

SEC. 204. GIFT ACCEPTANCE AUTHORITY.

(a) IN GENERAL.—Section 161g. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(g)) is amended—

- (1) by inserting “(1)” after “(g)”;
- (2) by striking “this Act;” and inserting “this Act; or”;
- (3) by adding at the end the following:

“(2) accept, hold, utilize, and administer gifts of real and personal property (not including money) for the purpose of aiding or facilitating the work of the Nuclear Regulatory Commission.”.

(b) CRITERIA FOR ACCEPTANCE OF GIFTS.—

(1) IN GENERAL.—Chapter 14 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2201 et seq.) is amended by adding at the end the following:

“SEC. 170C. CRITERIA FOR ACCEPTANCE OF GIFTS.

“(a) IN GENERAL.—The Commission shall establish written criteria for determining whether to accept gifts under section 161g.(2).

“(b) CONSIDERATIONS.—The criteria under subsection (a) shall take into consideration whether the acceptance of the gift would compromise the integrity of, or the appearance of the integrity of, the Commission or any officer or employee of the Commission.”.

(2) CONFORMING AND TECHNICAL AMENDMENTS.—The table of contents of chapter 14 of title I of the Atomic Energy Act of 1954 (42 U.S.C. prec. 2011) is amended by adding at the end the following:

“Sec. 170C. Criteria for acceptance of gifts.”.

SEC. 205. CARRYING OF FIREARMS BY LICENSEE EMPLOYEES.

(a) IN GENERAL.—Chapter 14 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2201 et seq.) (as amended by section 204(b)) is amended—

(1) in section 161, by striking subsection k. and inserting the following:

“(k) authorize to carry a firearm in the performance of official duties such of its members, officers, and employees, such of the employees of its contractors and subcontractors (at any tier) engaged in the protection of property under the jurisdiction of the United States located at facilities owned by or contracted to the United States or being transported to or from such facilities, and such of the employees of persons licensed or certified by the Commission (including employees of contractors of licensees or certificate holders) engaged in the protection of facilities owned or operated by a Commission licensee or certificate holder that are designated by the Commission or in the protection of property of significance to the common defense and security located at facilities owned or operated by a Commission licensee or certificate holder or being transported to or from such facilities, as the Commission considers necessary in the interest of the common defense and security;” and

(2) by adding at the end the following:

“SEC. 170D. CARRYING OF FIREARMS.

“(a) AUTHORITY TO MAKE ARREST.—

“(1) IN GENERAL.—A person authorized under section 161k. to carry a firearm may, while in the performance of, and in connection with, official duties, arrest an individual without a warrant for any offense against the United States committed in the presence of the person or for any felony under the laws of the United States if the person has a reasonable ground to believe that the individual has committed or is committing such a felony.

“(2) LIMITATION.—An employee of a contractor or subcontractor or of a Commission licensee or certificate holder (or a contractor of a licensee or certificate holder) authorized

to make an arrest under paragraph (1) may make an arrest only—

“(A) when the individual is within, or is in flight directly from, the area in which the offense was committed; and

“(B) in the enforcement of—

“(i) a law regarding the property of the United States in the custody of the Department of Energy, the Nuclear Regulatory Commission, or a contractor of the Department of Energy or Nuclear Regulatory Commission or a licensee or certificate holder of the Commission;

“(ii) a law applicable to facilities owned or operated by a Commission licensee or certificate holder that are designated by the Commission under section 161k.;

“(iii) a law applicable to property of significance to the common defense and security that is in the custody of a licensee or certificate holder or a contractor of a licensee or certificate holder of the Commission; or

“(iv) any provision of this Act that subjects an offender to a fine, imprisonment, or both.

“(3) OTHER AUTHORITY.—The arrest authority conferred by this section is in addition to any arrest authority under other law.

“(4) GUIDELINES.—The Secretary and the Commission, with the approval of the Attorney General, shall issue guidelines to implement section 161k. and this subsection.”.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—The table of contents of chapter 14 of title I of the Atomic Energy Act of 1954 (42 U.S.C. prec. 2011) (as amended by section 204(b)(2)) is amended by adding at the end the following:

“Sec. 170D. Carrying of firearms.”.

