

it has absolutely no guarantee that adequate funds will be available to pay for the agency's complex and ever-growing responsibilities. And like many other international organizations composed of diverse members—including some countries that do not even exchange diplomatic relations—it is not an agency that is immune to political conflict or controversy.

So what then is the IAEA?

The IAEA is a highly specialized agency in the United Nations system. It was created back in 1957, largely as a result of the Atoms for Peace initiative launched by President Dwight Eisenhower. Since its establishment, the IAEA has performed two basic tasks. First, it implements a system of safeguards over the peaceful uses of nuclear energy around the world. These safeguards consist of inspections, accounting measures, and material verification controls intended to ensure—in the words of the IAEA statute—“* * * that special fissionable and other materials, services, equipment, facilities, and information made available by the agency or at its request or under its supervision or control are not used in such a way as to further any military purpose”.

After the Treaty on the Non-Proliferation of Nuclear Weapons [NPT] entered into force a quarter of a century ago, the parties to that treaty established a system of nuclear safeguards whose objectives were “* * * the timely detection of diversion of significant quantities of nuclear material from peaceful nuclear activities to the manufacture of nuclear weapons or of other nuclear explosive devices or for purposes unknown, and deterrence of such diversion by the risk of early detection” (IAEA, INFCIRC 153, para. 28).

After the war in 1991 to expel Iraq from Kuwait, the UN Security Council gave the IAEA the responsibility of ensuring that Iraq was complying with the Council's resolutions concerning the dismantling of Iraq's nuclear weapons capability, a mission that the agency continues to perform today.

But the agency does not just implement safeguards. Its second key mission is to promote the peaceful uses of nuclear energy in such fields as agriculture, medicine, nuclear safety, and the generation of electricity. Today, more than 90 countries receive nuclear technical assistance from the IAEA. This assistance typically comes in the form of equipment, expert services, and training activities. Funding for these activities comes primarily from member states' voluntary contributions. The United States, which played such an essential role in the creation of this agency, contributes about a quarter of the IAEA's regular budget, which in 1996 came to \$63 million of the agency's \$219 million budget.

Now having just described what the Agency is not, and having reviewed briefly what the agency is, it should be quite apparent that any individual who

can lead such an organization for 16 years, win numerous reelections, inspire the confidence of members of the world community—some of whom are not even talking to each other—enhance the technical competence of the agency, and accomplish all of the above on a limited budget, is no ordinary individual indeed. And that describes Dr. Blix about as best as I can describe him. He is a remarkable public servant.

I would like to add on a personal note that I have had the privilege of meeting with Dr. Blix many times during his frequent trips to this country. I know the kinds of political, organizational, and funding problems he has had to handle over his long tenure of office. I appreciated both his candor and his extensive knowledge about the workings of the agency that has done more than any other to protect the world community against the nightmare of loose nukes. I will miss both his good humor and his wise counsel about the challenges facing the agency as it grapples with some of the world's most difficult international security problems.

Though I wish Dr. Blix well in his retirement, I also look forward to working with his successor as Director General, Dr. Mohamed El Baradei. And as I prepare for my own retirement next year, I hope that all of my colleagues with responsibilities in the field of international nuclear affairs will miss no opportunity to educate themselves about this important international agency and the vital contributions it makes to the security of all Americans and, indeed, to the security of the world community as a whole.

It is important for us all to understand not just where this agency has been but where it may be heading in the years ahead.

We must recognize that safeguards do not implement themselves and will never suffice as a permanent guarantee against the illicit uses of nuclear materials. We must face the fact that some nuclear activities—such as large-scale reprocessing of plutonium or commercial uses of highly-enriched uranium—are probably unsafeguardable in the strict sense of the term and should therefore be discouraged internationally or, if economic reason and security considerations are allowed to prevail, phased out all together.

We must acknowledge that nuclear power offers no panacea for either the Greenhouse Effect or the world's ever-growing demand for electricity.

We must beware of efforts in the world community to expand the missions of this agency without also giving it the resources it needs to perform those responsibilities.

