

CHARLES E. SCHUMER
10TH DISTRICT, NEW YORK

WASHINGTON OFFICE:
2412 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6616
TELEFAX (202) 225-4183

BROOKLYN OFFICE:
1628 KINGS HIGHWAY
BROOKLYN, NY 11229
(718) 965-5400
TELEFAX (718) 965-5256

Congress of the United States
House of Representatives
Washington, DC 20515

August 8, 1991

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CHAIRMAN
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WHIP-AT-LARGE

Admiral James D. Watkins
Secretary of Energy
United States Department of Energy
1000 Independence Ave. SW
Washington, DC 20585

Dear Mr. Secretary:

As you know, the operator of the HFR/Petten reactor has requested a U.S. export of 38 kilograms of nuclear weapons-grade, highly enriched uranium. The uranium is intended to refuel the reactor, but if stolen or diverted by a terrorist, it is a quantity sufficient for one or two nuclear weapons.

This proposed export appears to be dangerous and unnecessary. All indications are that the reactor now is capable of using non-weapons-grade, low enriched uranium fuel, without any significant impact on reactor performance or operation costs. In previous years, the operator made a commitment to convert to low enriched fuel as soon as it became available. Indeed, this promise to convert was one of the preconditions for past U.S. exports of bomb-grade uranium.

Since 1978, when the United States established the Reduced Enrichment Research and Test Reactors (RERTR) Program, we never have exported bomb-grade uranium to a reactor capable of using low enriched fuel. If the U.S. breaks this long-established precedent by approving the HFR/Petten request, allowing the operator to renege on its past commitments, we risk undermining both the program and U.S. non-proliferation policy in general. This would be precisely the wrong signal to send in the wake of our experience in the Persian Gulf, when nuclear non-proliferation should be rising to the top of the nation's agenda.

We believe that a thorough examination of the issues raised by the pending HFR/Petten HEU export application is in order, given the implications this proposed export poses for U.S. nuclear non-proliferation policy and the consistency of current export control regulations with that policy. In order to more fully inform ourselves and our colleagues regarding the facts and circumstances surrounding the pending application, we request your assistance and cooperation in providing us with the following information:

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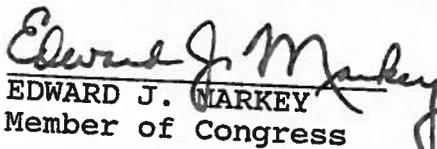
1. Copies of all correspondence between the Department of Energy or its contractors (including but not limited to the RERTR Program at Argonne National Laboratory) and the operator of the HFR/Petten reactor in the Netherlands, from August 1, 1989 to the present.

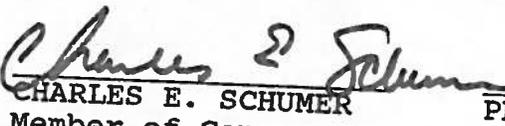
2. Copies of all notes, memoranda, or other documents in the possession of the Department of Energy or its contractors (including but not limited to the RERTR Program at Argonne National Laboratory) which address the technical capacity of the HFR/Petten reactor to convert to low enriched uranium fuel and/or any past commitments made by the operator to convert this reactor, including but not limited to any proposed schedules for conversion presented in the past.

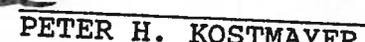
We believe that the requested documents should help shed light on any obstacles to conversion and on the operator's reported reluctance to convert. Because of the pending export application, we ask that a response be provided to us within 10 working days, or no later than August 22, 1991. Should you have any questions about our request, please have your staff contact Mr. Alan Kuperman (Rep. Schumer) at 225-6616 or Mr. Jeffrey Duncan (Rep. Markey) at 225-3979.

Thank you for your attention to this timely matter.

Sincerely,


EDWARD J. MARKEY
Member of Congress


CHARLES E. SCHUMER
Member of Congress


PETER H. KOSTMAYER
Member of Congress

cc: Arlen Erdahl, Acting Assistant Secretary for
International Affairs and Energy Emergencies
Erik Rasmussen, DOE Congressional Affairs