

107TH CONGRESS
2D SESSION

S. 2470

To encourage and facilitate the security of nuclear materials and facilities worldwide.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2002

Mrs. CARNAHAN introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To encourage and facilitate the security of nuclear materials and facilities worldwide.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Global Nuclear Secu-
5 rity Initiative Act of 2002”.

6 **SEC. 2. SECURITY OF NUCLEAR MATERIALS AND FACILI-**
7 **TIES WORLDWIDE.**

8 (a) SENSE OF CONGRESS ON PROGRAM TO SECURE
9 STOCKPILES OF HIGHLY ENRICHED URANIUM AND PLU-
10 TONIUM.—(1) It is the sense of Congress that the Sec-

1 retary of Energy, in consultation with the Secretary of
2 State and Secretary of Defense, should develop a com-
3 prehensive program of activities to encourage all countries
4 with nuclear materials to adhere to, or to adopt standards
5 equivalent to, the International Atomic Energy Agency
6 standard on The Physical Protection of Nuclear Material
7 and Nuclear Facilities (INFCIRC/225/Rev.4), relating to
8 the security of stockpiles of highly enriched uranium
9 (HEU) and plutonium (Pu).

10 (2) To the maximum extent practicable, the program
11 should be developed in consultation with the Russian Fed-
12 eration, other Group of 8 countries, and other allies of
13 the United States.

14 (3) Activities under the program may include specific,
15 targeted incentives intended to encourage countries that
16 cannot undertake the expense of conforming to the stand-
17 ard referred to in paragraph (1) to relinquish their highly
18 enriched uranium or plutonium, including incentives in
19 which a country, group of countries, or international
20 body—

21 (A) purchase such materials and provide for
22 their security (including by removal to another loca-
23 tion);

24 (B) undertake the costs of decommissioning fa-
25 cilities that house such materials;

1 (C) in the case of research reactors, convert
2 such reactors to low-enriched uranium reactors; or

3 (D) upgrade the security of facilities that house
4 such materials in order to meet stringent security
5 standards that are established for purposes of the
6 program based upon agreed best practices.

7 (b) STUDY OF PROGRAM TO SECURE CERTAIN RADI-
8 OLOGICAL MATERIALS.—(1) The Secretary of Energy,
9 acting through the Administrator for Nuclear Security
10 shall require the Office of International Materials Protec-
11 tion, Control, and Accounting of the Department of En-
12 ergy to conduct a study to determine the feasibility and
13 advisability of developing a program to secure radiological
14 materials outside the United States that pose a threat to
15 the national security of the United States.

16 (2) The study under paragraph (1) shall include the
17 following:

18 (A) An identification of the categories of radio-
19 logical materials that are covered by that paragraph,
20 including an order of priority for securing each cat-
21 egory of such radiological materials.

22 (B) An estimate of the number of sites at which
23 such radiological materials are present.

1 (C) An assessment of the effort required to se-
2 cure such radiological materials at such sites,
3 including—

4 (i) a description of the security upgrades,
5 if any, that are required at such sites;

6 (ii) an assessment of the costs of securing
7 such radiological materials at such sites;

8 (iii) a description of any cost-sharing ar-
9 rangements to defray such costs;

10 (iv) a description of any legal impediments
11 to such effort, including a description of means
12 of overcoming such impediments; and

13 (v) a description of the coordination re-
14 quired for such effort among appropriate
15 United States Government entities (including
16 the Nuclear Regulatory Commission), partici-
17 pating countries, and international bodies (in-
18 cluding the International Atomic Energy Agen-
19 cy).

20 (D) A description of the pilot project under-
21 taken in Russia.

22 (3) In identifying categories of radiological materials
23 under paragraph (2)(A), the Secretary shall take into ac-
24 count matters relating to specific activity, half-life, radi-
25 ation type and energy, attainability, difficulty of handling,

1 and toxicity, and such other matters as the Secretary con-
2 siderers appropriate.

3 (4) Not later than one year after the date of the en-
4 actment of this Act, the Secretary shall submit to Con-
5 gress a report on the study conducted under this sub-
6 section. The report shall include the matters specified
7 under paragraph (2) and such other matters, including
8 recommendations, as the Secretary considers appropriate
9 as a result of the study.

10 (5) In this subsection, the term “radiological mate-
11 rial” means any radioactive material, other than pluto-
12 nium or uranium enriched above 20 percent uranium-235.

13 (c) STUDY OF ACTIONS TO ADDRESS TERRORIST
14 THREAT TO NUCLEAR POWER PLANTS OUTSIDE THE
15 UNITED STATES.—(1) The Secretary of Energy shall, in
16 consultation with the Nuclear Regulatory Commission and
17 the International Atomic Energy Agency, conduct a study
18 of the feasibility and advisability of various actions to re-
19 duce the risks associated with terrorist attacks on nuclear
20 power plants outside the United States.

21 (2) Not later than nine months after the date of the
22 enactment of this Act, the Secretary shall submit to Con-
23 gress a report on the results of the study under paragraph
24 (1). The report shall include the following:

25 (A) A description of the actions studied.

1 (B) An assessment of the feasibility and advis-
 2 ability of undertaking one or more such actions.

3 (C) Any other matters, including recommenda-
 4 tions, that the Secretary considers appropriate.

5 (d) AMENDMENT OF CONVENTION ON PHYSICAL
 6 PROTECTION OF NUCLEAR MATERIAL.—(1) It is the
 7 sense of Congress that the President should encourage
 8 amendment of the Convention on the Physical Protection
 9 of Nuclear Materials in order to provide that the Conven-
 10 tion shall—

11 (A) apply to both the domestic and inter-
 12 national use and transport of nuclear materials;

13 (B) incorporate fundamental practices for the
 14 physical protection of such materials; and

15 (C) address protection against sabotage involv-
 16 ing nuclear materials.

17 (2) In this subsection, the term “Convention on the
 18 Physical Protection of Nuclear Materials” means the Con-
 19 vention on the Physical Protection of Nuclear Materials,
 20 With Annex, done at Vienna on October 26, 1979.

