

United States Senate

WASHINGTON, DC 20510

April 8, 2016

The Honorable Dr. Ernest Moniz
Secretary
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Dear Secretary Moniz:

We have long held that your current idea to terminate the Mixed Oxide Fuel Fabrication Facility (MOX) faces insurmountable problems both at home and abroad. Our concerns were further validated this week in comments by Russian President Vladimir Putin.

Speaking to Russian regional and local media on April 7, President Putin harshly criticized your attempt to deviate from the terms of the Plutonium Management and Disposition Agreement (PMDA) stating that, “[The United States] announced that they plan to dispose of their accumulated highly enriched nuclear fuel by using a method other than what we agreed on,” and expressed concern that the dilute and dispose alternative endorsed by the Obama Administration, “preserve[s] what is known as the breakout potential, in other words it can be retrieved, reprocessed and converted into weapons-grade plutonium again.” Putin concluded his assessment of the current state of the PMDA by stating that “[o]ur partners must understand ... that they should be able to meet their obligations.” Putin cited the abandonment of this agreement as a reason why he chose to skip the 2016 Nuclear Security Summit, one of President Obama’s top priorities.

During a Senate Appropriations hearing before the Energy and Water subcommittee, you testified that, “[we] have had informal discussions [with the Russians] which have been positive.” Clearly, this is not the case and unfortunately fits a pattern when it comes to dealing with DOE. DOE has thus far been unable to answer the most basic of questions relating to the path forward with a MOX alternative. Additionally, DOE has yet to answer the policy and technical questions included in the *FY16 National Defense Authorization Act*. Any effort to pivot away from the MOX program should be closely scrutinized to ensure the mistakes endemic in all major DOE programs are not repeated.

Despite the many potentially insurmountable domestic and international obstacles to changing the terms of the PMDA, DOE decided to cancel the MOX program in the President’s FY17 budget request. Again, we reiterate your current plan has not been fully vetted, does not have validated cost estimates, has numerous unanswered technical questions, and leads to the permanent orphaning of at least 27 metric tons of weapons grade plutonium, enough for thousands of warheads. This is why we will pursue all the tools at our disposal to ensure that construction on the MOX program proceeds until all questions about alternatives are favorably resolved.

Finally, President Obama has put a lot of time, energy, and effort into hosting these nuclear security and nonproliferation summits. We find it unfortunate that DOE’s short sighted efforts to kill MOX have allowed President Putin -- who is no friend of the United States and our foreign policy objectives -- to claim the high ground about living up to international agreements. We fear this Administration’s recent words and actions on MOX have unnecessarily harmed our nation’s long-time leadership role when it comes to nuclear nonproliferation.

We are including the full question and answer between President Putin and Ilya Lochkanov for your reference.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lindsey O. Graham", with a horizontal line underneath.

Lindsey O. Graham
United States Senator

A handwritten signature in blue ink, appearing to read "Tim Scott", with a horizontal line underneath.

Tim Scott
United States Senator

**Transcript of Question and Answer at the Truth and Justice regional and local media forum
April 7, 2017**

Ilya Lochkanov: Good afternoon, Mr President. My name is Ilya Lochkanov and I am from Belgorod. What interests me is the following question. A nuclear security summit recently took place in Washington, and many countries attended, but Russia did not – neither you, nor any Russian representative. Were you invited to take part? Why did things happen this way? My second question is more personal: Could you describe the Russia of your dreams? Thank you.

Vladimir Putin: Let us start with the more important question, the second one. Russia should be an independent, strong, effective, modern and future-focused country. It should be a country in which it is comfortable, agreeable and prestigious to live.

As for your other question, whether I was invited or not, yes, I was invited, and my colleague invited me personally. Frankly speaking, I was not opposed to the idea of taking part, but our experts in the nuclear field and the Foreign Ministry did not recommend it for the following reasons.

First, as it became clear, this was an event ‘amongst ourselves’, a primarily American event. Normally, events of this sort and level take place on a consensus basis, with the possibility of taking part in drafting the final resolutions. In this case, however, it was all divided into five groups, I believe, and they proposed that we take part in only one. This meant that our representatives could make their contribution to the final decisions only in one area. In other words, we would not have been able to take part in drafting any overall documents that might have been adopted. However, a big nuclear power like Russia cannot take part in an event such as this and not have the possibility to influence the drafting of the final resolutions. We said so directly and frankly to our partners some time ago now.

The other circumstance is that back in the early 2000s, the Americans and we agreed on destroying weapons-grade plutonium. This agreement covered surplus weapons-grade plutonium produced at US enterprises and at ours. This is the highly enriched fissile material that is used to make nuclear weapons. Each side had 34 tonnes. We signed this agreement and settled on the procedures for the material’s destruction, agreed that this would be done on an industrial basis, which required the construction of special facilities. Russia fulfilled its obligations in this regard and built these facilities, but our American partners did not.

Moreover, only recently, they announced that they plan to dispose of their accumulated highly enriched nuclear fuel by using a method other than what we agreed on when we signed the corresponding agreement, but by diluting and storing it in certain containers. This means that they preserve what is known as the breakout potential, in other words it can be retrieved, reprocessed and converted into weapons-grade plutonium again. This is not what we agreed on. Now we will have to think about what to do about this and how to respond to this. By all indications, this will also be an irritant, which will provoke a corresponding reaction and a search for new offshores. However, our partners should understand that jokes aside, all their efforts to promote information products aimed against Russia are one thing, but serious issues, especially with regard to nuclear arms, are quite a different matter and one should be able to meet one’s obligations.

Now, they said at one time that they will shut down Guantanamo. So what, have they? No. There are still people walking around in shackles there. It is just like the Middle Ages. And all the so-called human rights organisations have swallowed their tongues; everyone keeps mum. All right, this is related to the humanitarian aspect; it concerns several dozen people. This is also very bad. It is difficult to imagine that this is possible in today’s world: people are in custody without charge or trial. This is simply inconceivable. Can you imagine something like this happening in this country? It is simply incredible. All

right, this concerns several dozen people. Now, this one, however, is a global issue, a nuclear security issue.

There are also other things that we believe our partners have failed to resolve and implement. So if we (as we can establish a constructive dialogue in certain other areas, say, in fighting terrorism in Syria) manage to carry on this work, extremely important not only for the United States and Russia but as well as, without any exaggeration, for the entire world, we will, of course, not only be ready for this work; we are ready for it now; we want to continue it and we will see it through to the end, but on an equal basis.