

STATE ATTORNEYS GENERAL

**A Communication From the Chief Legal Officers
of the following States:**

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Iowa • Maryland • Massachusetts • Michigan • Minnesota • Mississippi
Montana • Nevada • New Jersey • New Mexico • New York
North Carolina • Ohio • Oregon • Pennsylvania
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October 8, 2002

Honorable Tom Daschle
Senate Majority Leader
United States Senate
Washington, DC 20510

Honorable J. Dennis Hastert
Speaker of the House
United State House of Representatives
Washington, DC 20515-4326

Honorable Trent Lott
Senate Minority Leader
United States Senate
Washington, DC 20510

Honorable Richard Gephardt
House Minority Leader
United States House of Representatives
Washington, DC 20001

Dear Senators Daschle and Lott and Representatives Hastert and Gephardt:

We, the undersigned Attorneys General, are writing to urge the passage of legislation this year to protect our states and communities from terrorist attacks against civilian nuclear power plants and other sensitive nuclear facilities.

Earlier this year, President Bush underscored the threat to nuclear power plants in his State of the Union address, wherein he pointed out that diagrams of U.S. nuclear power plants were found in Al Qaeda enclaves in Afghanistan. Subsequent classified and non-classified warnings have been provided to nuclear plant operators and the public indicating that the potential threat to nuclear plants is very real. Congressional hearings and official reports further underscore concerns about security and the vulnerability of spent fuel storage.

The consequences of a catastrophic attack against a nuclear power plant are simply incalculable. It is evident that urgent steps must be taken to bolster the efforts of private nuclear power plant operators and the Nuclear Regulatory Commission (NRC) to minimize the potential threat and expand emergency response capability should such an attack occur.

It is essential that we focus the necessary expertise of relevant federal agencies through a rational process to upgrade security at nuclear power plants. An interagency Task Force—chaired by the NRC and working in concert with the Director of Homeland Security, should be created and tasked to: recommend changes to enhance the physical security of nuclear plants, increase security measures, expand emergency response capability, and enhance protections for one of the most vulnerable components a nuclear power plant—its spent fuel pools. The NRC should then upgrade its rules in response to the expert recommendations of this interagency Task Force.


We need legislation that will create a nuclear infrastructure anti-terrorism team to respond to threats against nuclear power plants. Such legislation must also provide states and local governments with training and financial resources to expand their capacity to prevent attacks and provide wider emergency response capability. The legislation should also direct improvements to NRC's licensing processes over radiological devices and materials, such as sealed sources used in medical equipment. Such improvements will assist federal efforts to recapture these types of radiological materials which could be used by terrorists.

An entire year has passed since the horrific acts of September 11 and some limited steps have been taken to upgrade security at nuclear plants. However, a systematic approach to protect the public health and well-being has not yet been institutionalized. Despite interim measures, a revised security plan for nuclear plants will not be finalized by the NRC until March of 2003. We urge the Congress to drive a more aggressive timetable yet this session with results that will raise public confidence in the security of nuclear plants from sophisticated attacks that could be launched from air, water and land.

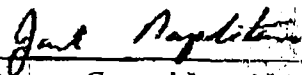
The passage of legislation is urgent. Threats against these facilities must be matched with appropriate regulatory requirements, added resources and heightened protections.

Thank you for your consideration.


Sincerely,



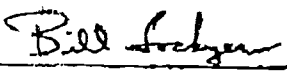
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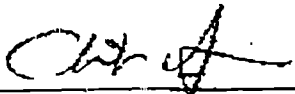
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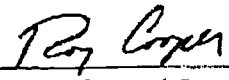
Mike McGrath
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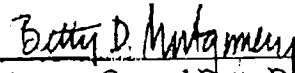
Frankie Sue Del Papa
Attorney General Frankie Sue Del Papa
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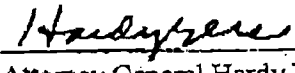
David Sarason
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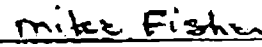
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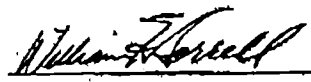

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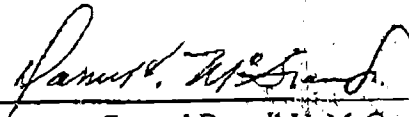

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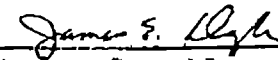

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Attorney General James E. Doyle
Attorney General of Wisconsin

cc: Honorable Jeff Bingaman
Honorable Frank Murkowski
Honorable W. J. "Billy" Tauzin
Honorable John Dingell