

United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy, signed on May 6, 2014, in this joint resolution referred to as the "Agreement".

(b) Notwithstanding section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), the Agreement becomes effective in accordance with the provisions of this joint resolution and other applicable provisions of law.

## SEC. 2. THIRTY-YEAR LIMIT ON CIVIL NUCLEAR ENGAGEMENT.

(a) Notwithstanding any other provision of law, no funds may be used to implement any aspect of an agreement for civil nuclear cooperation pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) after the date that is 30 years after the date of entry into force of such agreement unless—

(1) the President, within the final five years of the agreement, has certified to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the party to such agreement has continued to fulfill the terms and conditions of the agreement and that the agreement continues to be in the interest of the United States; and

(2) Congress enacts a joint resolution permitting the continuation of the agreement for an additional period of not more than 30 years.

(b) The restriction in subsection (a) shall not apply to—

(1) any agreement that had entered into force as of August 1, 2014;

(2) any agreement with the Taipei Economic and Cultural Representative Office in the United States (TECRO) or the International Atomic Energy Agency (IAEA); or

(3) any amendment to an agreement described in paragraph (1) or (2).

## SEC. 3. APPLICABLE LAW.

Each proposed nuclear export pursuant to an agreement shall be subject to United States laws and regulations in effect at the time of each such export.

## SEC. 4. ADDITIONAL REQUIREMENTS FOR NUCLEAR PROLIFERATION ASSESSMENT STATEMENTS.

(a) The Nuclear Proliferation Assessment Statement required to be submitted by the Secretary of State to the President pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) shall also be submitted to the appropriate congressional committees and shall be accompanied by a classified annex, prepared in consultation with the Director of National Intelligence, identifying and explaining all classified information related to the agreement to which such Nuclear Proliferation Assessment Statement applies, and shall, in addition to any other requirements pursuant to law, include the following elements:

(1) An assessment of the consistency of the text of the proposed agreement for cooperation with all the requirements of the Atomic Energy Act of 1954 and this Act, with specific attention to whether the proposed agreement is consistent with each criterion set forth in subsection a. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153).

(2) An assessment of the adequacy of safeguards and other control mechanisms and the peaceful use assurances contained in the agreement for cooperation to ensure that any assistance furnished thereunder will not be used to further any military or nuclear explosive purpose.

(3) A historical review and assessment of past proliferation activity of the cooperating party, or suspect activity identified by any element of the intelligence community in its review of raw or processed intelligence information, including all activities that are potentially inconsistent with a peaceful nuclear program and any potential delivery mechanisms of concern.

(4) A list of all the treaties and agreements related to non-proliferation of weapons of mass

destruction to which the cooperating party is also a party.

(5) An assessment of the cooperating party's current national laws that govern the non-proliferation of materials or equipment related to weapons of mass destruction, including any chemical, biological, or nuclear material, plutonium, uranium-233, high enriched uranium, or irradiated source material or special fissionable material.

(6) An explanation for the negotiated duration of the agreement, including an explanation of the renewal and termination procedures.

(7) A comparison of the agreement to other existing civil nuclear cooperation agreements between the United States and other states in the region.

(8) An assessment of the strategic, security, stability, and regional considerations throughout the negotiation of this agreement.

(9) An assessment of the physical and environmental security of the waste-cycle, ensuring the agreement addresses international concerns, including international and local response.

(b) DEFINITIONS.—In this section—

(1) the term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Relations of the House of Representatives; and

(2) the term "cooperating party" shall mean an entity with which the United States proposes to enter into an agreement for cooperation under the Atomic Energy Act of 1954, and shall include—

(A) the government of such cooperating party;

(B) any person authorized by or who acts with the knowledge of the government of such cooperating party; or

(C) any person who acts within the territory of the cooperating party.

Mr. PRYOR. Madam President, I further ask unanimous consent that the committee-reported substitute amendment be agreed to and the joint resolution, as amended, be read a third time.

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

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

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

Mr. PRYOR. I know of no further debate.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass?

The joint resolution (S.J. Res. 36), as amended, was passed.

