

April 20, 2007

Dear Chairman Burian:

I am pleased to transmit the enclosed overview of the national action plan for implementing resolution 1540 (2004), which the United States prepared consistent with the recommendations of the 1540 Committee's April 2006 report to the Security Council (S/2006/257). The United States presented a comparable overview of the U.S. action plan to the Organization for Security and Cooperation in Europe in March 2007, as a follow up to the OSCE Forum for Security's 2006 Decision. The OSCE/FSC decided that "[p]articipating States [should] provide, as and if appropriate, additional information to the 1540 Committee on national implementation as part of the ongoing process of UNSCR 1540 implementation, including, for instance, in the form of a road map or action plan, as recommended in the 1540 Committee Report (S/2006/257 paragraph 136(c)), taking into account the analysis provided by the 1540 Committee."

The United States would be willing to have the attached paper circulated and posted on the 1540 Committee's website. We also stand ready to answer Member States' questions about the U.S. plan and to work with Member States to discuss the value of creating such a plan, which we have found to be a valuable tool for enhancing implementation of resolution 1540 (2004).

Please accept, your Excellency, the assurances of my highest consideration.

Sincerely yours,

//original signed//
Alejandro D. Wolff
Chargé d'Affaires, a.i.

Enclosure

His Excellency
Mr. Peter Burian,
Chairman of the 1540 Committee,
Rm. S-3055I,
United Nations,
New York, New York 10017.

Overview of United States National Action Plan for Implementation of Resolution 1540 (2004)

The United States completed its National Action Plan on May 31, 2006, and has relied since then on the Plan as a working document. We recognize that each country will tailor its action plan to reflect its own national priorities. Our initial approach focuses on ways to strengthen States' nonproliferation capacities through on-going assistance programs and projects, particularly by working with regional organizations such as the Organization for Security and Cooperation in Europe (OSCE), the ASEAN Regional Forum (ARF), and the Organization of American States (OAS), consistent with the 1540 Committee's April 2006 report (S/2006/257). (Note that although the United States completed its Plan in 2006, the objectives of its Plan are consistent with the PRST issued in connection with the Council's February 2007 debate on resolutions 1540 and 1673 (S/PRST/2007/4).) The United States has distributed the matrices prepared by the 1540 Committee to the relevant agencies within our government for review and will provide any additional comments to the Committee.

U.S. Action Plan

The United States is working with the 1540 Committee to factor the Committee's analyses of States' implementation of resolution 1540, as set forth in its matrices, into (1) U.S. decisions regarding assistance in areas related to 1540, and (2) other domestic steps.

A New Resolution & Mandate Extension

In resolution 1673 (2006), the Security Council tasked the Committee to "intensify its efforts to promote the full implementation by all States of resolution 1540 through a work programme which shall include the compilation of information on the status of States' implementation of all aspects of resolution 1540, outreach, dialogue, assistance and cooperation." The U.S. Action Plan is designed to encourage and support the Committee in fulfilling its mandate. Specifically, the United States will work cooperatively with the Committee to: 1) develop useful information such as identification of gaps in laws and controls; 2) outline regional and state-specific assistance priorities for stemming proliferation activity; and 3) assist in coordination of assistance requests so that donors can work together and with recipients to help one another implement 1540 obligations.

Prioritizing the USG Work Effort

As one of the original sponsors of resolution 1540, the U.S. is prepared to initiate assistance to advance full implementation of 1540. The U.S. will seek opportunities to demonstrate our intentions to both donors and recipients. The U.S. plans to update its contribution to the technical assistance section of the 1540 Committee's website. The update will include to what degree our assistance will go beyond technical expertise,

programs such as funding training of enforcement officials, detection capabilities, and border security. (Note: After completing its Plan, the U.S. provided updated information on U.S. assistance to the 1540 Committee in October 2006, which is now posted on the Committee's website.)

To implement the three priorities in the previous section, the U.S. will consider the following actions, which would then further shape the tasks in Annex A.

1. Developing useful information to identify gaps in laws

National actions could include:

- Work with capitals to address the gaps identified in 1540 implementation and demonstrate the political will to implement the resolution through action plans or road maps consistent with Committee recommendations; ensure that Committee mechanisms are developed to provide States with the relevant expertise and resources needed to develop such plans.

- Support the widest and most transparent use of the Committee documents and through the website.

- Support for the Committee to establish an expert pool. This pool would form a searchable database of scientific, technical, legal and policy providers. Along with identifying such experts, the Committee could consider developing a common practices database.

2. Outlining regional and State-specific assistance priorities for stemming proliferation activity

Recommended U.S. actions could include:

- For example, the United States might work with the Organization for Security and Cooperation in Europe (OSCE), ASEAN Regional Forum (ARF), Organization of American States (OAS), African Union (AU), or Organization for Prohibition Against Chemical Weapons (OPCW) and International Atomic Energy Agency (IAEA) to encourage these organizations to cooperate with the Committee and work regionally/functionally; to that end, the United States should take a cooperative approach to assist the Committee and capitals in a useful direction with regional organizations.

3. Assisting in coordination of assistance requests so the United States and other donors can work together to help States implement their 1540 obligations.

Recommended actions could include:

- Ask the Committee to regularly update donor countries and relevant international organizations on assistance requests.
- Review existing coordination mechanisms to see whether they might be relevant for 1540 and, if so, determine how to apply them.
- Support the Committee in sponsoring meetings between prospective donor States and/or international organizations so they can engage and deconflict various nonproliferation assistance efforts.
- Complete a U.S. agency review of existing bilateral, multilateral, and international organization programs to ensure the information posted to the Committee's website is current.
- Establish an interagency committee to coordinate the recommendations above with a designated U.S. 1540 Coordinator.

Annex A – Priority Tasks for 1540 Implementation

Long-term Objective: Assisting Member States to implement fully the requirements of resolution 1540.

- 1) Work collectively to support the work of the 1540 Committee, as well as efforts to promote UNSCR 1540's full implementation by all States.
- 2) Implement a flexible system that responds to assistance requests to the USG and coordinates with other governments on technical assistance to enable recipients to meet their 1540 requirements. Such a system would include other offices in the Department of State (within the Bureau of International Security and Nonproliferation and regional bureaus), the Office of Transnational Threats Policy in the Office of the Secretary of Defense (OSD), the National Nuclear Security Administration (NNSA) in the Department of Energy, the Bureau of Industry and Security in the Department of Commerce, the Department of Homeland Security (DHS), the Office of Public Health and Policy (OPHEP) in the Department of Health and Human Services (HHS), and the Office of Foreign Assets Control (OFAC) in the Department of Treasury, for example.
 - Put in place a review mechanism within the USG.
 - Identify programs that should be used to implement requests.
 - Develop process for liaison and exchange of information with States.
- 3) Work with other Security Council and other UN members to maintain senior level attention on UNSCR 1540 implementation.
 - Encourage governments to coordinate outreach and milestones for the next two years of 1540 implementation.
 - Ascertain donor governments' priorities so that outreach to other governments in need of implementing resolution 1540 can move forward.
 - Promote joint demarches, workshops, discussions in existing multilateral fora, and regional organizations.
- 4) Consider how to use resolution 1673 to support efforts by States to address proliferation financing.
 - Include reference to proliferation finance in all discussions.
 - Note the importance of this aspect of resolution 1540 in outreach meetings.