

111TH CONGRESS
1ST SESSION

H. RES. 604

Recognizing the vital role of the Proliferation Security Initiative in preventing the spread of weapons of mass destruction.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2009

Ms. ROS-LEHTINEN (for herself, Mr. ROHRABACHER, Mr. BURTON of Indiana, Mr. ROYCE, and Mr. MCCAUL) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Recognizing the vital role of the Proliferation Security Initiative in preventing the spread of weapons of mass destruction.

Whereas the nuclear weapons and ballistic missile programs of North Korea pose a clear and present danger to the security of the United States and to the world;

Whereas the North Korean regime has acquired key components of its nuclear weapons and missile programs from other countries;

Whereas the North Korean regime has exported to other countries goods and materials used in their nuclear weapons and missile programs;

Whereas United States and international efforts to eliminate this threat require blocking the ability of the North Ko-

rean regime to import and export goods and materials useful for the manufacture of nuclear weapons and of missiles capable of delivering them;

Whereas United Nations Security Council Resolution 1718, adopted on October 14, 2006, calls on all countries to take cooperative action to prevent the transfer to and from North Korea of “all items, materials, equipment, goods and technology” related to its nuclear, chemical, and biological weapons and their means of delivery;

Whereas United Nations Security Council Resolution 1874, adopted unanimously on June 12, 2009, “calls upon all States to inspect . . . all cargo [described in Security Council Resolution 1718, as well as virtually all arms and related materiel] to and from [North Korea] in their territory, including seaports and airports . . . [and] to inspect vessels on the high seas” and calls upon all flag countries to cooperate in these inspections;

Whereas the actions described in United Nations Security Council Resolutions 1718 and 1874 draw from the same principles that underlie the Proliferation Security Initiative (PSI), announced by President George W. Bush on May 31, 2003, in Cracow, Poland;

Whereas the PSI was conceived and implemented as an integral element of the United States National Strategy to Combat Weapons of Mass Destruction announced on December 11, 2002;

Whereas United Nations Security Council Resolution 1540, adopted on April 20, 2004, calls on all countries to criminalize the proliferation of weapons of mass destruction and to cooperate to stop the trafficking of weapons of mass destruction;

Whereas the PSI was designed to enhance the ability of countries to interdict the proliferation by sea, air, and land of nuclear, chemical, and biological weapons, their delivery vehicles, and related materials to terrorists and countries of proliferation concern through enhanced and routine cooperation in the areas of diplomacy, intelligence sharing, law enforcement, and military action;

Whereas 95 countries now participate in the PSI;

Whereas countries participating in the PSI agree to abide by a Statement of Interdiction Principles which ensures a shared view of the proliferation threat and the most effective methods to prevent it;

Whereas the United States has concluded ship boarding agreements with the flag countries of the Bahamas, Belize, Croatia, Cyprus, Liberia, Malta, the Marshall Islands, Mongolia, and Panama which provide authority to board in international waters vessels registered in those countries that are suspected of carrying illicit shipments of weapons of nuclear, chemical, or biological weapons, their delivery systems, and related materials;

Whereas in October 2005, the International Maritime Organization approved amendments to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation that obligate states-parties to the Convention to prevent the use of any vessel for the transport of weapons of mass destruction and “any equipment, materials, or software or related technology that significantly contribute to [weapons of mass destruction] design, manufacturing or delivery”;

Whereas, the PSI Operational Experts Group, including military, law enforcement, intelligence, legal, and diplomatic

experts from 20 participating countries, meets regularly to develop operational concepts, organize interdiction exercises, share information, and pursue cooperation with key industry sectors;

Whereas the PSI has repeatedly demonstrated its effectiveness through interdictions, including in October 2003 a ship, the BBC China, carrying centrifuge technology to Libya to be used in that country's clandestine nuclear program;

Whereas that interdiction resulted in a decision by the Libyan Government to dismantle its nuclear, chemical, and biological weapons programs and also to provide extensive information regarding the international black market network through which it had obtained key elements of those programs;

Whereas the ongoing series of multinational training efforts and exercises between participating countries have enhanced their individual and collective capabilities to conduct maritime, air, and ground interdictions of suspected weapons of mass destruction shipments;

Whereas the PSI has demonstrated the ability of several agencies of the United States Government, including the Department of State, the Department of Defense, the Coast Guard, the Customs and Border Protection of the Department of Homeland Security, and the Federal Bureau of Investigation, to effectively coordinate their actions between themselves and other countries without the need for any new organization or additional bureaucracy;

Whereas the PSI has demonstrated the effectiveness of international cooperation within existing national laws and regulations of the participating countries without the

need of additional treaties, direction by international organizations, or other potentially constraining measures;

Whereas in a speech in Prague on April 6, 2009, President Obama stated that the United States and other participating countries should enhance their cooperation in the PSI and other means in order to “build on our efforts to break up black markets, detect and intercept materials in transit, and use financial tools to disrupt this dangerous trade”; and

Whereas despite threats from the North Korean regime, the Government of the Republic of Korea has decided to join the PSI in an effort to stop shipments to and from North Korea of goods and materials useful in the production of nuclear weapons and the missiles capable of delivering them: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) recognizes the success to date of the PSI in
3 dramatically enhancing the ability of participating
4 countries to interdict the shipment of nuclear, chem-
5 ical, and biological weapons, their means of delivery,
6 and related materials;

7 (2) congratulates the Republic of Korea for its
8 decision to participate in the PSI in order to take
9 action to counter the threat to it and to the world
10 posed by the North Korean regime;

11 (3) urges President Obama to build upon the
12 success of the PSI to further enhance cooperation
13 and coordination between all willing countries to

1 stop the proliferation of weapons of mass destruc-
2 tion, the missiles capable of delivering them, and all
3 other items, materials, equipment, goods, and tech-
4 nology used by North Korea or any other country to
5 pose a threat to the security of the United States
6 and to the world; and

7 (4) urges all countries not yet participating in
8 the PSI, especially China, to fully cooperate with
9 PSI countries in implementing United Nations Secu-
10 rity Council Resolutions 1718 and 1874, and all
11 other efforts to prevent the import and export of all
12 items, materials, equipment, goods, and technology
13 used by North Korea or any other country to pose
14 a threat to the security of the United States and to
15 the world.

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