the world that we negotiated in good faith and that the North Korean regime is not interested in peace. It will also give us an opportunity to better understand and coordinate on China's strategic interests. While China is also quite concerned and alarmed by the nuclear programs, it has a considerable interest in maintaining stability on the peninsula to avoid regime collapse, to avoid a humanitarian crisis triggered by millions of refugees flowing across its southern border, and to avoid the possibility of a biological or chemical weapon attack or a nuclear attack so close to its territory.

Diplomacy may offer the opportunity to find common ground with China on these issues—issues that concern us as well—and to coordinate our responses in the event of a contingency. We should discuss end states with China that take into account their vital national interests.

Finally, we should be able to receive some commitments from other countries, especially China, with regard to the enforcement of sanctions as an aid to the diplomatic process. To date China has been unwilling to exert the type of pressure necessary to cause real economic pressure on the North Korean regime. I believe we should push for an agreement with China and Russia on even stronger sanctions that will be immediately enforced during the negotiation process and will continue to be enforced if the negotiations fail.

We should be expending every possible resource now to set the right conditions for diplomacy and to improve our negotiation position. This administration has not created the right conditions to date, and there are four areas that I believe we need to focus on today: consistent and clear messaging to North Korea and the world; increasing our diplomatic and military capacity; improving international cooperation and coordination; and increasing pressure on the North Korean regime through better sanctions enforcement, military pressure, and information operations.

There has been a marked failure to consistently message to the North Koreans, our allies in the region, other global players like Russia and China, and the rest of the world. Secretary Tillerson has repeatedly made public statements regarding our intentions to pursue a diplomatic solution with North Korea and has been consistently undercut by the President's commentary that we are not really interested in diplomacy. While I understand the President's intent might be to demonstrate that we can and will use military force if necessary, there are certainly more artful ways of making that message clear than tweeting that the Secretary of State is "wasting his time trying to negotiate with Rocket Man."

This is not a time for incoherence or confusion. We need to be as precise and clear as possible with regard to the administration's avowed strong preference for diplomacy.

Likewise, President Trump's speech at the United Nations General Assembly sent exactly the wrong message to North Korea and to our ally South Korea. Threatening to destroy North Korea, a country of 25 million people, may send a deterrence message, but it also plays into the regime's narrative that we are out to destroy them. We should not be feeding into Kim Jong Un's propaganda machine by reaffirming their mistaken belief that we are interested in annihilating their country, and we should not be signaling to South Korea that this administration does not take its security seriously.

I sincerely hope that the President does not repeat his tone-deaf messaging during his upcoming speech to the Korean National Assembly. The Government of Korea needs to hear a clear commitment to diplomacy and a clear commitment to protect the Republic of Korea as is required by our alliance.

In this regard, it is disturbing to hear of reports that officials responsible for executing our diplomacy with regard to North Korea are, as reported in an October 25 Foreign Policy situation report, "frustrated by an inability to communicate the urgency of the situation to the White House." Unless there is consistency in our message and constant and acute attention from the White House, we are on a path to disaster.

In addition to consistent messaging, we need to drastically improve our capacity, both diplomatic and military, to position ourselves for any negotiation with North Korea. It is diplomatic malpractice that there is no U.S. Ambassador to South Korea. The President is heading there in a few days. There is insufficient time, even if an Ambassador were to be named tomorrow, to confirm that individual before the President's trip. We have a key diplomatic post that has been empty for 8 months. There is also no Assistant Secretary of State for Asia in the State Department or in the Department of Defense. While we have Acting Assistant Secretaries, that is no substitute for the political appointees who will be able to operate with far greater freedom and support from the administration. I urge this administration to fill these positions immediately.

Since sanctions are our most important diplomatic tool, it is also astounding that Secretary Tillerson is eliminating the State Department's Coordinator for Sanction Policy office, "which has been led by a veteran ambassador-rank diplomat with at least five staff" as reported in an October 26 Foreign Policy article. He will reportedly entrust this critical task to one individual in his Policy Planning Office.