We must understand that IAEA member countries that comply with their safeguards agreements and international nonproliferation treaty obligations are entitled to receive technical assistance from the agency—and that the United States has ample for-

eign policy tools available to influence its adversaries rather than turning the IAEA into a diplomatic playing card, a punching bag, or an arena for gladiatorial combat.

If we recognize the strengths and limitations of the agency, I believe it will continue to serve the positive roles it has played over many decades in the service of world peace, security, and prosperity. And if the legacy of Dr. Blix continues to inspire the leadership of that agency in the years ahead, as I have every reason to believe it will, then the future of the IAEA will be bright indeed.

I ask all my colleagues to join me today in congratulating Dr. Blix for his long and dedicated service in the pursuit of a safer world. Let us salute him and his agency for a job well done.

AMENDMENTS SUBMITTED

THE DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT FOR FISCAL YEAR 1998

GREGG (AND HOLLINGS) AMENDMENT NO. 1024

Mr. GREGG (for himself and Mr. HOLLINGS) proposed an amendment to the bill (S. 1022) making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes; as follows:

On page 77, line 16, strike “\$1,995,252,000” and insert “\$1,999,052,000”.

On page 77, line 16, after “expended”, insert the following: “, of which not to exceed \$3,800,000 may be made available to the Secretary of Commerce for a study on the effect of intentional encirclement, including chase, on dolphins and dolphin stocks in the eastern tropical Pacific Ocean purse seine fishery”.

On page 77, line 26, strike “\$1,992,252,000” and insert “\$1,996,052,000”.

On page 100, line 24, strike “75,000,000” and insert “105,000,000.”

GREGG AMENDMENT NO. 1025

Mr. GREGG proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following:

Notwithstanding any other provision of law and pursuant to the fiscal year 1997 Emergency Supplemental Act (Public Law 105-18) Subsection 2004, funding for the following projects is to be made available from prior year carryover funds: \$200,000 for the Ship Creek facility in Anchorage, Alaska; \$1,000,000 for the construction of a facility on the Gulf Coast in Mississippi; and \$300,000 for an open ocean aquaculture project and community outreach programs in Durham, New Hampshire.

COVERDELL AMENDMENT NO. 1026

Mr. GREGG (for Mr. COVERDELL) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place in title I of the bill, insert the following:

SEC. . REPORT ON COLLECTING DNA SAMPLES FROM SEX OFFENDERS.

(a) **DEFINITIONS.**—In this section—
 (1) the terms “criminal offense against a victim who is a minor”, “sexually violent offense”, and “sexually violent predator” have the meanings given those terms in section 170101(a) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(a));

(2) the term “DNA” means deoxyribonucleic acid; and
 (3) the term “sex offender” means an individual who—

(A) has been convicted in Federal court of—

(i) a criminal offense against a victim who is a minor; or

(ii) a sexually violent offense; or

(B) is a sexually violent predator.

(b) **REPORT.**—From amounts made available to the Department of Justice under this title, not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report, which shall include a plan for the implementation of a requirement that, prior to the release (including probation, parole, or any other supervised release) of any sex offender from Federal custody following a conviction for a criminal offense against a victim who is a minor or a sexually violent offense, the sex offender shall provide a DNA sample to the appropriate law enforcement agency for inclusion in a national law enforcement DNA database.

(c) **PLAN REQUIREMENTS.**—The plan submitted under subsection (b) shall include recommendations concerning—

(1) a system for—

(A) the collection of DNA samples from any sex offender;

(B) the analysis of the collected samples for DNA and other genetic typing analysis; and

(C) making the DNA and other genetic typing information available for law enforcement purposes only;

(2) guidelines for coordination with existing Federal and State DNA and genetic typing information databases and for Federal cooperation with State and local law in sharing this information;

(3) addressing constitutional, privacy, and related concerns in connection with the mandatory submission of DNA samples; and

(4) procedures and penalties for the prevention of improper disclosure or dissemination of DNA or other genetic typing information.

**DORGAN (AND OTHERS)
 AMENDMENT NO. 1027**

Mr. GREGG (for Mr. DORGAN, for himself, Mr. HOLLINGS, Mr. DASCHLE, Mr. ROCKEFELLER, Mr. BURNS, Mr. KERREY, Mr. KERRY, Mr. JOHNSON, and Mr. WELLSTONE) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE THAT THE FEDERAL GOVERNMENT SHOULD NOT MANIPULATE UNIVERSAL SERVICE SUPPORT PAYMENTS TO BALANCE THE FEDERAL BUDGET.

