

Calendar No. 345111TH CONGRESS
2^D SESSION**S. RES. 446**

Commemorating the 40th anniversary of the Treaty on the Non-Proliferation
of Nuclear Weapons.

IN THE SENATE OF THE UNITED STATES

MARCH 8, 2010

Mr. CASEY (for himself and Mr. KERRY) submitted the following resolution;
which was referred to the Committee on Foreign Relations

APRIL 13, 2010

Reported by Mr. KERRY, 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*]

RESOLUTION

Commemorating the 40th anniversary of the Treaty on the
Non-Proliferation of Nuclear Weapons.

~~Whereas the Treaty on the Non-Proliferation of Nuclear
Weapons, done at Washington, London, and Moscow,
July 1, 1968, and entered into force on March 5, 1970,
has limited the spread of the most dangerous weapons
across the globe for 40 years;~~

Whereas the Treaty on the Non-Proliferation of Nuclear Weapons (also known as the NPT) is the cornerstone of the global nuclear nonproliferation regime;

Whereas 189 members of the United Nations have acceded to the Treaty on the Non-Proliferation of Nuclear Weapons; only three states have never signed it, and only one, North Korea, has declared its withdrawal from the Treaty;

Whereas more countries have ratified the Treaty on the Non-Proliferation of Nuclear Weapons than any other arms control or nonproliferation agreement in history;

Whereas the Treaty on the Non-Proliferation of Nuclear Weapons commits non-nuclear weapon states that want to benefit from the peaceful application of nuclear technology not to develop nuclear weapons and commits the 5 recognized nuclear weapon states to take measures to achieve, at the earliest possible date, the elimination of their nuclear weapon stockpiles;

Whereas the Treaty on the Non-Proliferation of Nuclear Weapons assigns to the International Atomic Energy Agency the responsibility of maintaining a safeguards system to verify that non-nuclear weapons states party to the Treaty are not diverting nuclear technology from peaceful uses to nuclear weapons or other nuclear explosive devices;

Whereas, as of December 15, 2009, only 94 countries and one regional organization had brought into force an Additional Protocol to their Comprehensive Safeguards Agreement with the International Atomic Energy Agency;

Whereas President John F. Kennedy stated that nuclear weapons pose “the greatest possible danger” to the

United States and warned that the United States could soon face a world in which there were 15–20 nuclear weapon states; but today, as a result of the global norms and mutual assurances established by the Treaty on the Non-Proliferation of Nuclear Weapons, the world has only 9 presumed nuclear weapons states;

Whereas United States policies and bilateral and multilateral treaties have reduced the number of nuclear weapons in the world from a Cold War high of approximately 70,000 to approximately 24,000, and the United States has reduced its stockpile of nuclear weapons from a high of 32,000 warheads and bombs to fewer than 10,000 today;

Whereas, at the fifth Non-Proliferation Treaty Review Conference, in 1995, states party to the Treaty on the Non-Proliferation of Nuclear Weapons agreed to extend the Treaty indefinitely;

Whereas the seventh Non-Proliferation Treaty Review Conference, in 2005, failed to respond collectively on a number of issues, including noncompliance, nuclear programs in Iran and North Korea, the withdrawal clause, nuclear terrorism, clandestine nuclear supply networks, negative security assurances, nuclear disarmament, the nuclear fuel cycle, and enforcement mechanisms;

Whereas, on September 24, 2009, a United Nations Security Council summit chaired by President Barack Obama unanimously adopted United Nations Security Council Resolution 1887, which reaffirms the Security Council's commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, calls on states not yet signatories to accede to the Treaty, urges full compliance with the Treaty by member states, including members facing “major challenges” with their obligations, and sets goals

to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons at the 2010 Review Conference;

Whereas the eighth Non-Proliferation Treaty Review Conference will take place May 3–28, 2010, in New York to discuss disarmament, security assurances, nonproliferation, peaceful uses of nuclear energy, the nuclear fuel cycle, the mandate of the International Atomic Energy Agency, safety and security of nuclear material, universality, Nuclear Weapons-Free Zones, export controls, and the Treaty's withdrawal clause; and

Whereas the eighth Review Conference presents an opportunity to refocus states party to the NPT on the danger that the spread of nuclear weapons poses, to discuss potential ways to deal with countries that continue to pose a nuclear security threat, and to find common solutions so as to further reduce the number of nuclear weapons in the world and enable increased use of nuclear energy while improving safeguards to ensure that illicit nuclear programs are not occurring: Now, therefore, be it

Whereas the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force on March 5, 1970, has limited the spread of the most dangerous weapons across the globe for 40 years;

Whereas the Treaty on the Non-Proliferation of Nuclear Weapons (also known as the NPT) is the cornerstone of the global nuclear nonproliferation regime;

Whereas 189 members of the United Nations have joined the Treaty on the Non-Proliferation of Nuclear Weapons, only three states have never signed it, and only one, North Korea, has withdrawn from the Treaty;

Whereas there are more states party to the Treaty on the Non-Proliferation of Nuclear Weapons than to any other treaty in history;

Whereas the Treaty on the Non-Proliferation of Nuclear Weapons requires non-nuclear weapon states that want to benefit from the peaceful application of nuclear technology not to develop nuclear weapons;

Whereas, pursuant to Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control;