One of the most important elements to strengthening our bargaining position is demonstrating that we are prepared to fight if necessary. When I was in South Korea, I spoke at great length with our military commanders, including General Brooks, about our readiness. I was very impressed by not only how prepared we are to go to war but also how integrated our operations are with the Republic of Korea's.

Even so, I believe there are some additional measures that should be taken now. Specifically, I believe we need to increase our intelligence, surveillance, and reconnaissance operations, our strike capabilities, and strengthen our missile defense capabilities in the region with more Patriot, THAAD, and SM-3 interceptors, as well as increase our critical munitions stocks to ensure that we are providing credible military options on the Korean Peninsula. We should be providing U.S. Forces Korea with every tool they may need to prosecute a possible war. However, even this increased readiness would not overcome the massive casualties and possible use of nuclear weapons that I outlined before.

As we have learned time and time again, the multilateral approach is the best path to a successful outcome, whether in diplomacy or war. There are a number of countries whose national security interests are touched by the North Korean threat, although I would submit that North Korea poses a global challenge because of the risk created by its nuclear weapons and human rights violations.

First and foremost, we need to better coordinate our messaging and strategy with our allies, South Korea and Japan. It will be nearly impossible to initiate any unilateral action against North Korea without the commitment and cooperation of South Korea and Japan. The majority of our forces are either stationed or flowing through those two countries. They are indispensable and equal partners in the crisis and should be treated as such.

We cannot assume that South Korea and Japan have identical interests to us or that they are in complete agreement on all aspects of our strategy. Through constant diplomacy, we can ensure that we enter into negotiations with the same objectives and understand our partners' interests and their tolerance for risk. We also need to push our partners to work better together. For example, at the end of last year, South Korea and Japan entered into a General Security of Military Information Agreement to share sensitive information on North Korea's missile and nuclear activities. However, this agreement has yet to be implemented, to the detriment of the security of South Korea, Japan, and the United States. Our allies must learn to work in concert to ensure we are in the best position to deal with the threat we all face.

Second, we should be seriously considering some combination of multiparty talks with the relevant

stakeholders, including China and Russia, to first establish some basic red lines that can be conveyed to the North Korean Government: No atmospheric tests of nuclear weapons, no electromagnetic pulse attacks, and no missile attacks on the United States, its allies, or any country. These talks should be also geared toward getting additional commitments on sanctions, especially from China and Russia, that have to date failed to fully implement sanctions against North Korea.

If we can come to some agreement among ourselves about the path forward and show a unified, diplomatic front to North Korea, I believe we will be much more successful in any negotiations.

It is also critical that we increase the pressure on North Korea and create less operating space for the regime to pursue its ballistic missile and nuclear ambitions.

We are not at the maximum level of sanctions that can be imposed on North Korea. There are financial institutions that are conducting transactions with North Korea that have not yet been subjected to sanctions. We should be pursuing sanctions against every institution, no matter how large or small, that conducts even a single transaction with this regime. There are significant authorities that have been created, both through the United Nations and by other authorities, to go after companies and individuals who are doing business with North Korea. The issue, as I see it, is enforcement. Our Treasury Department, in cooperation with the State Department, must act faster to target these bad actors. Time is not on our side. Every day that passes is a day that Kim Jong Un is closer to the goal of achieving an intercontinental ballistic missile that can hit the eastern seaboard of the United States with a nuclear weapon.

In addition to financial institutions, we must starve the regime of the resources it needs to support its elites and the military—whether through coal or overseas labor, every avenue of revenue must be cut off.

We need to make a concerted effort through our diplomatic channels to cut off North Korea's access to hard currency. Every country that continues to employ North Korean labor and allow North Korean business to operate within its borders needs to know that there will be economic and diplomatic consequences for its behavior. To those who argue that we would be punishing everyday North Koreans with these measures, I would note that the vast majority of funds are remitted to the regime to use for its nefarious purposes.

