

Congress of the United States
Washington, DC 20515

March 2, 2006

Proposed Nuclear Deal with India is a Lose-Lose for Nonproliferation

Dear Colleague:

Today the President announced that he has reached an agreement with Indian Prime Minister Singh to move forward with a plan to grant India a special exemption from international and U.S. nuclear nonproliferation law. Since the proposed agreement would violate both U.S. and international law, the Administration will be submitting legislation to Congress to change domestic law. Congressional approval therefore will be required before the U.S. can send nuclear fuel or technology to India. In addition, the U.S. will have to convince the 45 nation Nuclear Suppliers Group to change its rules to exempt India.

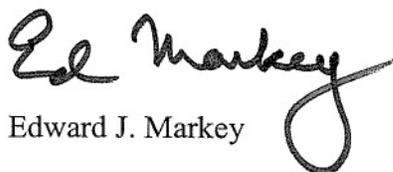
We are opposed to the proposed exemption for India. While we consider ourselves to be friends of India, we do not believe that the U.S. should lose sight of the fact that India has refused to sign the Nuclear Nonproliferation Treaty. India refuses to accept full-scope International Atomic Energy Agency (IAEA) safeguards over all of its nuclear facilities. It has a growing nuclear weapons arsenal, and conducted a series of nuclear tests of that arsenal, as recently as 1998. India also has not agreed to stop the production of fissile material which is used to make nuclear bombs.

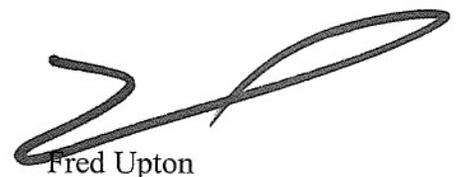
The proposed India nuclear deal sends the U.S. down a dangerous rule-breaking path at a time when the Nuclear Nonproliferation Treaty (NPT) is facing enormous challenges. The U.S. has been aggressively trying to enforce the rules of the NPT in order to contain Iran's uranium enrichment program. Iran is signatory to the NPT, but appears to be ignoring their commitments to the treaty. The U.S. can not credibly enforce the rules of the NPT on Iran, while breaking them for India.

Pakistan, a country that has not signed the NPT, has already demanded the same special exceptions that the U.S. has announced India. In response to today's announcement, Pakistan foreign ministry spokeswoman Tasnim Aslam told Agence France-Presse that "We hope that we will also get the same kind of cooperation". The U.S. can not credibly break the rules for our friend India, while asking other countries, such as China, to not break the rules for Pakistan.

We have introduced H. Con. Res. 318 which supports strengthened ties between the U.S. and India but expresses concern over the potential negative impacts on nonproliferation that could result from nuclear cooperation between the U.S. and India. We believe that Congress needs to send a signal to both the Administration and to India that there should not be special waivers or exemptions from our nation's nuclear nonproliferation laws. We urge you to carefully consider the negative security impacts that may result from weakening U.S. nonproliferation law in order to facilitate U.S.-Indian nuclear cooperation. Please contact Nicole Gasparini or Jeff Duncan (Rep. Markey) at x52836 or Debra Marshall (Rep. Upton) if you would like to cosponsor our resolution.

Sincerely,


Edward J. Markey


Fred Upton