SEC. 206. UNAUTHORIZED INTRODUCTION OF DANGEROUS WEAPONS.

Section 229a. of the Atomic Energy Act of 1954 (42 U.S.C. 2278a(a)) is amended in the first sentence by inserting “or subject to the licensing authority of the Commission or to certification by the Commission under this Act or any other Act” before the period at the end.

SEC. 207. SABOTAGE OF NUCLEAR FACILITIES OR FUEL.

Section 236a. of the Atomic Energy Act of 1954 (42 U.S.C. 2284(a)) is amended—

(1) in paragraph (2), by striking “storage facility” and inserting “storage, treatment, or disposal facility”;

(2) in paragraph (3)—

(A) by striking “such a utilization facility” and inserting “a utilization facility licensed under this Act”; and

(B) by striking “or” at the end;

(3) in paragraph (4)—

(A) by striking “facility licensed” and inserting “or nuclear fuel fabrication facility licensed or certified”; and

(B) by striking the period at the end and inserting “; or”;

(4) by adding at the end the following:

“(5) any production, utilization, waste storage, waste treatment, waste disposal, uranium enrichment, or nuclear fuel fabrication facility subject to licensing or certification under this Act during construction of the facility, if the person knows or reasonably should know that there is a significant possibility that the destruction or damage caused or attempted to be caused could adversely affect public health and safety during the operation of the facility.”.

ORDERS FOR WEDNESDAY, APRIL 26, 2000

Mr. THOMPSON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it ad-

journal until the hour of 10 a.m. on Wednesday, April 26. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day.

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

PROGRAM

Mr. THOMPSON. Mr. President, tomorrow morning when the Senate convenes, it is expected that the veto message on the nuclear waste bill will arrive. Under the rule, when the Senate receives the veto message, the Senate will immediately begin debate on overriding the President’s veto. It is hoped that an agreement can be made with regard to debate time on this important legislation.

The cloture motion on the substitute amendment to the marriage penalty tax bill is still pending. That vote will occur immediately following the adoption of the motion to proceed to the victims’ rights resolution. Therefore, a few votes could occur tomorrow afternoon or evening.

ORDER FOR ADJOURNMENT

Mr. THOMPSON. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order following the remarks of Senator DORGAN.

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

The Senator from North Dakota is recognized.

ARMS CONTROL

Mr. DORGAN. Today, in the Washington Post, there was a story headlined “U.S. Arms Policy is Criticized at the United Nations.” The occasion of the criticism comes at the beginning of the conference to review the status of the Nuclear Non-Proliferation Treaty which opened yesterday at the United Nations in New York. This conference occurs once every 5 years. It is a conference on the status of the Nuclear Non-Proliferation Treaty. I would like to read the first paragraph of the story in the Washington Post because it is really quite a sad day when our country is described in the following way:

After years of championing international attempts to halt the spread of nuclear weapons, the United States found itself on the defensive today as a broad alliance of arms control advocates, senior United Nations officials, and diplomats from nonnuclear countries charged that Washington is blocking progress toward disarmament.

Well, that is not something any of us aspires to hear. I hope and I believe that many of my colleagues want the United States to be seen as a leader in trying to stop the spread of nuclear

weapons and in trying to reduce the number of nuclear weapons in this world. Regrettably, others view the actions of the United States—especially in the last few years—as actions that are not actions of a leader in trying to stop the spread of nuclear weapons.

We have made some progress over recent years in reducing the number of nuclear weapons. I want to describe how because I think it is important to understand it.

I ask unanimous consent to show two items on the floor of the Senate.

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

Mr. DORGAN. Mr. President, this is a piece of metal that comes from the wing strut of a Russian TU-160 Backfire bomber. This bomber carried nuclear weapons during the height of the cold war. This bomber was a threat to the United States of America.

How is it that I stand on the floor of the Senate holding a piece of a wing strut from a Russian bomber? Did we shoot it down? No. It was actually sawed off the wing. Giant, rotating metal saws cut the wings off this bomber. Why? Because we negotiated an agreement with the Russians to reduce the number of bombers and missiles and nuclear warheads in Russia. We reduced our stockpile and our delivery mechanisms, and they reduced theirs. So without shooting down a bomber that carried nuclear bombs that threatened America, I now have in my hand a piece of a wing from a Russian bomber—because arms control works. We know it works.