We should be engaging every single country with a North Korean Embassy that has not yet been closed to follow Spain and Mexico's example and order them closed. It has been reported for years that these Embassies operate as fronts for North Korea's illicit activities, including trading in counterfeit

currency, arms smuggling, and circumventing sanctions by selling prohibited goods.

China needs to be convinced not only to cut off the fuel supply to North Korea but also to clamp down on the regime's use of its financial institutions. Russia employs thousands of workers and stands ready to sell fuel to North Korea, acting opportunistically instead of as the global leader it makes itself out to be.

The United States withheld nearly \$300 million in military assistance to Egypt after we discovered that the military had purchased 30,000 North Korean rocket-propelled grenades.

I believe it is our failure to exact severe consequences on the countries that do business with North Korea that has allowed the regime to spread its workers and exports across the globe and reap billions of dollars from the global economy.

North Korea needs to realize that its reckless pursuit of nuclear weapons has left it with no allies, no friends, and no financial resources. This is one reason why the devastating cuts to the State Department and the failure to adequately staff our diplomatic corps is such a wasted opportunity to increase our diplomatic capacity to spread this message to all the countries that work with North Korea.

We need to increase the military pressure on North Korea. This requires flying close surveillance missions and continuing our exercises and posture on the peninsula. We need to make it clear to Pyongyang that while we prefer diplomacy, we will not hesitate to use military force if necessary. To that end, we should be doing everything to set the military theater on the peninsula in our favor.

Finally, we have not sufficiently countered the propaganda that has brainwashed the North Korean people into believing that we are their enemies and that we seek to destroy their country. We should be increasing the budgeting for Radio Free Asia and other organizations that everyday North Koreans can access. We should also be exposing the North Korean people, through every avenue available, to real information about the world and the deplorable conditions that their leadership has created within their country.

I believe it was a mistake to do away with the position of Special Envoy for North Korean Human Rights. We need more diplomats fully engaged and working on improving the human rights conditions for millions of North Korean citizens, helping North Korean refugees, and increasing efforts to educate them.

We should be just as concerned with internal pressure on the regime as we are with external pressure. The Soviet Union collapsed because everyday Soviet citizens saw how far behind their Western counterparts the USSR's policies had left them. Everyday North Koreans want the same things: security,

stability, and the ability to educate and raise their children in peace and prosperity. That is the message we should be promoting in North Korea.

I wish I could stand here and say that I am confident we can negotiate a deal with the North Koreans to denuclearize the Korean Peninsula. This may have been possible in the late 1990s under the Agreed Framework, but it will be very challenging now. The price of peace has risen dramatically since that time. Administration after administration kicked the can down the road, and now we are left with a North Korean regime that is very close to developing a nuclear-armed ICBM that can hit the United States and a North Korean leader who observed the fates of Saddam Hussein and Muammar Qadhafi and has decided that his regime will only survive if he has a nuclear weapon capable of hitting the United States.

We may need to be willing to accept a deal short of denuclearization that includes a verifiable freeze on the development and testing of nuclear weapons and missile programs. We will likely need to have some interim confidence-building agreements over a period of months or years short of this goal to build momentum. Obtaining the necessary agreements regarding verification and inspections will be the most challenging aspects of the deal and I worry may derail our best efforts at negotiation.

There will likely be discussion of reducing our military presence on the peninsula and curtailing our joint military exercises with the Republic of Korea. I believe we should not agree to any reduction of joint exercises in exchange for a freeze, but I do think we should carefully consider whether there should be a step down in military exercises on both sides to reduce tensions and build confidence.

Any agreement will need to contain strict prohibitions on proliferation and an international observation organization to ensure that North Korea is not selling its nuclear or missile technology to other countries or nonstate actors.

