be combined into one amendment; that all debate time specified previously remain available and the amendment be subject to the 60-vote threshold, as provided under the previous agreement.

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

CHILD SAFE VIEWING ACT OF 2007

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 588, S. 602.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 602) to develop the next generation of parental control technology.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Safe Viewing Act of 2007''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Video programming has a direct impact on a child's perception of safe and reasonable behavior.

(2) Children may imitate actions they witness on video programming, including language, drug use, and sexual conduct.

(3) Studies suggest that the strong appeal of video programming erodes the ability of parents to develop responsible attitudes and behavior in their children.

(4) The average American child watches 4 hours of television each day.

(5) 99.9 percent of all consumer complaints logged by the Federal Communications Commission in the first quarter of 2006 regarding radio and television broadcasting were because of obscenity, indecency, and profanity.

(6) There is a compelling government interest in empowering parents to limit their children's exposure to harmful television content.

(7) Section 1 of the Communications Act of 1934 requires the Federal Communications Commission to promote the safety of life and property through the use of wire and radio communications.

(8) In the Telecommunications Act of 1996, Congress authorized Parental Choice in Television Programming and the V-Chip. Congress further directed action on alternative blocking technology as new video technology advanced.

SEC. 3. EXAMINATION OF ADVANCED BLOCKING TECHNOLOGIES.

(a) INQUIRY REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Federal Communications Commission shall initiate a notice of inquiry to consider measures to examine—

(1) the existence and availability of advanced blocking technologies that are compatible with various communications devices or platforms; and

(2) methods of encouraging the development, deployment, and use of such technology by parents that do not affect the packaging or pricing of a content provider's offering.

(b) CONTENT OF PROCEEDING.—In conducting the inquiry required under subsection (a), the Commission shall consider advanced blocking technologies that—

(1) may be appropriate across a wide variety of distribution platforms, including wired, wireless, and Internet platforms;

(2) may be appropriate across a wide variety of devices capable of transmitting or receiving video or audio programming, including television sets, DVD players, VCRs, cable set top boxes, satellite receivers, and wireless devices;

(3) can filter language based upon information in closed captioning;

(4) operate independently of ratings pre-assigned by the creator of such video or audio programming; and

(5) may be effective in enhancing the ability of a parent to protect his or her child from indecent or objectionable programming, as determined by such parent.

(c) REPORTING.—Not later than 270 days after the enactment of this Act, the Commission shall issue a report to Congress detailing any findings resulting from the inquiry required under subsection (a).

(d) DEFINITION.—In this section, the term ''advanced blocking technologies'' means technologies that can improve or enhance the ability of a parent to protect his or her child from any indecent or objectionable video or audio programming, as determined by such parent, that is transmitted through the use of wire, wireless, or radio communication.

Mr. DODD. Mr. President, I ask unanimous consent that a Pryor amendment, which is at the desk, be agreed to, the committee-reported substitute, as amended, be agreed to, the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The amendment (No. 5684) was agreed to, as follows:

On page 6, beginning in line 4, strike ''**TECHNOLOGIES.**'' and insert ''**TECHNOLOGIES AND EXISTING PARENTAL EMPOWERMENT TOOLS.**''.

On page 6, line 12, strike ''and''.

On page 6, line 16, strike ''offering.'' and insert ''offering; and''.

On page 6, between 16 and 17, insert the following:

''(3) the existence, availability, and use of parental empowerment tools and initiatives already in the market.''.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 602), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Safe Viewing Act of 2007''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Video programming has a direct impact on a child's perception of safe and reasonable behavior.

(2) Children may imitate actions they witness on video programming, including language, drug use, and sexual conduct.

(3) Studies suggest that the strong appeal of video programming erodes the ability of parents to develop responsible attitudes and behavior in their children.

(4) The average American child watches 4 hours of television each day.

(5) 99.9 percent of all consumer complaints logged by the Federal Communications Commission in the first quarter of 2006 regarding radio and television broadcasting were because of obscenity, indecency, and profanity.

(6) There is a compelling government interest in empowering parents to limit their children's exposure to harmful television content.

