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THE SENATE COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

STATEMENT OF

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Managing Interagency Nuclear Nonproliferation Efforts:
Are We Effectively Securing Nuclear Materials Around the World?

INTRODUCTION

Chairman Akaka, Ranking Member Johnson, and Members of the Committee, good afternoon and thank you for having me here to discuss the Department of State's role in interagency efforts to secure vulnerable nuclear material around the globe. This is an important priority for the United States and Congress's past support has been critical to this mission.

My testimony today will focus on State's support to accomplish the President's vision to secure all vulnerable nuclear materials in four years—a goal endorsed by 47 nations at the 2010 Nuclear Security Summit. I also will discuss cost sharing efforts with our international partners and international organizations. Finally, I will conclude with some thoughts on how Congress can continue to support this vital effort.

HARNESSING DIPLOMACY TO MEET NUCLEAR SECURITY

In April 2009 in Prague, President Obama shared his vision for a world without nuclear weapons, free from the threat of nuclear terrorism, and united in our approach toward shared nuclear security goals. The specter of nuclear terrorism is one of the most challenging threats to global security today. We know, for example, Al Qaeda has tried to obtain or develop a nuclear attack capability to use against the United States. And we also know that there are large quantities of weapon-usable nuclear materials – that is, highly-enriched uranium (HEU) and separated plutonium –around the world. While it is impossible to predict the likelihood of a nuclear attack by terrorists, they have openly declared their desire to launch mass-casualty attacks on civilian population centers.

Given the catastrophic and perhaps existential political and economic repercussions of such an attack anywhere in the world, nations everywhere share a common interest in establishing the highest levels of security and protection for weapon-usable nuclear material. The international community also shares a common responsibility to strengthen national and international efforts to prevent smuggling of these materials, and to detect and intercept smuggled nuclear materials in transit.

Though the efforts to secure nuclear material across the globe have improved our security, the persistence of illicit trafficking of weapons-usable nuclear material demonstrates that efforts to consolidate materials and secure facilities must be complemented by broader efforts to detect and investigate cases of nuclear materials outside proper control. In particular, cases of illicit trafficking of highly enriched uranium in 2010 and 2011 suggest caches of nuclear materials may exist on the black markets that need to be found and secured. Effective detection, law enforcement, and nuclear forensics capacities and international cooperation are needed to identify and investigate such cases, establish links between incidents, locate materials on the black market, arrest and prosecute nuclear smugglers, and identify facilities from which materials were stolen so security gaps can be addressed.

THE U.S. LOCKDOWN STRATEGY

To guide the implementation of the 2010 Nuclear Security Summit commitment to a focused and intensified international effort to lock down or remove vulnerable nuclear materials, U.S. Government departments and agencies, working with countries around the world, are executing an integrated strategy that aligns authorities, capabilities, and resources to address global nuclear threats. This strategy has three levels:

- **Site-Level Approach:** The United States takes seriously its responsibility to secure its own nuclear materials, and constantly evaluates its nuclear facilities and activities to ensure preparedness to respond to the full range of potential threats. Wherever possible, the United States and its international partners work cooperatively with other countries to minimize the civil use of HEU, to eliminate unneeded weapons-usable material, and to improve security by providing equipment, training, transportation, and other assistance that requires direct access to these countries' facilities.

- **Country-Level Approach:** Where site-level assistance is either not possible or not appropriate, the United States cooperates with the governments of other countries to exchange nuclear security best practices and to demonstrate the safe use of equipment and methodologies. One component of this approach is U.S. support for "centers of excellence" that can carry out national and regional training as well as research and development of nuclear security technologies.

- **Global-Level Approach:** The United States is a leader in developing global initiatives that emphasize the responsibility and actions that all nations must undertake to improve nuclear security. Through the Nuclear Security Summit and other international fora, the United States promotes the ratification and implementation of key treaties and UN Security Council resolutions governing nuclear security, increased funding and assistance for nuclear security, and augmenting the International Atomic Energy Agency's nuclear security activities.

Our goal is to remove, consolidate, or eliminate as much material as practicable, and to ensure that all remaining sites are, at a minimum, in compliance with the guidelines set forth in the International Atomic Energy Agency (IAEA) document, "Nuclear Security Recommendations for the Physical Protection of Nuclear Material and Nuclear Facilities," with the understanding that some sites will require more extensive security measures. The prioritization of U.S. efforts is driven by a combination of the assessed threat environment, the vulnerability of nuclear material, and political opportunity. Although the focused four-year effort will end in 2013, ensuring nuclear security will remain an enduring responsibility for as long as nuclear materials continue to exist.

