

109TH CONGRESS
1ST SESSION

S. CON. RES. 36

Expressing the sense of Congress concerning actions to support the Nuclear Non-Proliferation Treaty on the occasion of the Seventh NPT Review Conference.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2005

Mrs. FEINSTEIN (for herself, Mr. HAGEL, Mr. LAUTENBERG, Mr. DURBIN, Mr. CORZINE, Mr. FEINGOLD, and Mr. LEVIN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Expressing the sense of Congress concerning actions to support the Nuclear Non-Proliferation Treaty on the occasion of the Seventh NPT Review Conference.

Whereas the Treaty on the Non-proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (in this resolution referred to as the “Nuclear Non-Proliferation Treaty”), codifies one of the most important international security arrangements in the history of arms control, the arrangement by which states without nuclear weapons pledge not to acquire them, states with nuclear weapons commit to eventually eliminate them, and non-

nuclear states are allowed to use for peaceful purposes nuclear technology under strict and verifiable control;

Whereas the Nuclear Non-Proliferation Treaty is one of the most widely supported multilateral agreements, with 188 countries adhering to the Treaty;

Whereas the Nuclear Non-Proliferation Treaty has encouraged many countries to officially abandon nuclear weapons or nuclear weapons programs, including Argentina, Belarus, Brazil, Kazakhstan, Libya, South Africa, South Korea, Ukraine, and Taiwan;

Whereas, at the 1995 NPT Review and Extension Conference, the states-parties agreed to extend the Nuclear Non-Proliferation Treaty indefinitely, to reaffirm the principles and objectives of the Treaty, to strengthen the Treaty review process, and to implement further specific and practical steps on non-proliferation and disarmament;

Whereas, at the 2000 NPT Review Conference, the states-parties agreed to further practical steps on non-proliferation and disarmament;

Whereas President George W. Bush stated on March 7, 2005, that “the NPT represents a key legal barrier to nuclear weapons proliferation and makes a critical contribution to international security,” and that “the United States is firmly committed to its obligations under the NPT”;

Whereas the International Atomic Energy Agency (IAEA) is responsible for monitoring compliance with safeguard agreements pursuant to the Nuclear Non-Proliferation Treaty and reporting safeguard violations to the United Nations Security Council;

Whereas Presidents George W. Bush and Vladimir Putin stated on February 24, 2005, that “[w]e bear a special responsibility for the security of nuclear weapons and fissile material in order to ensure that there is no possibility such weapons or materials would fall into terrorist hands”;

Whereas Article IV of the Nuclear Non-Proliferation Treaty calls for the fullest possible exchange of equipment and materials for peaceful nuclear endeavors and allows states to acquire sensitive technologies to produce nuclear fuel for energy purposes but also recognizes that such fuel could be used to secretly produce fissile material for nuclear weapons programs or quickly produce such material if the state were to decide to withdraw from the Treaty;

Whereas the Government of North Korea ejected international inspectors from that country in 2002, announced its withdrawal from the Nuclear Non-Proliferation Treaty in 2003, has recently declared its possession of nuclear weapons, and is in possession of facilities capable of producing additional nuclear weapons-usable material;

Whereas the Government of Iran has pursued an undeclared program to develop a uranium enrichment capacity, repeatedly failed to fully comply with and provide full information to the IAEA regarding its nuclear activities, and stated that it will not permanently abandon its uranium enrichment program which it has temporarily suspended through an agreement with the European Union;

Whereas the network of arms traffickers associated with A.Q. Khan has facilitated black-market nuclear transfers involving several countries, including Iran, Libya, and

North Korea, and represents a new and dangerous form of proliferation;

Whereas governments should cooperate to control exports of and interdict illegal transfers of sensitive nuclear and missile-related technologies to prevent their proliferation;

Whereas the United Nations Secretary-General's High-Level Panel on Threats, Challenges and Change concluded that "[a]lmost 60 States currently operate or are constructing nuclear power or research reactors, and at least 40 possess the industrial and scientific infrastructure which would enable them, if they chose, to build nuclear weapons at relatively short notice if the legal and normative constraints of the Treaty regime no longer apply," and warned that "[w]e are approaching a point at which the erosion of the non-proliferation regime could become irreversible and result in a cascade of proliferation";