Mr. PRYOR. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

## CONCERNING THE SUSPENSION OF EXIT PERMIT ISSUANCE BY THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF CONGO

Mr. PRYOR. Madam President, I now ask unanimous consent that the Senate proceed to the consideration of Calendar No. 495, S. Res. 502.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 502) concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble.

(Strike out all after the resolving clause and insert the part printed in italic.)

(Strike the preamble and insert the part printed in italic.)

## S. RES. 502

Whereas according to UNICEF, over 4,000,000 orphans are estimated to be living in the Democratic Republic of Congo;

Whereas cyclical and violent conflict has plagued the Democratic Republic of Congo since the mid-1990s;

Whereas the United States has made significant financial investments in the Democratic Republic of Congo, providing an estimated \$274,000,000 bilateral aid to the Democratic Republic of Congo in fiscal year 2013 and an additional \$165,000,000 in emergency humanitarian assistance;

Whereas the policy of the United States Government toward the Democratic Republic of Congo is "focused on helping the country become a nation that . . . provides for the basic needs of its citizens";

Whereas the United Nations, the Hague Conference on Private International Law, and other international organizations have recognized that a child should grow up in a family environment;

Whereas adoption, both domestic and international, is an important child protection tool and an integral part of child welfare best practices around the world, along with family reunification and prevention of abandonment;

Whereas, on September 27, 2013, the Congolese Ministry of Interior and Security, General Directorate of Migration, informed the United States Embassy in Kinshasa that effective September 25, 2013, they had suspended issuance of exit permits to adopted Congolese children seeking to depart the country with their adoptive parents;

Whereas there are United States families with finalized adoptions in the Democratic Republic of the Congo and the necessary legal paperwork and visas ready to travel home with these children but are currently unable to do so; and

Whereas, on December 19, 2013, the Congolese Minister of Justice, Minister of Interior and Security, and the General Directorate of Migration confirmed to members of the United States Department of State that the current suspension on the issuance of exit permits continues: Now, therefore, be it

Resolved, *That the Senate—*

[(1) affirms that all children deserve a safe, loving, and permanent family;

[(2) recognizes the importance of ensuring that international adoptions of all children are conducted in an ethical and transparent manner;

[(3) expresses concern over the impact on children and families caused by the current suspension of exit permit issuance within the Democratic Republic of Congo;

[(4) respectfully requests that the Government of the Democratic Republic of Congo—

[(A) resume processing adoption cases and issuing exit permits via the Ministry of Gender and Family's Interministerial Adoption Committee and Directorate of General Migration;

[(B) prioritize the processing of inter-country adoptions which were initiated before the suspension; and

[(C) expedite the processing of those adoptions which involve medically fragile children; and

[(5) encourages continued dialogue and cooperation between the United States Department of State and the Democratic Republic of the Congo's Ministry of Foreign Affairs to improve the intercountry adoption process and ensure the welfare of all children adopted from the Democratic Republic of Congo.]

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(B) prioritize the processing of intercountry adoptions which were initiated before the suspension; and

(C) expedite the processing of those adoptions which involve medically fragile children; and

(5) encourages continued dialogue and cooperation between the United States Department of State and the Democratic Republic of the Congo's Ministry of Foreign Affairs to improve the intercountry adoption process and ensure the welfare of all children adopted from the Democratic Republic of Congo.

Mr. PRYOR. Madam President, I ask unanimous consent that the committee-reported amendment be agreed to; the resolution, as amended, be agreed to; the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The resolution (S. Res. 502), as amended, was agreed to.

The committee-reported amendment to the preamble in the nature of a substitute was agreed to.

The preamble, as amended, was agreed to.

#### HONORING THE 70TH ANNIVERSARY OF THE WARSAW UPRISING

Mr. PRYOR. Madam President, I now ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 496, S. Res. 513.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 513) honoring the 70th anniversary of the Warsaw Uprising.

There being no objection, the Senate proceeded to consider the resolution.