It is important that we all recognize that we are not faced with the binary options that many people are fond of promoting—denuclearization or war. There are diplomatic options short of denuclearization that we may be forced to consider. If diplomacy fails, our only alternative is not a kinetic one. There is the same option we chose when Russia and China became nuclear states—accept the risks and mitigate it through isolation, containment, and deterrence.

I would like to note that the costs associated with this path are very high but still likely less than the cost of

war. There is a significantly lower risk of the loss of life.

For example, we will need to invest even more heavily in our missile defense, and even after investing millions of dollars, we are left in a position where we won't have confidence that we can shoot down every single missile pointed at Washington, DC, or New York. That is where we were with the Soviet Union and still are with the Russians today.

We will also need to increase our funding for overhead intelligence to make sure we have the most accurate information, minute by minute, about developments within North Korea.

Additionally, we will need to maintain a strictly enforced sanctions regime for years to come, and we will need to work diligently to overcome the inevitable sanctions fatigue.

We will also need to invest even more heavily in our agencies that prosecute sanctions. We will need a nimble Treasury, State Department, and intelligence community that can identify and quickly target bad actors. The North Korean regime has proven itself quite able to engage in illegal and illicit activities as varied as cyber crime, arms sales, currency, counterfeiting, narcotics, and wildlife trafficking. Empowering our State, Treasury, and intelligence Departments to identify and target these illicit activities and schemes will be expensive, both in manpower and diplomatic negotiations with countries that stand to profit from these arrangements.

We will also need to work hard to prevent a nuclear arms race in the Asia-Pacific region. There are already elements in South Korea that are agitating for the return of tactical nuclear weapons. As North Korea's nuclear program grows more robust, these elements will only get stronger. Even nuclear-averse Japan may reconsider its position as it feels more pressure from its neighbor to the west. The risks of proliferation in Asia and the rest of the world are high. Let us remember that proliferation is not the solution, it is the problem.

We need to be clear-eyed about the threat we face from North Korea. Years of indecision have left us with a number of imperfect and expensive options. North Korea's aggressive behavior has led us to the brink of war. We are in a time of uncertain peace.

I would urge this administration and my colleagues to consider the costs of war that I have outlined and for all of us, Republicans and Democrats, to work toward a peaceful and diplomatic solution to this crisis now.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER (Mr. LANKFORD). The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:39 p.m., adjourned until Tuesday, October 31, 2017, at 10 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

IRVING DENNIS, OF OHIO, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE BRADFORD RAYMOND HUTHER.

### OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

STEVEN GARDNER, OF KENTUCKY, TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT, VICE JOSEPH G. PIZARCHIK.

### DEPARTMENT OF STATE

M. LEE MCCLERNY, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PARAGUAY.

CARLOS TRUJILLO, OF FLORIDA, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR.

PETER HENDRICK VROOMAN, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF RWANDA.

### DEPARTMENT OF EDUCATION

KENNETH L. MARCUS, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR CIVIL RIGHTS, DEPARTMENT OF EDUCATION, VICE CATHERINE ELIZABETH LHAMON.

### THE JUDICIARY

CARMEN GUERRICAGOITIA MCLEAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE GREGORY E. JACKSON, RETIRED.

### UNITED STATES POSTAL SERVICE

ROBERT M. DUNCAN, OF KENTUCKY, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2018, VICE THURGOOD MARSHALL, JR., TERM EXPIRED.

ROBERT M. DUNCAN, OF KENTUCKY, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2025, (REAPPOINTMENT).

CALVIN R. TUCKER, OF PENNSYLVANIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2023, VICE CAROLYN L. GALLAGHER, TERM EXPIRED.

DAVID WILLIAMS, OF ILLINOIS, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2019, VICE DENNIS J. TONER, TERM EXPIRED.

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be vice admiral

REAR ADM. LISA M. FRANCHETTI

## CONFIRMATION

Executive nomination confirmed by the Senate October 30, 2017:

### THE JUDICIARY

TREVOR N. MCFADDEN, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.