(7) Section 1 of the Communications Act of 1934 requires the Federal Communications Commission to promote the safety of life and property through the use of wire and radio communications.

(8) In the Telecommunications Act of 1996, Congress authorized Parental Choice in Television Programming and the V-Chip. Congress further directed action on alternative blocking technology as new video technology advanced.

SEC. 3. EXAMINATION OF ADVANCED BLOCKING TECHNOLOGIES AND EXISTING PARENTAL EMPOWERMENT TOOLS.

(a) INQUIRY REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Federal Communications Commission shall initiate a notice of inquiry to consider measures to examine—

(1) the existence and availability of advanced blocking technologies that are compatible with various communications devices or platforms;

(2) methods of encouraging the development, deployment, and use of such technology by parents that do not affect the packaging or pricing of a content provider's offering; and

(3) the existence, availability, and use of parental empowerment tools and initiatives already in the market.

(b) CONTENT OF PROCEEDING.—In conducting the inquiry required under subsection (a), the Commission shall consider advanced blocking technologies that—

(1) may be appropriate across a wide variety of distribution platforms, including wired, wireless, and Internet platforms;

(2) may be appropriate across a wide variety of devices capable of transmitting or receiving video or audio programming, including television sets, DVD players, VCRs, cable set top boxes, satellite receivers, and wireless devices;

(3) can filter language based upon information in closed captioning;

(4) operate independently of ratings pre-assigned by the creator of such video or audio programming; and

(5) may be effective in enhancing the ability of a parent to protect his or her child from indecent or objectionable programming, as determined by such parent.

(c) REPORTING.—Not later than 270 days after the enactment of this Act, the Commission shall issue a report to Congress detailing any findings resulting from the inquiry required under subsection (a).

(d) DEFINITION.—In this section, the term ''advanced blocking technologies'' means technologies that can improve or enhance the ability of a parent to protect his or her child from any indecent or objectionable video or audio programming, as determined by such parent, that is transmitted through the use of wire, wireless, or radio communication.

UNITED STATES-INDIA NUCLEAR COOPERATION APPROVAL AND NONPROLIFERATION ENHANCEMENT ACT—Continued

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, first, let me thank Senator DORGAN for his leadership on this issue and for his heartfelt and very well-articulated statement about the reasons why we need to amend this agreement before we proceed any further. I strongly agree with him, and I am honored to join with him in proposing an amendment that will improve the agreement that is coming to the Senate floor tonight for consideration.

The bill we are dealing with tonight seeks to obtain expedited approval of the United States-India nuclear cooperation agreement. The agreement was the result of a bill we passed into law 2 years ago—nearly 2 years ago—that exempted India from the very export controls that were placed into the Atomic Energy Act as a result of India's decision to detonate a nuclear weapon in 1974—with United States-supplied technology, I would point out.

Let me be clear: I do believe it is time that we as a nation did more to reach out to India in areas such as energy and high technology. The President deserves credit for recognizing that the India of the 1960s and 1970s is not the India of today. India is a great leader in technology and needs to be an ally of our country on a great many issues, but I cannot support the proposed agreement before us today in the form we are being presented.

By modifying our nonproliferation laws for India, and just for India, and in a circumstance where India has not signed the nonproliferation treaty, not only are we sending the wrong signal to Iran, which is a signatory and desires to have its own nuclear program, but we are also sending the wrong signal to North Korea, to Pakistan, and to Israel. Those three countries are not signatories to the nonproliferation treaty, and they have detonated nuclear weapons. So approval of the agreement as it is now presented makes it difficult for us to justify our nonproliferation policies to the world at large, and in particular it makes it very difficult for us to justify them to other nonproliferation treaty signatories, such as South Africa, Brazil, and Taiwan, which have foresworn their nuclear weapons program as part of signing up for the nonproliferation treaty.

The net result of approving the agreement as proposed today is that we are making India a de facto weapon state without them having to sign the nonproliferation treaty. India gets to have their cake and to eat it too. They obtain nuclear weapon state status but, by not signing the NPT, they do not have to adhere to its fundamental article VI requirement that nuclear weapon states shall ''pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race.''

