

United States Senate

WASHINGTON, DC 20510

October 2, 2016

Chairman Stephen Burns
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Maryland 20852

Dear Chairman Burns,


I write today to express concern about the Nuclear Regulatory Commission's (NRC) process for licensing the purchase of Category 3 radioactive material and the possibility that unauthorized users could obtain it. A July 2016 report by the Government Accountability Office (GAO) revealed that a shell company successfully obtained and reused a license to purchase large quantities of Category 3 material, potentially enough to construct an explosive device. Therefore, I urge the Commission to consider suspending licenses for Category 3 radioactive material until these licenses are monitored by the NRC in a National Source Tracking System (NSTS).

The GAO's recent 2016 report (GAO16-330) revealed that the NRC delegates approval authority for Category 3 licenses to state authorities. According to the report, local authorities approved a Category 3 license for a fraudulent shell company, and the company then reused the license to purchase higher quantities of Category 3 material. As you know, exposure to Category 3 material could be fatal. In addition, this radioactive material could conceivably be used to construct explosive devices. This use outside of legitimate energy research and medical facilities could have serious public health and safety ramifications and the NRC's current licensing protocol enables potential misuse of both the purchasing license and the radioactive material.

In light of the potentially fatal consequences of misusing Category 3 radioactive material, I urge the Commission to suspend its approval of purchasing licenses until they can be monitored by the federal government. The recent attack in New York City underscores the critical need to ensure that this highly dangerous material is purchased only for legitimate and authorized use.

Thank you for your attention to this important matter.

Sincerely,



Charles E. Schumer
United States Senator