

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 1735
OFFERED BY MR. FORTENBERRY OF NEBRASKA**

Page 848, after line 15, insert the following new subsections (and redesignate the subsequent subsection accordingly):

1 (c) **OPTIONS.**—The requirements of subsections (a)
2 and (b) shall not apply if the Secretary of Energy submits
3 written certification to the congressional defense commit-
4 tees that—

5 (1) an independent cost assessment has con-
6 cluded that an alternative option for addressing ex-
7 cess plutonium exists that would cost less than 40
8 percent over its lifecycle than the estimated lifecycle
9 cost of the MOX facility; and

10 (2) pursuing other disposition options or a stra-
11 tegic pause in actions by the United States to imple-
12 ment the excess plutonium disposition obligations of
13 the United States is in the fiscal and national secu-
14 rity interests of the United States.

15 (d) **SENSE OF CONGRESS.**—It is the sense of Con-
16 gress that—

1 (1) the Plutonium Management and Disposition
2 Agreement (in this subsection referred to as the
3 “PMDA”) between the United States and the Rus-
4 sian Federation, originally signed in 2000, was up-
5 dated in 2010 when the original agreement “proved
6 incompatible with Russia’s nuclear energy strategy
7 and was, thus, not financially viable.”;

8 (2) the PMDA does not include a timeline or
9 deadline for final disposition of the excess pluto-
10 nium, and a strategic pause in the actions of the
11 United States to implement the agreement, as it
12 considers affordability and the full range of available
13 options, would not be contrary to the agreement or
14 to the nonproliferation goals of the United States;

15 (3) by using breeder reactors to burn its excess
16 plutonium under the PMDA, the Russian Federation
17 may extract more or equivalent amounts of fissile
18 material from these reactors, which may be contrary
19 to the spirit of the PMDA and the objective of pluto-
20 nium disposition;

21 (4) Russia continues to violate critical bilateral
22 and multilateral treaties and agreements to which
23 the United States is a party, including the Inter-
24 mediate-range Nuclear Forces Treaty and at least
25 six other arms control treaties and agreements; and

1 (5) while Congress supports continued, long-
2 term implementation of the obligations of the United
3 States under the PMDA, Congress believes the Sec-
4 retary of Energy should consider affordable options
5 for addressing excess plutonium, including an option
6 to take a strategic pause in implementation of the
7 disposition actions of the United States, if the Sec-
8 retary determines such options are in the fiscal and
9 national security interests of the United States.