The amendment Senator DORGAN and I are offering seeks to make several improvements to the underlying bill that relate to the question of what happens if India again decides to detonate a nuclear weapon. The first section, developed by Senator DORGAN, states simply that the United States will not conduct trade in nuclear technology with India if they detonate a nuclear weapon. That is sensible policy. It is consistent with the Atomic Energy Act, which cuts off trade in nuclear technology if states such as India detonate a nuclear device.

The second part of the amendment, which I have added to the combined amendment, requires the President to certify to Congress that the United States-supplied technology is not what has enabled India to go forward with detonation of a nuclear weapon.

Let me explain why this is important. India detonated five nuclear weapons in 1998 without the aid of advanced technology supplied by other nations. The reason is because the 45-nation group that is called the Nuclear Suppliers Group, or NSG, developed a consensus that they would not ship to India sensitive nuclear technology. As a result of the bill we passed 2 years ago, this Nuclear Suppliers Group has now approved the export of sensitive nuclear technology to India. It is entirely conceivable that India may want to improve their nuclear weapons now that they have access to advanced technology from this Nuclear Suppliers Group.

The certification we provide for in this amendment would force the President to ensure ahead of time that appropriate export controls are in place to begin with. It is one of the strictest conditions Congress can place on a President, but it can be met. We routinely require end-use monitoring of sensitive technologies that we export to other countries. Embassy personnel inspect their purported destination to make sure they are not used for illicit purposes. Certification, as we provide for in this amendment, also places pressure on the President to work with the IAEA to ensure that the safeguards applied to Indian facilities are effective so the exported technology does not make its way into their weapons program. It seems to me that the President should place this level of scrutiny on our nuclear exports to India.

Let me put up a chart to make the point I am trying to make with this part of the amendment. This chart tries to make the distinction between—that is reflected in the underlying agreement we are going to be voting on—between the parts of India's nuclear program that are safeguarded—and that is, to be specific, 14 nuclear reactors and 1 fuel reprocessing plant—and then the parts of India's nuclear program that are not subject to any safeguards—and that is substantially more. That is eight power reactors, a fast breeder program, and its entire military program, which consists of two plutonium reprocessing plants, two uranium enrichment plants, and two heavy water plutonium production reactors.

The underlying agreement we are voting on contemplates that all the nonsafeguarded parts of the nuclear weapons program in India will be supplied only with domestically produced fuel. The safeguarded parts are the parts that can be supplied with imported uranium fuel. So the theory is we can take great consolation in knowing that nothing we are sending to India is, in fact, affecting the nonsafeguarded part of their nuclear program.

Now, around here, I don't know if you would call this a Chinese firewall or what you would call it—this yellow line that separates the safeguarded from the nonsafeguarded parts of the nuclear weapons program—but the truth is, under this agreement and the way it now stands, it is virtually impossible for us to be assured, in any credible way, that what is being provided in the way of technologies or fuel to India for its nuclear program is, in fact, being kept just for the safeguarded part.

Obviously, the other point is, as to the fuel, it is all fungible. If, in fact, we are providing imported uranium fuel that can be used for safeguarded reactors, there is no reason why the domestically produced fuel can't be used for the nonsafeguarded reactors.

It is, in my view, vitally important that we try to make some amendment to ensure that there is some degree of scrutiny over what is, in fact, occurring there, and that is the second part of the amendment I referred to—the net result of improving this. By modifying our nonproliferation laws for India, which has not signed the nonproliferation treaty, it is clear we are making an exception that will cause great difficulty in our ability to encourage other countries to comply with the nonproliferation treaty.

The third part of the amendment we are offering requires that if India tests a nuclear weapon, we will not enable other countries to further India's nuclear program. This is called the third-party problem; whereby, we enable other countries to help India's nuclear program. If India detonates a nuclear weapon, the President, under our amendment, would have to recommend to Congress what export control authorities can be used so our exports to other nuclear suppliers do not end up helping India's program. The President, of course, would have a wide array of such authorities to apply—