

105TH CONGRESS  
2D SESSION

# H. R. 3333

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 1998

Mr. STARK introduced the following bill; which was referred to the Committee  
on International Relations

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## 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 1998”.

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 in countries in unstable re-  
4 gions, is now one of the leading military threats to  
5 the national security of the United States and its al-  
6 lies.

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

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

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

21           (6) Deteriorating conditions at nuclear weapons  
22 complex sites and nuclear bases in Russia have  
23 raised concerns about Russia’s ability to track its  
24 nuclear materials and account for its nuclear weap-  
25 ons. This has increased the threat of nuclear pro-

1 proliferation by creating the possibility that weapons,  
2 materials, equipment, plans, or experts could fall  
3 into the hands of potential proliferators.

4 (7) Belarus signed the Nuclear Non-Prolifera-  
5 tion Treaty, as a non-nuclear weapon state, on July  
6 23, 1993, Kazakhstan on February 14, 1994, and  
7 Ukraine on December 5, 1994.

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

14 (9) In October 1994, North Korea and the  
15 United States signed an agreement to exchange  
16 North Korea's existing nuclear reactors and repro-  
17 cessing equipment for modern light water reactor  
18 technology that is somewhat less suited to making  
19 bombs. However, North Korea's history of pursuing  
20 nuclear weapons capability, and the potential for po-  
21 litical and economic crisis on the peninsula, render  
22 North Korea an area for nuclear proliferation con-  
23 cern.

24 (10) Brazil and Argentina had substantial pro-  
25 grams to build nuclear weapons and South Africa

1 has admitted developing and building 6 nuclear  
2 weapons, but in response to reduced regional ten-  
3 sions and other factors, all 3 countries have re-  
4 nounced nuclear weapons and accepted IAEA safe-  
5 guards for all of their nuclear facilities, and all 3  
6 countries have acceded to the Nuclear Non-Prolifera-  
7 tion Treaty as non-nuclear weapon states.

8 (11) United States security interests and cur-  
9 rent policy and practices are consistent with the  
10 terms of the South Pacific Nuclear Free Zone Trea-  
11 ty which, like nuclear weapons free zones in Latin  
12 America, South Asia, the Middle East, and Africa  
13 that the United States supports, can contribute to  
14 efforts to avoid regional conflicts and prevent arms  
15 races. In 1996, the United States signed the South  
16 Pacific Nuclear Free Zone Treaty and the African  
17 Nuclear Weapons Free Zone Treaty.

18 (12) The IAEA is a valuable tool to counter  
19 proliferation, and has taken steps to strengthen its  
20 safeguard system through its Strengthened Safe-  
21 guards System program, but the effectiveness of its  
22 system to safeguard nuclear materials may be ad-  
23 versely affected by institutional and financial con-  
24 straints.

1           (13) The United States supports a policy of im-  
2 mobilizing some plutonium as an energy source and  
3 mixing some with low-enriched uranium as fuel that  
4 can be burned in commercial nuclear energy reac-  
5 tors.

6           (14) Plutonium being drawn from dismantled  
7 nuclear warheads creates new challenges of storage  
8 and disposal and, if in the wrong hands, could be  
9 converted into fuel for nuclear warheads.

10          (15) The Nuclear Non-Proliferation Treaty,  
11 which codifies world consensus against further nu-  
12 clear proliferation, has been extended indefinitely,  
13 and additional steps should be taken to strengthen  
14 the international nuclear nonproliferation regime.

15          (16) The Nuclear Non-Proliferation Act of  
16 1978 declared that the United States is committed  
17 to continued strong support for the Nuclear Non-  
18 Proliferation Treaty and to a strengthened and more  
19 effective IAEA, and provided that it is United States  
20 policy to establish more effective controls over the  
21 transfer of nuclear equipment, materials, and tech-  
22 nology.

23          (17) The goal of the United States is to end the  
24 further spread of nuclear weapons capability, roll  
25 back nuclear proliferation where it has occurred, and

1 prevent the use of nuclear weapons anywhere in the  
2 world. To that end the United States should adopt  
3 a comprehensive nuclear nonproliferation policy.

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

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

10 (1) Reach a verifiable agreement with the Rus-  
11 sian Federation to place all fissile materials from  
12 such weapons under bilateral or international con-  
13 trols, or both.

14 (2) Ratify the Comprehensive Nuclear Test Ban  
15 Treaty by the end of calendar year 1998, and press  
16 North Korea, India, and Pakistan to sign that trea-  
17 ty.