The Congress finds that:

(A) it reaffirmed the importance of universal service support for telecommunications services by passing the Telecommunications Act of 1996;

(B) the Telecommunications Act of 1996 required the Federal Communications Commission to preserve and advance universal service based on the following principles:

(1) Quality services should be available at just, reasonable, and affordable rates;

(2) Access to advanced telecommunications and information services should be provided in all regions of the Nation;

(3) Consumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably compared to rates charged for similar services;

(4) All providers of telecommunications services should make an equitable and non-discriminatory contribution to the preservation and advancement of universal service;

(5) There should be specific, predictable, and sufficient Federal and State mechanisms to preserve and advance universal service; and

(6) Elementary and secondary schools and classrooms, health care providers, and libraries should have access to advanced telecommunications services;

(C) Federal and State universal contributions are administered by an independent, non-Federal entity and are not deposited into the Federal Treasury and therefore not available for Federal appropriations;

(D) the Conference Committee on the Balanced Budget Reconciliation Act of 1997, is considering proposals that would withhold Federal universal service funds in the year 2002; and

(E) the Withholding of billions of dollars of universal service support payments may result in temporary rate increases in rural and high cost areas and may delay qualifying schools, libraries, and rural health facilities discounts directed under the Telecommunications Act of 1996;

Now, therefore, it is the sense of the Senate that the Balanced Budget Reconciliation Act of 1997 should not manipulate, modify, or impair universal service support as a means to achieve a balanced Federal budget or to achieve Federal budget savings.

**MCCAIN (AND KYL) AMENDMENT
 NO. 1028**

Mr. GREGG (for Mr. MCCAIN, for himself and Mr. KYL) proposed an amendment to the bill, S. 1022, supra; as follows:

At the end of the section in title I regarding the “WAIVER OF CERTAIN VACCINATION REQUIREMENTS”, insert the following new subsection:

“(b) **REPORT.**—The Attorney General, in conjunction with the Secretaries of Health and Human Services and State, shall report to Congress within 6 months of the date of enactment of this Act on how to establish an enforcement program to ensure that immigrants who receive waivers from the immunization requirement pursuant to section 212 of the Immigration and Nationality Act comply with the requirement of that section after the immigrants enter the United States, except when such immunizations would not be medically appropriate in the United States or would be contrary to the alien’s religious or moral convictions.”

BIDEN AMENDMENT NO. 1029

Mr. GREGG (for Mr. BIDEN) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following:

SEC. . EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND.

Section 310001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211(b)) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(7) for fiscal year 2001, \$4,355,000,000; and

“(8) for fiscal year 2002, \$4,455,000,000.”

Beginning on the date of enactment of this legislation, the discretionary spending limits contained in Section 201 of H. Con. Res. 84 (105th Congress) are reduced as follows:

for fiscal year 2001, \$4,355,000,000 in new budget authority and \$5,936,000,000 in outlays;

for fiscal year 2002, \$4,455,000,000 in new budget authority and \$4,485,000,000 in outlays.

KERRY AMENDMENT NO. 1030

Mr. GREGG (for Mr. KERRY) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 29, line 18, insert “That of the amount made available for Local Law Enforcement Block Grants under this heading, \$10,000,000 shall be for the Community Policing to Combat Domestic Violence Program established pursuant to section 1701(d) of part Q of the Omnibus Crime Control and Safe Streets Act of 1968: *Provided further*,” after “*Provided*.”

**GREGG (AND HOLLINGS)
 AMENDMENT NO. 1031**

Mr. GREGG (for himself and Mr. HOLLINGS) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 65, on line 25 after “expenses” insert the following: “*Provided further*, That the number of political appointees on board as of May 1, 1998, shall constitute not more than fifteen percentum of the total full-time equivalent positions at the Office of the United States Trade Representative.”