#### WARSAW UPRISING 70TH ANNIVERSARY

Ms. MIKULSKI. Madam President, I wish to recognize the 70th anniversary of the Warsaw Uprising of 1944.

I am proud to stand here today to remember the heroism of the men and women who took part in the Warsaw Uprising. On August 1, 1944, the Polish Home Army was ordered to mobilize against the German forces. The Red Army had retreated to the outskirts of Warsaw and the Polish people believed the German forces would choose to withdraw. They choose this moment to stand up and try to liberate Warsaw before the Soviet forces could take control of the city.

The Polish Home Army consisted of 40,000 brave soldiers, including 4,000 women. They lacked weapons and supplies but proved to be a challenging force against the German Army. In response, Heinrich Himmler ordered all of the people of Warsaw killed and the city razed to the ground to stand as an example to the people of Europe.

The Polish Resistance fought bravely to liberate and protect their capital and their nation. But the Nazis were determined to crush the resistance. After 63 days of fighting, the German Army overcame the courageous Polish resistance. As a result, 85 percent of the city of Warsaw had been destroyed by the end of World War II.

The actions of the Polish people during the Warsaw Uprising serve as an inspiration to all people fighting for their right to freedom and dignity. To this day, their legacy stands as a testament to the Polish character. It is for these reasons that I am honored to mark the 70th anniversary of the Warsaw Uprising, which serves as a symbol of heroism and the strength of the human spirit.

Mr. PRYOR. Madam President, I ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 513) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Tuesday, July 29, 2014, under "Submitted Resolutions.")

#### MALAYSIA AIRLINES FLIGHT 17

Mr. PRYOR. Madam President, I now ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 497, S. Res. 520.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 520) condemning the downing of Malaysia Airlines Flight 17 and expressing condolences to the families of the victims.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PRYOR. Madam President, I further ask that the resolution be agreed to; the Murphy amendment to the pre-

amble, which is at the desk, be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 3779) was agreed to, as follows:

(Purpose: To make a technical correction)

In the fourth whereas clause of the preamble, insert "more than" before "10 additional aircraft".

The resolution (S. Res. 520), as amended, was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, was agreed to as follows:

#### S. RES. 520

Whereas, on July 17, 2014, Malaysian Airlines Flight 17 tragically crashed in eastern Ukraine, killing all 298 passengers and crew, including 80 children;

Whereas President Barack Obama has offered President of Ukraine Petro Poroshenko all possible assistance to determine the cause of the crash, including the services of the Federal Bureau of Investigation and the National Transportation Safety Board;

Whereas intelligence analysis shows that the plane was shot down by an anti-aircraft missile fired from an area controlled by pro-Russian separatists;

Whereas separatists have shot down 10 additional aircraft and took credit for shooting down another aircraft at approximately the same time as Malaysian Airlines Flight 17 crashed in eastern Ukraine;

Whereas separatists blocked international experts from accessing the crash site in the first 72 hours, preventing the proper care of the victims' bodies and allowing evidence from the crash to be removed and mishandled;

Whereas weapons and fighters have continued to flow across the border from the Russian Federation to eastern Ukraine, and there is evidence that the Government of the Russian Federation has been providing training to separatists fighters, including training on air defense systems;

Whereas this tragic incident has demonstrated that European and other foreign citizens are at risk from dangerous instability in Ukraine;

Whereas, on July 21, 2014, the United Nations Security Council condemned in the strongest terms the downing of Malaysian Airlines Flight 17 and demanded that those responsible be held to account and that all states fully cooperate with efforts to establish accountability;

Whereas British Prime Minister David Cameron asserted, "Russia cannot expect to continue enjoying access to European markets, European capital and European knowledge and technical expertise while she fuels conflict in one of Europe's neighbors."; and

Whereas the United States Government has continued to implement sanctions against Russian and Ukrainian individuals responsible for destabilizing Ukraine and failing to end the violence: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the shooting down of Malaysian Airlines Flight 17 in Eastern Ukraine that resulted in the deaths of all 298 passengers and crew;

(2) expresses its deepest condolences to the families of the victims and the people of the