Whereas stronger international support and cooperation to achieve universal compliance with tighter nuclear non-proliferation rules and standards constitute essential elements of nuclear non-proliferation efforts;

Whereas sustained leadership by the United States Government is essential to help implement existing legal and political commitments established by the Nuclear Non-Proliferation Treaty and to realize a more robust and effective global nuclear non-proliferation system; and

Whereas the governments of the United States and other countries should pursue a comprehensive and balanced approach to strengthen the global nuclear non-proliferation system, beginning with the Seventh NPT Review Conference of 2005: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring),*

3 **SECTION 1. SHORT TITLE.**

4 This resolution may be cited as the “Reinforce the
5 Nuclear Non-Proliferation Treaty Act of 2005”.

6 **SEC. 2. SENSE OF CONGRESS ON SUPPORT OF THE NU-**
7 **CLEAR NON-PROLIFERATION TREATY.**

8 Congress—

9 (1) reaffirms its support for the objectives of
10 the Nuclear Non-Proliferation Treaty and expresses
11 its support for all appropriate measures to strength-
12 en the Treaty and to attain its objectives; and

13 (2) calls on all parties participating in the Sev-
14 enth Nuclear NPT Review Conference—

15 (A) to insist on strict compliance with the
16 non-proliferation obligations of the Nuclear
17 Non-Proliferation Treaty and to undertake ef-
18 fective enforcement measures against states
19 that are in violation of their Article I or Article
20 II obligations under the Treaty;

21 (B) to agree to establish more effective
22 controls on sensitive technologies that can be
23 used to produce materials for nuclear weapons;

24 (C) to expand the ability of the Inter-
25 national Atomic Energy Agency to inspect and

1 monitor compliance with non-proliferation rules
2 and standards to which all states should adhere
3 through existing authority and the additional
4 protocols signed by the states party to the Nu-
5 clear Non-Proliferation Treaty;

6 (D) to demonstrate the international com-
7 munity's unified opposition to a nuclear weap-
8 ons program in Iran by—

9 (i) supporting the efforts of the
10 United States and the European Union to
11 prevent the Government of Iran from ac-
12 quiring a nuclear weapons capability; and

13 (ii) using all appropriate diplomatic
14 and other means at their disposal to con-
15 vince the Government of Iran to abandon
16 its uranium enrichment program;

17 (E) to strongly support the ongoing United
18 States diplomatic efforts in the context of the
19 six-party talks that seek the verifiable and in-
20 controvertible dismantlement of North Korea's
21 nuclear weapons programs and to use all appro-
22 priate diplomatic and other means to achieve
23 this result;

24 (F) to pursue diplomacy designed to ad-
25 dress the underlying regional security problems

1 in Northeast Asia, South Asia, and the Middle
2 East, which would facilitate non-proliferation
3 and disarmament efforts in those regions;

4 (G) to accelerate programs to safeguard
5 and eliminate nuclear weapons-usable material
6 to the highest standards to prevent access by
7 terrorists and governments;

8 (H) to halt the use of highly enriched ura-
9 nium in civilian reactors;

10 (I) to strengthen national and inter-
11 national export controls and relevant security
12 measures as required by United Nations Secu-
13 rity Council Resolution 1540;

14 (J) to agree that no state may withdraw
15 from the Nuclear Non-Proliferation Treaty and
16 escape responsibility for prior violations of the
17 Treaty or retain access to controlled materials
18 and equipment acquired for “peaceful” pur-
19 poses;

20 (K) to accelerate implementation of disar-
21 mament obligations and commitments under
22 the Nuclear Non-Proliferation Treaty for the
23 purpose of reducing the world’s stockpiles of
24 nuclear weapons and weapons-grade fissile ma-
25 terial; and

- 1 (L) to strengthen and expand support for
- 2 the Proliferation Security Initiative.

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