STATE DEPARTMENT SUPPORT

The Department of State makes important contributions across all three levels of the U.S. lockdown strategy. At the site level, in connection with our peaceful nuclear cooperation with other countries, U.S. interagency teams, which State participates in and sometimes leads, must confirm whether physical protection at foreign sites requesting nuclear material from the United States meets accepted international physical security recommendations before an export license may be granted. Additionally, sites that hold U.S.-obligated material are also assessed on a periodic basis, depending on the category of material at the site. Our goal is to assess sites with Category I material every five years. In addition to assessment, the interagency teams also share with their foreign counterparts "best practices" for securing nuclear material and nuclear facilities. The physical protection recommendations used for comparison are those described in the previously mentioned IAEA document, "*Nuclear Security Recommendations for the Physical Protection of Nuclear Material and Nuclear Facilities*." The United States led an international effort to revise this document to take into account the revised threat environment post-9/11. The revised document was published in January 2012.

At the country level, The Nuclear Smuggling Outreach Initiative (NSOI) is a State Department-led interagency effort that seeks to develop partnerships with key countries to enhance nuclear security and combat nuclear smuggling. NSOI has developed joint actions plans with 12 partner countries. These joint action plans specify steps to improve nuclear security, including following through on commitments to remove nuclear materials and sustain facility upgrades. NSOI has secured funding from 15 international donors and several U.S. programs for 67 projects to help partner states implement their joint action plans, improve nuclear security, and combat nuclear smuggling. NSOI works closely with U.S. assistance providers and international donors, including the International Atomic Energy Agency (IAEA), to ensure these efforts are complementary and focused on the countries and projects that will produce the greatest nuclear security impact. The Preventing Nuclear Smuggling Program (PNSP) works closely with NSOI to leverage international funding and to fund projects where no foreign donors can be found, particularly in the areas of promoting law enforcement and nuclear forensics cooperation. Through PNSP, State is working with other U.S. agencies and partner nations to build robust counter nuclear smuggling teams similar to those that have been responsible for most of the interdictions of weapons-usable nuclear material since the 1990s. PNSP has also helped front-line states develop nuclear forensics capabilities, facilitate cooperative relationships with international partners, and establish reference libraries of nuclear materials, an essential tool for effective identification of smuggled material.

Through the Export Control and Related Border Security (EXBS) Program, the State Department leads the interagency effort to combat WMD-related procurement by helping to build comprehensive national export and border control systems in over 60 foreign partner countries. With over 500 capacity-building training activities a year, EXBS strengthens the capabilities of partner states to prevent illicit or irresponsible transfers of goods and technologies for use in nuclear weapons by promoting adoption, implementation, and enforcement of export and transshipment controls, including controls over transfers of proliferation-sensitive information via electronic or “intangible” means. EXBS also assists partner countries in combating illicit procurement of nuclear and fissile material by strengthening their border security capabilities. To that end, in 2010-2011, EXBS provided over 50 bilateral and regional training activities to 35 EXBS partner nations addressing nuclear detection, isotope identification, and response; commodity identification; and WMD targeting and interdiction. The EXBS program also provides equipment necessary to detect, deter, and interdict smuggling of radioactive and nuclear materials, WMD-related components, and other weapons-related items at ports of entry and across borders. Since 2008, 28

EXBS partner nations received over 1500 units of EXBS-donated equipment, including radiation detection equipment, x-ray imaging equipment, and isotope identifiers.

At the global level, the Department of State also leads U.S. participation in the Global Initiative to Combat Nuclear Terrorism (GICNT), a partnership of 82 nations and four official observers (IAEA, European Union, INTERPOL and the United Nations Office on Drugs and Crime) committed to working individually and collectively to implement a set of shared nuclear security principles.

The mission of the GICNT is to strengthen global capacity to prevent, detect, and respond to nuclear terrorism by conducting multilateral activities that strengthen the plans, policies, procedures, and interoperability of partner nations. To date, GICNT partners have conducted almost 50 multilateral activities and seven senior-level meetings in support of these nuclear security objectives. The United States and Russia serve as Co-Chairs of the GICNT, and Spain serves as Coordinator of the Implementation and Assessment Group.

COST SHARING AND INTERNATIONAL COOPERATION

We are committed to being responsible stewards of taxpayer dollars and have taken steps to ensure that we share the costs of nuclear security with our international partners. Three key examples of this are our work with the G8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction (GP), the UN 1540 Committee, and the IAEA's Office of Nuclear Security, all of which support the global level of the U.S. lockdown strategy.

The GP is a forum that promotes assistance to other nations to secure nuclear material, as well as other material and expertise that could be utilized for WMD. The GP was launched by G8 Leaders at the 2002 G8 Summit as a $20 billion commitment over ten years (2002-2012). Since then, the GP has grown to include 24 Partners and has allocated about $21 billion worldwide. At the 2011 G8 Summit, G-8 leaders decided to extend the Global Partnership beyond 2012.