This chart shows what arms control has done in recent years. In the 1980s we ratified the Intermediate Range Nuclear Forces Treaty, and in the 1990s we ratified the first Strategic Arms Reduction Treaty, or START I. When we started the process in the mid-1980s, the Russians—or then the Soviet Union—had about 11,000 nuclear weapons on long range missiles. Today Russia has about 5,000. That means that 6,000 warheads are now gone. Many of those warheads were probably carried in the Russian Backfire bomber this piece comes from. So 6,000 warheads no longer threaten the United States of America.

Do you know what that represents—6,000 warheads with the kind of strength and power of the nuclear warheads the Russians used to build? That is equal to 175,000 Hiroshima bombs. Let me say that again. We have actually negotiated the reduction of nuclear warheads in the Russian arsenal, and 6,000 warheads are gone. Those 6,000 warheads represented the equivalent of 175,000 atomic bombs dropped on Hiroshima. That is quite remarkable.

This is a small container of ground-up copper wire. This copper wire used to run through a Russian ballistic missile submarine. This type of submarine, a Typhoon class submarine that snaked under the waters throughout the world carrying 20 missiles, with 10 nuclear warheads on the tip of each of those

missiles, aimed at the United States of America. This copper wire, before it was ground up, used to course through this Typhoon submarine. But now I have the wire from a Typhoon submarine ground up in a small vial. How did I get that? Did we sink this submarine? Did we go to war with Russia and sink this submarine? No. This was dismantled, brought up to the port, and then engineers, carpenters, and others took this apart piece by piece, and this submarine doesn't exist anymore.

This submarine was taken apart as part of the Nunn-Lugar program to reduce delivery systems and nuclear weapons in the old Soviet Union and in what we now refer to as Russia. We have spent \$2.5 billion on the Nunn-Lugar program. We have actually paid for the destruction of Russian bombers. We have paid for the destruction of Russian intercontinental ballistic missiles, 5,000 nuclear warheads, 471 ICBMs, and 354 ICBM silos, 12 ballistic missile submarines.

I have had charts on the Senate floor that show a plot of ground in the Ukraine where a missile silo existed with a nuclear warhead aimed at the United States of America, and now the silo is gone. I have held up a piece of metal from the hinge of the silo on the floor of the Senate. That hinge and that missile silo are now scrap metal. The silo is gone, the missile is gone, the warhead doesn't exist, and there is now a plot of ground with sunflowers. Where a nuclear missile used to rest, sunflowers now grow. That is progress. That is real progress in reducing the threat of nuclear weapons.

What about the future? If this is what has happened and this is success, what about the future? Well, this success occurred under decisions by Congress—not in the last several years, but years before that—in which we said: We are the leaders in arms reduction and arms control. Our country wants to provide leadership. We want to reduce the number of warheads, reduce the number of bombers and missiles, reduce the tensions. And we have done that.

But in the last several years, something dramatic has changed in the Congress. No. 1, we saw the Senate defeat the Comprehensive Nuclear Test Ban Treaty. It was almost unthinkable to me, but this Senate said: This country doesn't want to ratify a Comprehensive Nuclear Test Ban Treaty even though we have already decided that the United States is not going to test nuclear weapons. We decided that unilaterally some 6 or 7 years ago. So we are not testing nuclear weapons. A treaty that has been signed by over 150 nations, negotiated over many years, ratified by most of our allies, was not ratified by the Senate because we have Senators who say, no, we don't think that is in the country's interest.

Well, if it is not in this country's interest to reduce the stockpile of nuclear weapons and to stop the testing of nuclear weapons, stop the spread of

nuclear weapons around the world, what on earth is in this country's interest? After the Senate failed to ratify that treaty, those who voted against the treaty blamed everyone but themselves. That treaty languished in the committee here in the Senate for over 2 years without a day of hearings—not one. Then it was brought to the floor on a preemptory basis, given short shrift in debate, and killed.

