

Edward J. Markey
Federation of American Scientists Press Event
US-India Nuclear Deal

October 18, 2007

**Introduction by Henry Kelly, President of the
Federation of American Scientists**

- Thank you so much Henry for that introduction.
- It is wonderful to be here in the beautiful new offices of the Federation of American Scientists.
- The Federation of American Scientists was founded in 1945 by nuclear scientists from the Manhattan Project who truly understood the world-changing significance – and danger – of their atomic creation. And in the more than 60 years since then, the F.A.S. has consistently been at the forefront on the issues of nonproliferation and arms control.
- The book that they have just re-published, “*One World Or None*,” with essays written by Oppenheimer, Einstein, and so many others, on the dangers posed to man by nuclear weapons is as valuable today as it was in 1946. Only now, we can see just how prescient these scientists were. We should have heeded their warnings then. But in this case, late truly is better than never.
- There is no better place than here at the Federation of American Scientists, an organization created in the wake of the first atomic explosion, to talk about a current great atomic threat, the U.S.-India Nuclear Deal.

Leading the Opposition to the U.S.-India Nuclear Deal

- The U.S.-India Nuclear Deal has been in the news quite a bit this week, but it is not a new issue to me.
- I have worked for over two years in opposition to the U.S.-India Nuclear Deal because of its disastrous implications for nonproliferation.
- I've been called the "Arch-Critic" of the deal; but really I see myself as the "Arch-Defender" of nuclear nonproliferation. Halting the spread of nuclear weapons is not something over which the United States can afford to compromise; this issue is central to both international stability and our own security here at home.
- I'm not "attacking" the U.S.-India Nuclear Deal, I am *defending* the Nuclear Non-Proliferation Treaty.
- My goal has been to get meaningful nonproliferation conditions included in the deal, but the Bush administration fought this at every turn.
 - The legislation I introduced in 2005 (H. CON. RES. 318), which outlined the serious nonproliferation problems of the Nuclear Deal, served as the organizing vehicle for opposition in the Congress.
 - I testified before the House International Relations Committee on May 11, 2006 and explained the incredible dangers of the President's proposal. I told them that the deal was "ill-conceived, that it undermines U.S. national security interests, and that it sets a dangerous precedent that will be exploited by our adversaries and rivals."
 - In response to the issues I raised regarding the threat to Congressional prerogatives from the Administration's draft bill, the bill that was actually introduced removed many

of the worst "blank check" provisions of the Administration bill.

- For instance, the Administration bill would not have allowed the Congress to even *see* India's IAEA Safeguards Agreement or the Nuclear Suppliers' Group rule change before we voted on whether or not to give final approval.
- In addition, my amendment during Floor debate (July 26, 2006), which focused on India's dangerous relationship with Iran and would have required India to help us halt Iran's nuclear program, garnered 192 votes – the strongest vote that opponents of the deal were able to muster.
- But after the Congress voted to allow nuclear trade with India *in principle*, the Bush Administration negotiated a deal with India which is universally recognized as blowing an enormous hole in the nonproliferation regime by granting unprecedented concessions to India, a country that has never signed the Nuclear Nonproliferation Treaty. And these *new* concessions from the Bush Administration to India after the Congress voted have created even more critics of the deal up on Capitol Hill.

Even Fig-Leaf Nonproliferation Conditions are Too Much for India

- The Bush Administration went so far as to promise that NO BEHAVIOR from India could EVER be bad enough to halt nuclear transfers in the future. Bush has told India: "Even if you break your agreement with us, even if you set off another bomb, and we have to cut off your nuclear supply, we will find someone else -- Russia or France or someone else –

and GUARANTEE that they will be there to fill in behind us!"

- So if India tests a nuclear weapon, the United States may not be able to trade with India, but we are going to help them find another source?! It's crazy!
- But apparently, the Indian government views even the shockingly insignificant *fig-leaf* nonproliferation conditions in the deal as too onerous.

The Nuclear Deal is on its Last Legs? Good Riddance!