The United States currently chairs the GP. The GP highlights and focuses on nuclear and radiological security, bio-security, scientist engagement, and facilitating implementation of UN Security Council Resolution 1540.

In this way, the GP will continue to be a positive cost sharing arrangement that allows the United States and international partners to further coordinate their

efforts on WMD nonproliferation and material security while working towards the President's goal of securing vulnerable nuclear material.

Another important example of cost-sharing and international cooperation to address the challenge of nuclear security is the global effort to implement UN Security Council Resolution 1540. Unanimously adopted in 2004, this resolution mandates that all UN Member States take specific measures and impose domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons, related materials, and their means of delivery. It also provides another mechanism through which we share the costs of achieving nuclear security. Countries that lack sufficient capacity to implement UNSCR 1540 can request implementation assistance, through the 1540 Committee, from other UN Member States which have offered assistance.

The United States has been a strong and consistent supporter of the 1540 resolution. When the mandate of the 1540 Committee – established to oversee 1540 implementation activities – was due for renewal, the United States led efforts to extend it. On April 20, 2011, the Security Council unanimously adopted Resolution 1977 extending the mandate of the 1540 Committee for another 10 years.

The 2010 Nuclear Security Summit reaffirmed the IAEA's essential role in the international nuclear security framework and pledged to ensure that the IAEA's Office of Nuclear Security (ONS) has the resources it needs to develop international guidance and help Member States apply that guidance. The United States is one of the largest contributors to ONS, and we continue to advocate providing more funding for ONS from the IAEA's regular budget to increase predictability, flexibility, and accountability.

We also work to ensure that these activities are fully coordinated with all appropriate IAEA Departments and implemented consistently with our broader IAEA agenda.

I would therefore like to take this opportunity to reaffirm that we have worked tirelessly to ensure that the management-related recommendations from the 2009 report from the Government Accountability Office on the IAEA's Technical Cooperation (TC) program are implemented. The IAEA TC Department has enacted substantial reforms and has become significantly more transparent in recent years, including increasing the quantity of information on specific project proposals and the timeframe in which this information is provided to the United

States and others. We are working hard to ensure that the program does not create new proliferation concerns.

CONTINUING CONGRESSIONAL SUPPORT

I would like to briefly turn now to congressional support for these important efforts. In particular, I want to highlight the need for implementing legislation for four key treaties that are significant tools in the nuclear security toolbox as well as in the fight against international terrorism and the proliferation of WMD.

- The International Convention for the Suppression of Acts of Nuclear Terrorism ("ICSANT" or "the Nuclear Terrorism Convention") addresses a critical category of terrorist activity, the nexus between terrorism and nuclear weapons and other radioactive materials and devices, such as "dirty bombs;"

- The Amendment to the Convention on Physical Protection of Nuclear Material ("CPPNM Amendment") addresses the physical protection of nuclear material used for peaceful purposes in domestic use, storage, and transport—in addition to that in international nuclear transport—and the physical protection of nuclear facilities used for peaceful purposes; and

- Two Protocols to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation and the Convention for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf ("2005 SUA Protocols"), address the potential use of maritime vessels and platforms as a means of conducting or enabling terrorist activity and the unlawful transport of WMD and related items via commercial ships.

In 2008, the Senate unanimously provided its advice and consent to ratification of all four treaties. We have submitted proposed implementing legislation needed for the United States to meet its obligations under these treaties, and we strongly urge passage of legislation so that the United States can formally ratify the treaties.

Their ratification is important for several reasons.

First, and most importantly, our joining these treaties will enhance U.S. national security. These treaties fill gaps in the international legal regime and in so doing they modernize and strengthen the international legal framework in a manner that

is critical to our efforts to prevent terrorists from acquiring or using WMD.

Second, the treaties further nuclear security priorities such as the Global Initiative to Combat Nuclear Terrorism and the implementation of United Nations Security Council Resolution 1540.

Finally, U.S. ratification of these treaties will encourage widespread ratification and implementation by other countries. This, in turn, will advance our national security and reinforce U.S. leadership in this crucial arena.

I urge Congress to expeditiously enact implementing legislation that would allow us to ratify these key treaties.

CONCLUSION

I will conclude by stressing that reducing the risk of nuclear terrorism is a complicated undertaking, but that the interagency is working together effectively to meet the challenge. Led by the National Security Staff, the Departments of Defense, Energy, Justice, Homeland Security, and State, among others, are working urgently to reduce the risk of terrorists, criminal organizations, or extremists getting their hands on nuclear weapons, or the materials, expertise, and technology necessary to build them. We cannot afford to be diverted from this endeavor. The President's four-year effort to secure vulnerable nuclear material around the world and the Nuclear Security Summit process convene our allies and other countries around the globe to ensure that we bring every resource to bear on this important challenge.

Thank you for your time and focus on this critical issue. I look forward to your questions.