their network equipment, facilities, and services to continue to permit law enforcement to conduct electronic surveillance in the face of changing network technology. This requirement, however, is subject to certain specified conditions such as the reimbursement of the industry's cost of implementation of CALEA and the reasonable achievability of the proposed changes to carrier networks.

Congress intended that the FBI, which has been delegated the responsibility of implementing CALEA on behalf of the Attorney General, have only a consultative role in the implementation of CALEA. Congress also intended that the telecommunications industry develop the technical standards necessary to permit carriers to implement the needed changes in their networks. The carriers are required to permit law enforcement to continue to receive call content or call identifying information, pursuant to an appropriate court order or other lawful authorization.

The FBI, however, has gone far beyond its consultative role in the implementation of CALEA. The FBI has insisted that the industry's technical standards include requirements for capabilities that go beyond the scope or intent of CALEA. The capabilities proposed to be included by the FBI are costly, technically difficult to deploy or technically infeasible, and raise significant legal and privacy concerns.

The FBI is now threatening enforcement actions and the denial of appropriate cost reimbursement to the industry if its proposed capabilities are not deployed by the industry. In sum, these actions—the delays in the issuance of technical standards and the required government notice of electronic surveillance capacity—have caused the implementation of CALEA to be seriously behind schedule.

The bill I am introducing will merely clarify the intent of Congress when it enacted CALEA almost four years ago. It provides for definitions of terms necessary to clarify that Congress intended that the telecommunications carriers' existing network technology be ''grandfathered'' or deemed in compliance with CALEA, unless the costs of retrofitting such technology are borne by the government. Further, my bill provides for the extension of dates of compliance for the telecommunications industry which recognize the reality of the delays that the industry has faced in its implementation of CALEA. My bill will not add any additional costs to the government over and above the $500 million originally authorized in CALEA. However, the delays occasioned by the FBI could very well add to the government's costs of this important legislation in the future. I urge my colleagues to support this important legislation.

THE NUCLEAR NON-PROLIFERATION POLICY ACT OF 1998

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 1998

Mr. STARK. Mr. Speaker, with the end of the cold war and the break-up of the Soviet Union, nuclear nonproliferation efforts continue to be a priority for United States. Many events have taken place which have strengthened nuclear nonproliferation efforts. The cornerstone of international nuclear nonproliferation, the Nuclear Nonproliferation Treaty (NPT), completed its 25-year lifespan in 1995 and was made permanent. The former Soviet states, Ukraine, Kazakhstan and Belarus have joined the NPT as non-weapons states and agreed to remove all nuclear materials from their territories.

Although the international community has taken positive steps toward nonproliferation goals, new developments require scrutiny of current U.S. nonproliferation policy. Safety and security of nuclear weapons and materials in the former Soviet Union, the India-Pakistan arms race, North Korea's violations of the NPT, continuing suspicions about Iran's nuclear activities, and the availability of weapons-usable materials and technologies are leading reasons for concern.

The breakup of the Soviet Union left an undetermined amount of nuclear materials scattered throughout the former Soviet territories. Large quantities of nuclear weapons, weapons materials, and technology in the former Soviet Union are all potential proliferation problems. There are terrifying reports that nuclear materials have been illegally stolen and transferred from Russia to rogue states. The sluggish economic conditions in Russia have provoked Russian nuclear and missile experts in accepting employment offers in rogue nations. And Russia isn't the only region of concern for the United States.

Since the end of the cold war, North Korea has diverted plutonium to a secret bomb program, threatened to withdraw from the NPT and blocked inspections. North Korea currently has enough plutonium to build one or two bombs, but refuses to disclose the extent of its nuclear activities. Neither India nor Pakistan are a party to the Nuclear Nonproliferation Treaty—nor have they signed the Comprehensive Nuclear Test Ban Treaty. Pakistan has acknowledged the capability to build at least one nuclear reactor while some experts believe it has enough enriched uranium for 10–15 weapons. Both India and Pakistan have combat aircraft that, with modifications, would be capable of delivering nuclear weapons. The U.S. continues to suspect Iran of using its civilian nuclear program as a pretense to establish the technical basis for a nuclear weapons option.

Today, I am introducing legislation that will set forth a blueprint for accomplishing critical nonproliferation objectives. The bill, the Nuclear Non-Proliferation Policy Act of 1998, establishes fourteen policy goals for the United States to pursue on nuclear arms control and nonproliferation. The arms control objectives are less important now for their own sake than for preventing nonproliferation. A comprehensive test ban, a global ban on the production of fissile material, verified dismantlement of United States and Russian nuclear weapons are measures that will help build international support for tough nonproliferation agreements, could cap the nuclear weapons programs of the threshold nuclear weapons states, and could reduce the chances of future theft or diversion of nuclear material from the former Soviet Union.

Additionally, the United States must continue to support the International Atomic Energy Agency (IAEA) nonproliferation safeguards, tighten nuclear export controls in the United States and elsewhere, and increase the role of the U.N. Security council in enforcing international nonproliferation agreements. As we have recently experienced, these measures will help prevent terrorist leaders like Saddam Hussein from building a secret nuclear weapons program.

Finally, the United States must make it clear that it will make no first use of nuclear weapons, that our nuclear weapons will only be used to deter nuclear attack. We should seek to have the other permanent members of the UN Security Council—who are also the other nuclear weapons states—adopt such a 'no first use' policy and to pledge to assist any country which is party to the NPT and against which first-use of nuclear weapons is made. These positive and negative security assurances can help build crucial support among developing nations to sign onto the NPT. One the other hand, if the United States begins targeting third world countries with nuclear weapons, as some in the Pentagon might propose, it would give added rationale for those countries to build their own nuclear deterrents.

Now, more than ever, the United States must set a firm standard in the nonproliferation arena. U.S. credibility and leadership in nonproliferation suffers when Washington subordinates nonproliferation to economic or other political considerations. None of the objectives in this bill will, on its own, stop proliferation. But by adopting a comprehensive nonproliferation policy, the United States can accomplish its overall goal of ending the further spread of nuclear weapons capability, rolling back proliferation where it has occurred, and preventing the use of nuclear weapons anywhere in the world.

U.S. FOREIGN MILITARY SALES DURING FISCAL YEAR 1997

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 1998

Mr. HAMILTON. Mr. Speaker, I would like to bring to my colleagues' attention information submitted pursuant to the Arms Export Control Act with respect to U.S. foreign military sales during Fiscal Year 1997.

The first table details worldwide government-to-government foreign military sales [FMS] during fiscal year 1997 for defense articles and services and for construction sales. Total FMS sales for fiscal year 1997 totaled $8.809 billion. This is a decrease from $10.469 billion in fiscal year 1996.

The second table details licenses/approvals for the export of commercially sold defense articles and services for fiscal year 1997. Licenses/approvals totaled $11.013 billion, a decrease from $14.558 billion in fiscal year 1996.

The tables follow:

TOTAL VALUE OF DEFENSE ARTICLES AND SERVICES SOLD TO EACH COUNTRY/PURCHASER AS OF SEPTEMBER 30, 1997 UNDER FOREIGN MILITARY SALES

[Dollars in thousands] [1]

Countries	Accepted—Fy 1997
Foreign military sales	
Albania	$759
Antigua & Barbuda	262
Argentina	18,981
Australia	287,524
Austria	27,187
Bahamas	51