

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. RES. \_\_\_\_\_

Expressing the sense of the Senate that establishing a regional nuclear fuel bank would assist international efforts to avoid a destabilizing arms race in the Middle East and would promote the peaceful use of nuclear power.

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IN THE SENATE OF THE UNITED STATES

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Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on \_\_\_\_\_

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## RESOLUTION

Expressing the sense of the Senate that establishing a regional nuclear fuel bank would assist international efforts to avoid a destabilizing arms race in the Middle East and would promote the peaceful use of nuclear power.

Whereas the International Atomic Energy Agency (IAEA), on October 17, 2019, established and began operating a Low Enriched Uranium (LEU) Bank in Oskemen, Kazakhstan;

Whereas the IAEA LEU Bank currently has physical stock of 90 metric tons of low enriched uranium hexafluoride suitable to make fuel for nuclear power reactors worldwide;

Whereas the IAEA Bank mission is to ensure member states of the IAEA are able to obtain fuel for their reactors if there is a disruption in their existing fuel supply arrangements and LEU cannot be obtained by any other means;

Whereas a member state of the IAEA who wants to buy LEU from the fuel Bank must be in compliance with all of their nuclear safeguard agreements and not under investigation by the IAEA Board of Governors;

Whereas the establishment and operation of the IAEA LEU Bank is fully funded by voluntary contributions;

Whereas these voluntary contributions have come from the United States, the European Union, Kuwait, the United Arab Emirates (UAE) , and non-government actors such as the Nuclear Threat Initiative (NTI);

Whereas, in April 2009, President of Iran Mahmoud Ahmadinejad welcomed the then proposal to set up a global nuclear fuel repository, under strict international controls;

Whereas, in an April 2005 statement at the IAEA, the Islamic Republic of Iran said it will only pursue nuclear activities in the peaceful domain, and the Leader of the Islamic Republic of Iran Ayatollah Ali Khamenei had issued a fatwa that the production, stockpiling, and use of nuclear weapons are forbidden under Islam and that the Islamic Republic of Iran shall never acquire these weapons;

Whereas the provision of LEU fuel enables a state to forgo domestic uranium enrichment and reprocessing for commercial nuclear reactors;

Whereas the UAE has successfully developed commercial nuclear power without a domestic capability to enrich uranium or reprocess spent fuel;

Whereas many states in the Middle East are seeking to establish commercial nuclear power reactors to supply power to their electrical grid;

Whereas the development of uranium enrichment and reprocessing capabilities increases the proliferation risk associated with nuclear technology, materials, and weapons; and

Whereas Iran's nuclear program is leading other Middle East states to consider how to match Iran's enrichment capabilities: Now, therefore, be it

1       *Resolved*, That it is the sense of the Senate that—

2               (1) the establishment of a regional nuclear fuel  
3       bank, or a rules modification and expansion of the  
4       existing LEU Bank, in coordination with other  
5       international actors, should be part of a comprehensive  
6       plan for confronting nuclear nonproliferation in  
7       the Middle East;

8               (2) the United States should implement a policy  
9       that guarantees that any Middle East state that  
10      forgoes domestic uranium enrichment and reprocessing  
11      will be able to purchase fuel for their commercial  
12      nuclear reactors from an international nuclear fuel  
13      bank;

14              (3) in order to expand the existing IAEA LEU  
15      Bank or establish a new regional nuclear fuel bank,

1 the United States should provide technical experi-  
2 ence and funds and should encourage others to make  
3 financial donations to such bank;

4 (4) the United States should seek bilateral and  
5 multilateral nuclear cooperation agreements with  
6 various Middle Eastern states, including Iran, pur-  
7 suant to section 123 of the Atomic Energy Act of  
8 1954 (42 U.S.C. 2153) (“123 agreements”) that in-  
9 clude the adoption of IAEA Additional Protocols for  
10 verification of nuclear safeguards that include a  
11 commitment by states to forgo domestic uranium en-  
12 richment and reprocessing of spent fuel;

13 (5) if Iran enters into and implements a nuclear  
14 agreement in which it forgoes domestic uranium en-  
15 richment and reprocessing of spent fuel, the United  
16 States should commit to and provide sanctions relief  
17 beyond that agreed to in the Joint Comprehensive  
18 Plan of Action (JCPOA) signed at Vienna on July  
19 14, 2015, by Iran and by France, Germany, the  
20 Russian Federation, the People’s Republic of China,  
21 the European Union, the United Kingdom, and the  
22 United States;

23 (6) any such sanctions relief should include the  
24 termination of certain United States “primary”  
25 sanctions, as appropriate, but other United States

1 sanctions should remain in place until Iran verifiably  
2 ceases its malign activity, including its support for  
3 terrorism, its human rights abuses, its hostage-tak-  
4 ing, and its destabilizing activities in the region, and  
5 refrains from resuming such activities; and

6 (7) any international agreement limiting Iran's  
7 nuclear program and providing sanctions relief to  
8 which the United States is a signatory should be  
9 submitted to the Senate for its advice and consent  
10 to ratification pursuant to Article II of the Constitu-  
11 tion.