

March 19, 2014

The Honorable Ed Royce
United States House of Representatives
Chairman of the House Committee on Foreign Affairs
2185 Rayburn House Office Building
Washington, DC 20515

cc: Members of the U.S. House Committee on Foreign Affairs

Dear Chairman Royce:

We are writing to urge you to support passage of H.R. 3766, which Representatives Ileana Ros-Lehtinen and Brad Sherman introduced last December to amend the Atomic Energy Act of 1954. H.R. 3766 would require Congressional approval of agreements for peaceful nuclear cooperation that fail to meet the Gold Standard as well as certain subsequent agreements to enrich or reprocess US-origin nuclear materials. This bill is identical to H.R. 1280, which you co-sponsored during the last Congress.

We believe passage of this legislation is necessary to assure Congress plays its proper role to assure that U.S. civil nuclear assistance is not misused for nuclear weapons. While we are not all in agreement about the substance of the administration's current nuclear diplomacy with Iran, we all agree that we must avoid future Irans – states that claim to be engaging in peaceful nuclear activities that the U.S. starts to cooperate with only to find that they are developing a nuclear weapons capability by enriching uranium or reprocessing plutonium. We believe that unless Congress asserts its prerogative to vote on certain agreements that fail to meet certain nonproliferation conditions, it will not be in the strongest position to assess the adequacy of future civil nuclear cooperation agreements. We also believe, in light of reports that the U.S.-Vietnam agreement is of an indefinite duration, that it is essential that Congress insist that all U.S. nuclear cooperative agreements be of fixed duration and require a periodic Congressional reauthorization.

After the Indian test explosion in 1974, Congress in 1978 amended the Atomic Energy Act of 1954 to mandate tougher bulwarks against the diversion of U.S. nuclear assistance for military uses. The amendment put in place nine new provisions, including the requirement that recipients of U.S. civil nuclear cooperation have in place full scope safeguards. Agreements with states that were not members of the NPT would require a Congressional vote of approval. The Atomic Energy Act has not been updated since 1978.

After our experience with Iran, as well as (1) the growing interest in nuclear power in geopolitically sensitive regions of the globe, (2) the promulgation of the Gold Standard in the UAE and Taiwan agreements, and (3) new NSG rules that make it highly unlikely that other nuclear suppliers can even offer to transfer enrichment or reprocessing technology or equipment to these states, we believe it is time to revise the Atomic Energy Act again to reflect the proliferation realities of today.

We stand ready to assist you in addressing this national security concern.

Sincerely,

Ambassador John R. Bolton

Former U.S. Ambassador to the United Nations

Peter Bradford

Former U.S. Nuclear Regulatory Commissioner

Jack David

Former Deputy Assistant Secretary of Defense for Combating Weapons of Mass Destruction and Negotiations Policy

Paula A. DeSutter

Former Assistant Secretary of State for Verification and Compliance

Ambassador Eric Edelman

Former Under Secretary of Defense for Policy

Lt. General Robert G. Gard, Jr. (Ret.)

Chairman of the Center for Arms Control and Non-Proliferation

Victor Gilinsky

Former U.S. Nuclear Regulatory Commissioner

Ambassador Robert G. Joseph

Former Under Secretary of State for Arms Control and International Security

Jodi Lieberman

Senior Government Relations Specialist, American Physical Society

Matthew McKinzie

Director, Nuclear Program, Natural Resources Defense Council

Gary Milhollin

President of the Wisconsin Project on Nuclear Arms Control

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Director of the Center for Arms Control and Non-Proliferation

Henry S. Rowen

Former Assistant Secretary of Defense for International Security Affairs

Henry D. Sokolski

Executive Director of the Nonproliferation Policy Education Center

Ambassador Mark Wallace

Chief Executive Officer of United Against Nuclear Iran

Leonard Weiss

Former Staff Director for Senate Committee on Governmental Affairs

Dov S. Zakheim

Former Under Secretary of Defense (Comptroller)

Robert Zarate

Policy Director of the Foreign Policy Initiative

** Signatures above reflect the views of the individuals listed and not necessarily the views of their affiliated organizations*