Those who killed that treaty should not have taken much pleasure in putting this country in the position of failing to exert leadership with respect to the nonproliferation of nuclear weapons and the ban on testing nuclear weapons all around the world.

Last week, the Russian Duma ratified START II. Prior to that, the Russians passed the Comprehensive Nuclear Test-Ban Treaty. While that is happening, this country is talking about building a national missile defense system and trying to negotiate with Russia changes in the anti-ballistic missile system which in many ways is the linchpin for all of this progress in arms control and arms reduction.

And what happens? Yesterday at the United Nations we have diplomats looking at Russia and saying: You are making a lot of progress here, Russia. You have passed the Comprehensive Nuclear Test-Ban Treaty. You ratified that treaty, you passed START II, congratulations.

And the United States: You have lost your edge, you are not doing much. You seem to be retreating on the question of whether you care about arms control. You seem to be stepping back from your commitment of stopping the spread of nuclear weapons and working as hard as you worked previously to reduce the number of delivery vehicles and reduce the number of nuclear weapons.

I regret that is the case. That should not be the case. It cannot be a judgment of conservatives or liberals or Democrats or Republicans to believe that somehow it falls to someone else to be a leader in the world to stop the spread of nuclear weapons. Do we worry that the nuclear club—a rather small club in this world consisting of nations that possess nuclear weapons—do we worry that is going to proliferate, there will be more and more nations that possess nuclear weapons, and more and more nations that have the mechanism or the wherewithal to deliver those nuclear weapons? We should certainly worry about that.

Even with START II, the U.S. and Russia will each have about 3,500 nuclear weapons. Hopefully we will begin negotiations of START III and agree to much lower levels. As we do that, we have people in this Chamber who want to focus not on arms control but on building some kind of a national missile defense system, some sort of a shield to prevent America from being attacked by a rogue nation.

We need to understand the only country in the world that possesses the

strength and the nuclear power to destroy our way of life is Russia. They still have thousands of nuclear weapons. We ought to engage with them in an aggressive START III negotiation and continue the progress of bringing down the number of nuclear weapons in the two major nuclear superpowers—Russia and the United States. We ought to continue that.

I know we have people here who don't sleep at night because they are worried that North Korea might threaten a small slice of the United States. But they should realize that, No. 1 A national missile defense, if deployed, will be horribly costly. No. 2, it will not protect this country against this kind of a threat. Those people say to the American people that Congress will fund a national missile defense program to defend against a rogue nation—North Korea, they suggest, Iraq or Iran. The fact is, the least likely threat that a rogue nation would have access to is an intercontinental ballistic missile. If it acquires access to a nuclear weapon, it is far more likely to deploy it as a suitcase bomb put in the trunk of a rusty Yugo car at a dock in New York City, rather than putting it on the tip of an intercontinental ballistic missile and having any notion of being able to fire it with accuracy.

It is much more likely they would acquire a cruise missile, which would be easier to acquire, much less costly, and not as technically difficult to deploy. Of course, the national missile defense system wouldn't do anything to defend against that. It is much more likely a rogue nation would find it more attractive to use a deadly vial of chemical or biological agents to threaten a superpower.

We face a myriad of threats. There is no question about that. The biggest threat, in my judgment, is this country stepping away from its responsibility to lead and stop the spread of nuclear weapons around the world, and this country stepping away from its responsibility to decrease the number of nuclear weapons and decrease the launchers and delivery systems for those nuclear weapons.

My fervent hope is that we will agree that last year's vote by which the Senate defeated ratification of the Comprehensive Nuclear Test-Ban Treaty should not signal to anyone in the world that this country is no longer interested in these issues. We must decide again, even though there is not an appetite by some in the Senate to do so, we must decide again that leadership in arms control is this country's responsibility. It is upon our shoulders that this responsibility falls. No one else can exert this leadership with the capability of the United States.

If we don't exert leadership, what we will end up building new nuclear weapons, building new defensive systems. We will start a new arms race. We will see more spending on nuclear weapons by China. We will see more spending on offensive weapons by Russia. We will

see other countries joining the nuclear club because they will believe they should acquire nuclear weapons to represent their interests. We will see our allies depart from us on these issues because they believe abrogation of the ABM Treaty is very unwise.

