

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

**Kingston Reif**

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*