**WELLSTONE (AND OTHERS)
 AMENDMENT NO. 1032**

Mr. WELLSTONE (for himself, Mr. TORRICELLI, Ms. LANDRIEU, Mr. AKAKA, and Mr. DASCHLE) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place in title V of the bill, insert the following:

SEC. 5 . For fiscal year 1998 and subsequent fiscal years, in establishing the income or assets of an individual who is a victim of domestic violence, under section 1007(a)(2) of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(2)), to determine if the individual is eligible for legal assistance, a recipient described in such section shall consider only the assets and income of the individual, and shall not include any jointly held assets.

**WELLSTONE (AND KENNEDY)
 AMENDMENT NO. 1033**

Mr. WELLSTONE (for himself and Mr. KENNEDY) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place in title V of the bill, insert the following:

SEC. 5 . The Legal Services Corporation shall—

(1) conduct a study to determine the estimated number of individuals who were unable to obtain assistance from its grantees as

a result of the enactment of section 504(a)(16) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104-134:110 State. 1321-55), during the six month period commencing with the enactment of this Act; and

(2) not later than 30 days thereafter, submit to Congress a report describing the results of the study conducted under paragraph (1).

GREGG AMENDMENT NO. 1034

Mr. GREGG proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert:

Notwithstanding any other provision in this act the amount for the Department of State "Capital Investment Fund" shall be \$105,000,000.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

KERREY (AND HAGEL) AMENDMENT NO. 1035

Mr. SHELBY (for Mr. KERREY, for himself and Mr. HAGEL) proposed an amendment to the bill, S. 1048, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes; as follows:

On page 52, at line 1, insert the following: SEC. 339. Subsection (d)(4) of 49 U.S.C. 31112 is amended by striking "September 30, 1997" and inserting "February 28, 1998".

SHELBY (AND LAUTENBERG) AMENDMENT NO. 1036

Mr. SHELBY (for himself and Mr. LAUTENBERG) proposed an amendment to the bill, S. 1048, supra; as follows:

On page 12, line 19, strike "\$286,000,000" and insert: "\$190,000,000".

On page 23, line 10, strike "\$90,000,000" and insert: "\$190,000,000".

On page 24, line 8, strike "\$2,310,000" and insert: "\$2,210,000".

On page 24, line 10, strike "\$2,310,000" and insert: "\$2,210,000".

On page 24, line 19, strike "\$2,000,000,000" and insert: "\$2,008,000,000".

On page 25, line 5, strike "\$780,000,000" and insert: "\$788,000,000".

On page 46, line 16, strike the word "persons" and insert: "passengers".

On page 46, line 18, strike "363,000" and insert: "300,000".

On page 26, before line 20, insert the following: "\$4,645,000 for the Little Rock, Arkansas Junction Bridge project:".

ABRAHAM (AND OTHERS) AMENDMENT NO. 1037

Mr. SHELBY (for Mr. ABRAHAM, for himself, Mr. LEVIN, Ms. MOSELEY-BRAUN, and Mr. DURBIN) proposed an amendment to the bill, S. 1048, supra; as follows:

At the appropriate place in title III, insert the following:

SEC. 340. Of funds made available under this Act for discretionary grants for replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, up to \$20,000,000 may

be provided to the State of Michigan and \$12,000,000 to the State of Illinois.

CAMPBELL (AND ALLARD) AMENDMENT NO. 1038

Mr. SHELBY (for Mr. CAMPBELL, for himself, and Mr. ALLARD) proposed an amendment to the bill, S. 1048, supra; as follows:

On page 24, line 3, strike the period at the end of the line and insert the following: "Provided, That within the funds made available under this head, \$500,000 may be made available to the Colorado Department of Transportation to study the metropolitan planning process and organization in the Denver metropolitan area. The study shall be based on a scope of work agreed to be Douglas County (on behalf of selected Denver regional county governments and municipal governments), the Denver Regional Council of Governments, and the Colorado Department of Transportation. Within 24 months of enactment of this Act, the recommendations of this study will be transmitted to the Senate and House Committees on Appropriations."

SHELBY (AND LAUTENBERG) AMENDMENT NO. 1039

Mr. SHELBY (for himself, and Mr. LAUTENBERG) proposed an amendment to the bill, S. 1048, supra; as follows:

On page 15, line 4, after the word "loans" insert: "to be repaid with other than Federal funds".

