

103^D CONGRESS
1ST SESSION

H. R. 2076

To establish a policy of the United States with respect to nuclear
nonproliferation.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 1993

Mr. STARK (for himself, Mr. McCLOSKEY, Mr. PENNY, and Mr.
FALEOMAVAEGA) introduced the following bill; which was referred to the
Committee on Foreign Affairs

A BILL

To establish a policy of the United States with respect to
nuclear nonproliferation.

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 “Nuclear Non-Prolifera-
5 tion Policy Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) The United States has been a leader in
9 seeking to contain the spread of nuclear weapons
10 technology and materials.

1 (2) With the end of the Cold War and the
2 breakup of the Soviet Union, the proliferation of nu-
3 clear weapons, especially to countries in unstable re-
4 gions, is now the leading military threat to the na-
5 tional security of the United States and its allies.

6 (3) The United Nations Security Council de-
7 clared on January 31, 1992, that “proliferation of
8 all weapons of mass destruction constitutes a threat
9 to international peace and security” and committed
10 to taking appropriate action to prevent proliferation
11 from occurring. The establishment of the United Na-
12 tions Special Commission on Iraq was an important
13 precedent to that end.

14 (4) Aside from the 5 declared nuclear weapon
15 states, a number of other nations have or are pursu-
16 ing nuclear weapons capabilities.

17 (5) Regional nuclear arms races pose perhaps
18 the most likely prospect for the future use of nuclear
19 weapons.

20 (6) The break-up of the Soviet Union has in-
21 creased the threat of nuclear proliferation.

22 (7) In May 1992, Ukraine, Belarus, and
23 Kazakhstan signed the protocols to START I and
24 committed to acceding to the Nuclear Non-Prolifera-

1 tion Treaty as non-nuclear weapon states “in the
2 shortest possible time”.

3 (8) Iraq had a substantial, clandestine nuclear
4 weapons program which went undetected by the
5 International Atomic Energy Agency (IAEA) inspec-
6 tion process and was greatly assisted by dual-use ex-
7 ports from western countries, including the United
8 States.

9 (9) North Korea’s statement of intent to with-
10 draw from the Nuclear Non-Proliferation Treaty,
11 and its refusal to allow IAEA inspections of all of
12 its known and suspected nuclear facilities, are un-
13 precedented actions which could greatly undermine
14 efforts to stop nuclear proliferation.

15 (10) Brazil and Argentina had substantial pro-
16 grams to build nuclear weapons and South Africa
17 has admitted developing and building 6 nuclear
18 weapons, but in response to reduced regional ten-
19 sions and other factors, all 3 countries have re-
20 nounced nuclear weapons and accepted IAEA safe-
21 guards for all of their nuclear facilities, and South
22 Africa has acceded to the Non-Proliferation Treaty
23 as a non-nuclear weapon state.

24 (11) United States security interests and cur-
25 rent policy and practices are consistent with the

1 terms of the South Pacific Nuclear Free Zone Trea-
2 ty which, like nuclear weapons free zones in Latin
3 America, South Asia, and the Middle East that the
4 United States supports, can contribute to efforts to
5 avoid regional conflicts and prevent arms races.

6 (12) The IAEA is a valuable tool to counter
7 proliferation, but the effectiveness of its system to
8 safeguard nuclear materials may be adversely af-
9 fected by institutional and financial constraints.

10 (13) The Nuclear Non-Proliferation Treaty,
11 which codifies world consensus against further nu-
12 clear proliferation and is scheduled for review and
13 extension in 1995, should be expanded in member-
14 ship and extended indefinitely, and additional steps
15 should be taken to strengthen the international nu-
16 clear nonproliferation regime.

17 (14) The Nuclear Nonproliferation Act of 1978
18 declared that the United States is committed to con-
19 tinued strong support for the Nuclear Non-Prolifera-
20 tion Treaty and to a strengthened and more effective
21 IAEA, and established that it is United States policy
22 to establish more effective controls over the transfer
23 of nuclear equipment, materials, and technology.