I think the majority of the American people believe the biggest threat to our future is the nuclear threat, the threat of a nuclear attack by an ever-increasing number of countries who acquire nuclear weapons.

We know what works. Arms control works, negotiation works, destroying another superpower's bombers through negotiation by sawing off the wings, dismantling submarines that carry nuclear weapons: we know that works. It is far better to do that than to engage in the horror of a nuclear war from which this world will not, in my judgment, survive.

Think for a moment about the devastation visited upon Nagasaki and Hiroshima and go back to what I discussed earlier—the reduction in 6,000 nuclear warheads that has been negotiated and accomplished. That is just the first step, a big step, but just the first step. It represents the reduction in nuclear warheads equivalent to 175,000 bombs the size of the bomb that was dropped on Hiroshima.

The reason I come to the floor at the end of the day is simply to say we ought not take any pride as a country in seeing an article in the press of the United States suggesting somehow we have lost our will to lead on this issue. We can come to the floor and debate 100 things in 100 days. Some of them are big; some of them are small. None are more important, in my judgment, than addressing the issue of the spread of nuclear weapons. Just because we have people now serving in Congress who have an unending appetite to keep building new weapons, an unending appetite to spend more money on new weapons, does not mean those who believe in arms control and believe real progress in arms control will make this a safer world in which to live, should step aside and say: Yes, you win; go build your weapons.

We ought not do that, but we ought to wage the fight for a safer world by having this country exhibit the leadership it needs to exhibit, that it should responsibly exhibit, for the safety of all the people who live in this world.

I will have more to say about this subject at another time. But on the eve of the meeting of the NPT Review Conference in New York, I wanted to talk about these issues. I want to say that some in Congress believe very strongly and feel very deeply the future of our children and grandchildren and the future of this country rests on those who believe in arms control prevailing in this Senate, despite the recent events, despite the debate we have heard in the last couple of years. This issue is not over. Those of us who believe as I do are not going to go away. We hope this country will assume some sensible

mantle of leadership in this important area.

THE PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I ask unanimous consent that I be allowed to speak in morning business for 7 minutes.

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

THE NUCLEAR WASTE BILL

Mr. SESSIONS. Mr. President, I understand at this time the President is considering vetoing the nuclear waste bill that passed here by a substantial majority. That is very troubling to me. It is time for us to dispose of nuclear waste. We have the capability. The citizens of America, through their electric bills, have paid billions of dollars to build this waste disposal area out in the Nevada desert to place this nuclear waste—which is not explosive. It is simply radioactive and it is placed in the right kind of containers and will be placed in the ground of the desert of Nevada where we exploded 1,000 bombs on top of the ground in developing our nuclear bombing capability. But every nuclear electric-generating plant in America produces some waste. That waste is being stored on site. We agreed some years ago to create this fund and to store this waste. Now, every time we come to this Senate, every time this debate comes up for a vote, a majority votes for it and the President ends up vetoing it and we fall just short of the number of votes to override that veto.

Through an unusual number of circumstances, I have become somewhat familiar with the concerns involving energy and nuclear power in America. I formed a very clear opinion of what we have to do if we are going to meet the demands for power and the demand to clean up the atmosphere. The Kyoto treaty, which the President signed and the Vice President supported, the executive branch made an amazing agreement that we would reduce our greenhouse gas emissions by 7 percent from 1990 levels by 2012 or 2010—the exact year escapes me.

Since that time, our demand for energy has increased. Since 1990, our emissions of greenhouse gases have increased by 8 percent. By the year 2012, if we were to comply with the agreement the President tried to commit us to, we would have to reduce, from this day, 15 percent of our greenhouse gas emissions when we know our demands for energy are going to increase between now and 2010. This is a box we cannot get out of; not under present plans.

There was a marvelous 2-hour show on Sunday night on public television's "Frontline" on greenhouse gases and the potential of global warming. They went over all the issues at that time. I think it was tilted slightly more than the science indicates that we are in a period of global warming, but it does appear we may be. We need to be thinking about that. But the scientists and