18 (3) Reach a verifiable agreement with the Rus-  
19 sian Federation to end the production of new types  
20 of nuclear warheads.

21 (4) Begin formal negotiations to reach a verifi-  
22 able multilateral agreement to reduce the strategic  
23 nuclear arsenals of the United States and the Rus-  
24 sian Federation to within a range of 2,000 to 2,500

1 each, with lower levels for the United Kingdom,  
2 France, and the People's Republic of China.

3 (5) Conclude additional enforceable multilateral  
4 agreements to significantly and continuously reduce  
5 the nuclear arsenals of all countries through a stage-  
6 by-stage process.

7 (6) Reach an immediate multilateral agreement  
8 with Nuclear Nonproliferation Treaty member states  
9 to halt permanently the production of weapons usa-  
10 ble fissile materials, and achieve worldwide agree-  
11 ments to—

12 (A) end by January 1, 2008, the produc-  
13 tion of fissile materials for any purpose;

14 (B) place existing stockpiles of such mate-  
15 rials under bilateral or international controls;  
16 and

17 (C) require all countries to place all of  
18 their nuclear facilities dedicated to peaceful  
19 purposes under IAEA safeguards.

20 (7) Strengthen IAEA safeguards to more effec-  
21 tively verify that countries are complying with their  
22 nonproliferation commitments and provide the IAEA  
23 with the political, technical, and financial support  
24 necessary to implement the necessary safeguard re-  
25 forms.

1           (8) Strengthen nuclear and dual-use export con-  
2           trols in the United States and other nuclear supplier  
3           nations, impose sanctions on individuals, companies,  
4           and countries which contribute to nuclear prolifera-  
5           tion, provide increased public information on nuclear  
6           export licenses approved in the United States, and  
7           ratify the model protocol of the IAEA's Strength-  
8           ened Safeguards System program.

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

16          (10) Conclude a separate agreement with the  
17          other nuclear weapon states to adopt a policy of "no  
18          first use" and to assist immediately any country  
19          which is a party to the Nuclear Non-Proliferation  
20          Treaty should the use of nuclear weapons be initi-  
21          ated against such country.

22          (11) Conclude a verifiable bilateral agreement  
23          with the Russian Federation under which both coun-  
24          tries withdraw from their arsenals and dismantle all  
25          tactical nuclear weapons, and seek to extend to all

1 nuclear weapon states this zero option for tactical  
2 nuclear weapons.

3 (12) Ratify the South Pacific Nuclear Free  
4 Zone Treaty and the African Nuclear Weapons Free  
5 Zone Treaty.

6 (13) Continue to monitor North Korea's activi-  
7 ties relating to replacing its nuclear reactors with  
8 light water reactors to ensure that North Korea does  
9 not resume its weapons development program.

10 (14) Begin formal negotiations on START III  
11 between the United States and the Russian Federa-  
12 tion before START II enters into force.

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

14 Not later than 180 days after the date of the enact-  
15 ment of this Act, and not later than February 1 of each  
16 year thereafter, the President shall submit to the Congress  
17 a report on—

18 (1) the actions the United States has taken  
19 during the preceding 12-month period and the ac-  
20 tions the United States plans to take during the suc-  
21 ceeding 12-month period to implement each of the  
22 policy objectives set forth in this Act;

23 (2) actions which have been taken by the Rus-  
24 sian Federation, by the other former Soviet repub-

1       lics, and by other countries and institutions to  
2       achieve those policy objectives; and

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

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

7 **SEC. 5. DEFINITIONS.**

8       As used in this Act—

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

11              (2) the term “highly enriched uranium” means  
12       uranium enriched to 20 percent or more in the iso-  
13       tope U-235;

14              (3) the term “IAEA” means the International  
15       Atomic Energy Agency;

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

21              (5) a policy of “no first use” of nuclear weap-  
22       ons means a commitment not to be the first to use  
23       nuclear weapons in a conflict;

1           (6) the term “non-nuclear weapon state” means  
2 any country that has not acquired nuclear weapons  
3 or their components;

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

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

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

17           (10) the term “START II treaty” means the  
18 Treaty on Further Reductions and Limitations of  
19 Strategic Offensive Arms, signed by the United  
20 States and the Russian Federation on January 3,  
21 1993; and

22           (11) the term “START III treaty” means the  
23 Treaty on Further Reductions and Limitations of  
24 Strategic Offensive Arms, as discussed between  
25 President Clinton and President Yeltsin at the sum-

1 mit meeting held in Helsinki, Finland in March of  
2 1997.

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