

AMENDMENT NO. _____ Calendar No. _____

Purpose: To limit the transfer of weapons-grade plutonium to private industry.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. 2296

To authorize appropriations for fiscal year 2026 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. MARKEY

Viz:

1 At the end of subtitle B of title XXXI, add the fol-
2 lowing:

3 **SEC. 3119. LIMITATION ON TRANSFER OF WEAPONS-GRADE**
4 **PLUTONIUM TO PRIVATE INDUSTRY.**

5 (a) LIMITATION.—None of the funds authorized to
6 be appropriated by this Act or otherwise made available
7 for fiscal year 2026 for the Departments of Defense or
8 the Department of Energy may be used for the transfer
9 of plutonium to private industry.

1 (b) REPORT.—The surplus plutonium dilute and dis-
2 pose program may not be terminated, until the Secretary
3 of Defense and the Secretary of Energy jointly submit to
4 the congressional defense committees a report that in-
5 cludes the following:

6 (1) An explanation of how the Trump adminis-
7 tration plans to discourage countries of proliferation
8 concern from extracting weapons-usable plutonium
9 from civilian fuel if the United States engages in
10 such extraction.

11 (2) A justification as to why the Federal Gov-
12 ernment would facilitate the development and export
13 of proliferation-prone reprocessing technologies by
14 private companies, given the proliferation risks of
15 plutonium.

16 (3) A justification as to why the Federal Gov-
17 ernment would promote a technology that would
18 make nuclear energy of the United States less eco-
19 nomically competitive, given that plutonium proc-
20 essing is very costly, due to safety and security con-
21 cerns, both to extract from nuclear waste and to fab-
22 ricate into fuel, which increases the cost of reactor
23 fuel by 10 times or more.

24 (4) A full accounting of any weapons plutonium
25 parts that will be disassembled or transferred, in-

1 cluding how much of the plutonium to be transferred
2 to private industry will come from intact pits, the
3 types of pits to be used, and what the impact of
4 such transfer would be on plans to produce new pits
5 at Los Alamos National Laboratory or to reuse pits
6 in the future.

7 (c) FORM.—The report required by subsection (b)
8 shall be submitted in unclassified form but may include
9 a classified annex.