INOUYE AMENDMENT NO. 1040

Mr. SHELBY (for Mr. INOUYE) proposed an amendment to the bill, S. 1048, supra; as follows:

On page 50, line 11, insert the following: (D) Nothing in this Act shall be construed to affect any existing statutes of the several States that define the obligations of such States to native Hawaiians, native Americans, or Alaskan natives in connection with ceded lands, except to make clear that airport revenues may not be used to satisfy any such obligations.

HOLLINGS AMENDMENT NO. 1041

Mr. SHELBY (for Mr. HOLLINGS) proposed an amendment to the bill, S. 1048, supra; as follows:

At the appropriate place in title III, insert the following:

SEC. 3 . PILOT RECORD SHARING.

The Administrator of the Federal Aviation Administration shall—

(1) work with air carriers conducting non-scheduled operations under part 135 of the Federal Aviation Administration's regulations (14 C.F.R. 135.1 et seq.) to implement the requirements of section 44936(f) of title 49, United States Code, effectively and expeditiously; and

(2) implement those requirements with respect to such air carriers not later than February 1, 1998, or sooner if, in working with such air carriers, the Administrator determines that the provisions of that section can be effectively implemented for such air carriers.

FRIST AMENDMENT NO. 1042

Mr. SHELBY (for Mr. FRIST) proposed an amendment to the bill, S. 1048, supra; as follows:

At the appropriate place in title III, insert the following:

SEC. 3 . EXEMPTION AUTHORITY FOR AIR SERVICE TO SLOT-CONTROLLED AIRPORTS.

Section 41714 of title 49, United States Code, is amended by adding at the end thereof the following:

"(i) EXPEDITIOUS CONSIDERATION OF CERTAIN EXEMPTION REQUESTS.—Within 120 days after receiving an application for an exemption under subsection (a)(2) to improve air service between a nonhub airport (as defined in section 41731(a)(4)) and a high density airport subject to the exemption authority under subsection (a), the Secretary shall grant or deny the exemption. The Secretary shall notify the United States Senate Committee on Commerce, Science, and Transportation and the United States House of Representatives Committee on Transportation and Infrastructure of the grant or denial within 14 calendar days after the determination and state the reasons for the determination."

LEVIN (AND GRAHAM) AMENDMENT NO. 1043

Mr. SHELBY (for Mr. LEVIN, for himself and Mr. GRAHAM) proposed an amendment to the bill, S. 1048, supra; as follows:

On page 51, after line 25, add the following:

SEC. . SENSE OF THE SENATE CONCERNING RE-AUTHORIZATION OF HIGHWAY AND MASS TRANSIT PROGRAMS.

(a) FINDINGS.—The Senate finds that—

(1) on October 1, 1997, authorization for most of the programs authorized by the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240), including mass transit programs, will expire;

(2) States, local governments, and the national economy depend on Federal investment in the transportation infrastructure of the United States;

(3) it is the duty of Congress to reauthorize the programs to ensure that the investment continues to flow and that there is no interruption of critical transportation services or construction; and

(4) the public and Congress should have a substantial opportunity to review, comment on, and comprehensively debate committee-reported proposals to reauthorize the programs well in advance of their expiration to ensure that the programs adequately reflect the needs of the United States and the contributions of the States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that this Act should not be considered to be a substitute for a comprehensive measure reauthorizing highway and mass transit spending programs and should not be interpreted to authorize or otherwise direct the distribution of funds to the States under expiring formulas under title 23 or 49, United States Code, in fiscal year 1998.

JOHNSON (AND DASCHLE) AMENDMENT NO. 1044

Mr. SHELBY (for Mr. JOHNSON, for himself and Mr. DASCHLE) proposed an amendment to the bill, S. 1048, supra; as follows:

On page 4, line 11, strike the numeral and insert "\$2,435,400,000".

At the appropriate place in title III, insert the following:

SEC. 3. (a) As soon as practicable after the date of enactment of this Act, the Secretary of Transportation, acting for the Department of Transportation, may take receipt of such equipment and sites of the Ground Wave Emergency Network (referred