24 (15) The goal of the United States is to end the
25 further spread of nuclear weapons capability, roll

1 back nuclear proliferation where it has occurred, and
2 prevent the use of nuclear weapons anywhere in the
3 world. To that end the United States should adopt
4 a comprehensive nuclear nonproliferation policy.

5 **SEC. 3. COMPREHENSIVE NUCLEAR NONPROLIFERATION**
6 **POLICY.**

7 In order to end nuclear proliferation and reduce cur-
8 rent nuclear arsenals and supplies of weapons-usable nu-
9 clear materials, it shall be the policy of the United States
10 to pursue the following objectives:

11 (1) Encourage Ukraine to join Kazakhstan and
12 Belarus in ratifying the START I treaty and en-
13 courage Ukraine and Kazakhstan to join Belarus in
14 voting to accede to the Nuclear Non-Proliferation
15 Treaty as non-nuclear weapon states in the shortest
16 possible time.

17 (2) Encourage Belarus, Ukraine, and
18 Kazakhstan to remove all nuclear weapons from
19 their territory, accept IAEA safeguards over all of
20 their nuclear facilities, and implement effective con-
21 trols on nuclear and nuclear-related dual-use ex-
22 ports.

23 (3) Reach an agreement with the Russian Fed-
24 eration—

1 (A) to deactivate and retire from field de-
2 ployment on an accelerated schedule all weap-
3 ons to be withdrawn under the START I treaty
4 and the START II treaty;

5 (B) on data exchanges and inspection ar-
6 rangements to verify the elimination of all nu-
7 clear weapons scheduled to be withdrawn under
8 the START I treaty and the START II treaty;
9 and

10 (C) to place all fissile material from such
11 weapons under bilateral or international con-
12 trols, or both.

13 (4) Prepare for the ratification of the START
14 II treaty by seeking the exchange of information be-
15 tween the United States and the Russian Federation
16 on nuclear weapons stockpiles and fissile material
17 facilities and inventories as required by the United
18 States Senate as a condition to its approval of the
19 START I Treaty.

20 (5) Conclude a multilateral comprehensive nu-
21 clear test ban treaty by early 1995, before the con-
22 ference to renew and extend the Nuclear Non-Pro-
23 liferation Treaty is held.

24 (6) Ratify the START II treaty in the United
25 States and encourage ratification of that treaty by

1 the Russian Federation, and reach agreement with
2 the Russian Federation to end the production of new
3 types of nuclear warheads.

4 (7) Conclude a multilateral agreement to reduce
5 the strategic nuclear arsenals of the United States
6 and the Russian Federation to within a range of
7 1,000 to 2,000 each, with lower levels for the United
8 Kingdom, France, and the People's Republic of
9 China.

10 (8) Conclude additional multilateral agreements
11 to significantly and continuously reduce the nuclear
12 arsenals of all countries through a stage-by-stage
13 process.

14 (9) Reach immediate agreement with the Rus-
15 sian Federation to halt permanently the production
16 of fissile material for weapons purposes, and achieve
17 worldwide agreements to—

18 (A) end by 1995 the production of fissile
19 material for any purpose;

20 (B) place existing stockpiles of such mate-
21 rials under bilateral or international controls;
22 and

23 (C) require all countries to place all of
24 their nuclear facilities dedicated to peaceful
25 purposes under IAEA safeguards.

1 (10) Strengthen IAEA safeguards to more ef-
2 fectively verify that countries are complying with
3 their nonproliferation commitments and provide the
4 IAEA with the political, technical, and financial sup-
5 port necessary to implement the necessary safeguard
6 reforms.

7 (11) Strengthen nuclear export controls in the
8 United States and other nuclear supplier nations,
9 impose sanctions on individuals, companies, and
10 countries which contribute to nuclear proliferation,
11 and provide increased public information on nuclear
12 export licenses approved in the United States.

13 (12) Reduce incentives for countries to pursue
14 the acquisition of nuclear weapons by seeking to re-
15 duce regional tensions and to strengthen regional se-
16 curity agreements, and encourage the United Na-
17 tions Security Council to increase its role in enforc-
18 ing international nuclear nonproliferation agree-
19 ments.