- If the deal collapses now, it would be the best outcome for global nuclear nonproliferation possible while the current administration is still in office.
- A failure for the Bush Administration on the Nuclear Deal would be a big win for Nuclear Sanity. Around the globe, people concerned with stopping the spread of nuclear weapons will breathe a sigh of relief.
- There isn't likely to be a "Eureka!" moment, though. Even if the deal is for all purposes dead, the Indian government and the Bush administration will surely claim that, "it's not *dead*, its just the *timing* is wrong."
- And the possibility exists that, given how much the Bush administration has invested in this deal as an example of their "successful" foreign policy, they may re-open negotiations and concede even more to India.

If the Deal Comes Back to Life, Enormous Hurdles Still Remain

- But even if somehow the Bush Administration and the Indian government try to bring this deal back to life, enormous hurdles remain.

- The problems facing the nuclear deal have in fact only grown.
- Three major steps remain: 1) India needs to negotiate an International Atomic Energy Agency safeguards agreement; 2) the Nuclear Suppliers Group must change the international rules of nuclear supply; and 3) the United States Congress must again vote and give its final approval. *None of these are guaranteed*, and they may even be getting less likely.
 - **First, the IAEA safeguards agreement:** India has said it wants an "India-specific" safeguards agreement with the International Atomic Energy Agency, but any non-standard agreement would take potentially a great deal of time to negotiate.
 - **Second, the NSG:** Many countries in the 45-nation Nuclear Suppliers Group have voiced deep concerns about the deal and it has become clear that the NSG will not simply rubber-stamp its approval. Instead, the NSG is likely to demand that significant nonproliferation conditions be attached to the deal. If India can't accept the fig-leaf nonproliferation conditions of the Bush Administration, how will it swallow serious nonproliferation conditions from the Nuclear Suppliers' Group?
 - **And third, the Congress:** even if those big hurdles are cleared, the Bush Administration has to convince the Congress to approve the deal. But many members of Congress are growing *increasingly skeptical* of what the Bush Administration is selling, especially after the formal bilateral negotiations with India resulted

in an agreement that many in Congress view as not in compliance with the Hyde Act.

- In fact, the *Ranking Republican* on the House Foreign Affairs Committee, Representative Ileana Ros-Lehtinen, just introduced a bill which says that the President *has not yet shown* that the deal is compliant with Congressional conditions as laid down in the Hyde act.
- If that's what the most senior *Republican* thinks, then the Bush Administration is in real trouble.
- And let's not forget the lurking issue of India's economic and military ties to Iran. Many members of Congress are deeply troubled by India's refusal to get serious about the threat from Iran's nuclear program, and this issue really could break the nuclear deal.
- So clearly, even if the Bush Administration and the Indian government try to breathe life back into the dying nuclear deal, it faces a deeply uncertain future.

Implications of the Collapse of the Nuclear Deal

- The Bush Administration has argued that this deal will exponentially boost commerce with India, and that if the nuclear deal does not go through the U.S. will lose the benefit of this trade.
- But the reality is that we ALREADY have strong and growing trade ties with India, and there is NO REASON to believe that this would be halted if the nuclear deal were delayed or rejected:

- Since 2000, Indian exports to the United States have DOUBLED, and U.S. exports to India have almost TRIPLED.
- In the last 30 years, total bilateral trade has grown almost 8-fold, an enormous increase.
- In 2006, our total bilateral trade topped \$31.9 billion, growing at a whopping 18.9% over the previous year.
- Even during the worst moments of the U.S.-India relationship, for instance after the 1974 and 1998 Indian nuclear tests, trade continued to grow at rapid rates.
- The bottom line is that trade between the United States and India will continue to grow, no matter what happens with the nuclear deal.

Conclusion

- The U.S.-India Nuclear Deal was ALWAYS a bad deal for the United States and for international nuclear nonproliferation.
- If it fails now, we should all breathe a sigh of relief for having escaped from truly terrible damage to the Nuclear Non-Proliferation Treaty.
- But any dent in the U.S. – India relationship will be both slight, and temporary. I believe that the bilateral relationship will continue to flourish, and citizens of both countries will be living in a safer world because of the collapse of the U.S.-India Nuclear Deal.

I am happy to take any questions you might have.