Whereas each non-nuclear-weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons undertakes to accept International Atomic Energy Agency safeguards on peaceful nuclear activities as set forth in agreements negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system for the exclusive purpose of verification of the fulfillment of obligations assumed under the Treaty on the Non-Proliferation of Nuclear Weapons with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices;

Whereas 22 non-nuclear-weapon states party to the Treaty on the Non-Proliferation of Nuclear Weapons have not yet brought into force a comprehensive safeguards agreement with the International Atomic Energy Agency, as required by Article III.1 of the Treaty on the Non-Proliferation of Nuclear Weapons;

Whereas 95 countries and one regional organization have brought into force an Additional Protocol to their Comprehensive Safeguards Agreement with the International Atomic Energy Agency;

Whereas President John F. Kennedy stated that nuclear weapons pose “the greatest possible danger” to the United States and warned that the United States could soon face a world in which there were 15-20 nuclear weapon states, but today, as a result of the obligations established by the Treaty on the Non-Proliferation of Nuclear Weapons, only four states not party to the Treaty on the Non-Proliferation of Nuclear weapons may possess weapons;

Whereas United States policies and bilateral and multilateral treaties have reduced the number of nuclear weapons in the world from a Cold War high of approximately 70,000 to approximately 24,000, and the United States has reduced its stockpile of nuclear weapons from a high of 32,000 warheads and bombs to fewer than 10,000 today;

Whereas, at the fifth Non-Proliferation Treaty Review Conference, in 1995, states party to the Treaty on the Non-Proliferation of Nuclear Weapons agreed to extend the Treaty indefinitely;

Whereas, on September 24, 2009, a United Nations Security Council summit chaired by President Barack Obama unanimously adopted United Nations Security Council Resolution 1887, which reaffirms the Security Council’s commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, calls on states not yet signatories to accede to the Treaty, urges full compliance with the Treaty by member states, including members facing “major challenges” with their obligations, and sets goals to strengthen

the Treaty on the Non-Proliferation of Nuclear Weapons at the 2010 Review Conference;

Whereas the eighth Non-Proliferation Treaty Review Conference will take place May 3–28, 2010, in New York; and

Whereas the eighth Review Conference presents an opportunity to refocus states party to the Treaty on the Non-Proliferation of Nuclear Weapons on the danger that the spread of nuclear weapons poses, to discuss potential ways to deal with countries that continue to pose a nuclear security threat, and to find common solutions so as to further reduce the number of nuclear weapons in the world and enable increased use of nuclear energy while improving safeguards to ensure that illicit nuclear programs are not occurring: Now, therefore, be it

1 *Resolved, That the Senate—*

2 (1) reaffirms its support for the Treaty on the
3 Non-Proliferation of Nuclear Weapons to prevent
4 the spread of nuclear weapons; to further reduce the
5 number of nuclear weapons; and to promote the
6 sharing of nuclear energy technology for peaceful
7 purposes;

8 (2) urges the President to work to achieve uni-
9 versality in adherence to the Treaty on the Non-Pro-
10 liferation of Nuclear Weapons;

11 (3) encourages the President to work with
12 international partners of the United States and
13 states party to the Treaty on the Non-Proliferation
14 of Nuclear Weapons to have the Model Additional

1 Protocol to Comprehensive Safeguards Agreements
2 become the global standard for safeguards and a re-
3 quirement for nuclear commerce;

4 (4) urges the President to ensure that the
5 International Atomic Energy Agency has the nec-
6 essary resources, personnel, and technology to con-
7 duct its oversight responsibilities as they relate to
8 the Treaty on the Non-Proliferation of Nuclear
9 Weapons; and

10 (5) encourages the President to work with other
11 states party to the Treaty on the Non-Proliferation
12 of Nuclear Weapons to strengthen enforcement
13 mechanisms and develop collective responses to any
14 notification of withdrawal from the Treaty.

15 *That the Senate—*

16 (1) *reaffirms its support for the Treaty on the*
17 *Non-Proliferation of Nuclear Weapons to prevent the*
18 *spread of nuclear weapons, to further reduce the num-*
19 *ber of nuclear weapons, and to promote the peaceful*
20 *use of nuclear energy;*

21 (2) *urges the President to work to achieve uni-*
22 *versal compliance with the Treaty on the Non-Pro-*
23 *liferation of Nuclear Weapons;*

24 (3) *encourages the President to work with inter-*
25 *national partners of the United States and states*

1 *party to the Treaty on the Non-Proliferation of Nu-*
2 *clear Weapons to promote the Model Additional Pro-*
3 *TOCOL to all Safeguards Agreements as the global*
4 *standard for safeguards and a requirement for nu-*
5 *clear commerce;*

6 *(4) urges the President to ensure that the Inter-*
7 *national Atomic Energy Agency has the necessary re-*
8 *sources, personnel, and technology to conduct its over-*
9 *sight responsibilities as they relate to the Treaty on*
10 *the Non-Proliferation of Nuclear Weapons; and*

11 *(5) encourages the President to work with other*
12 *states party to the Treaty on the Non-Proliferation of*
13 *Nuclear Weapons to strengthen compliance and en-*
14 *forcement mechanisms and develop collective responses*
15 *in the United Nations Security Council and in any*
16 *other relevant multilateral fora to any notification of*
17 *withdrawal from the Treaty.*

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RESOLUTION

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