20 (13) Support the indefinite extension of the Nu-
21 clear Non-Proliferation Treaty at the 1995 con-
22 ference to review and extend that treaty and seek to
23 ensure that all countries sign the treaty or partici-
24 pate in a comparable international regime for mon-

1 itoring and safeguarding nuclear facilities and mate-
2 rials.

3 (14) Adopt a United States policy of “no first
4 use” of nuclear weapons, reach agreement with the
5 other nuclear weapon states to adopt such a policy
6 and to assist immediately any country which is a
7 party to the Nuclear Non-Proliferation Treaty
8 should the use of nuclear weapons be initiated
9 against such country.

10 (15) Conclude a verifiable bilateral agreement
11 with the Russian Federation under which both coun-
12 tries withdraw from their arsenals and dismantle all
13 tactical nuclear weapons, and seek to extend to all
14 nuclear weapon states this zero option for tactical
15 nuclear weapons.

16 (16) Sign the appropriate protocols to the
17 South Pacific Nuclear Free Zone Treaty.

18 **SEC. 4. REQUIREMENTS FOR IMPLEMENTATION OF POLICY.**

19 (a) REPORT TO CONGRESS.—Not later than 180 days
20 after the date of the enactment of this Act, and not later
21 than February 1 of each year thereafter, the President
22 shall submit to the Congress a report on—

23 (1) the actions the United States has taken and
24 the actions the United States plans to take during

1 the succeeding 12-month period to implement each
2 of the policy objectives set forth in this Act;

3 (2) actions which have been taken by the Rus-
4 sian Federation, by the other former Soviet repub-
5 lics, and by other countries and institutions to
6 achieve those policy objectives; and

7 (3) obstacles that have been encountered in
8 seeking to implement those policy objectives.

9 Each such report shall be submitted in unclassified form,
10 with a classified appendix if necessary.

11 (b) REPORT ON NUCLEAR STOCKPILE INFORMA-
12 TION.—The President shall submit a report to the Con-
13 gress on the specific actions that have been taken and
14 those that are planned to comply with Condition 8 con-
15 cerning the “Nuclear Stockpile Weapons Arrangement” of
16 the Senate resolution of ratification of the START I trea-
17 ty (Treaty Doc. 102–20 and 102–32).

18 **SEC. 5. DEFINITIONS.**

19 As used in this Act—

20 (1) the term “fissile materials” means highly
21 enriched uranium and plutonium;

22 (2) the term “highly enriched uranium” means
23 uranium enriched to 20 percent or more in the iso-
24 tope U–235;

1 (3) the term “IAEA” means the International
2 Atomic Energy Agency;

3 (4) the term “IAEA safeguards” means the
4 safeguards set forth in an agreement between a
5 country and the IAEA, as authorized by Article
6 III(A)(5) of the Statute of the International Atomic
7 Energy Agency;

8 (5) a policy of “no first use” of nuclear weap-
9 ons means a commitment not to initiate the use of
10 nuclear weapons;

11 (6) the term “non-nuclear weapon state” means
12 any country that is not a nuclear weapon state;

13 (7) the term “Nuclear Non-Proliferation Trea-
14 ty” means the Treaty on the Non-Proliferation of
15 Nuclear Weapons, signed at Washington, London,
16 and Moscow on July 1, 1968;

17 (8) the term “nuclear weapon state” means any
18 country that is a nuclear-weapon state, as defined by
19 Article IX(3) of the Treaty on the Non-Proliferation
20 of Nuclear Weapons, signed at Washington, London,
21 and Moscow on July 1, 1968;

22 (9) the term “START I treaty” means the
23 Treaty on the Reduction of Strategic Offensive
24 Arms, signed by the United States and the Union of
25 Soviet Socialist Republics on July 31, 1991; and

1 (10) the term “START II treaty” means the
2 Treaty on Further Reductions and Limitations of
3 Strategic Offensive Arms, signed by the United
4 States and the Russian Federation on January 3,
5 1993.

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