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Nuclear Energy Cooperation with India Will Strengthen U.S.–India Ties

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Later this week, the House and Senate may take up companion bills (H.R. 5682 and S. 3709, respectively) that would tentatively approve the Bush Administration's plan to extend civil nuclear energy cooperation to India. This plan requires balancing two competing U.S. national security interests: curtailing the spread of nuclear weapons to states beyond the five designated nuclear weapons states (the U.S., China, France, Great Britain, and Russia) under the 1968 Treaty on the Nonproliferation of Nuclear Weapons (NPT) and strengthening the bilateral relationship between the U.S. and India, which reflects the emergence of shared security, regional, and economic interests.

The balancing requirement stems from the fact that India, despite its designation as a non-weapons state by the NPT, possesses nuclear weapons and undertook nuclear explosive tests in 1974 and 1998. In the past, the U.S. has given preference to its interest in curtailing nuclear nonproliferation by withholding civil nuclear cooperation from countries such as India. The companion bills would maintain this balance by tentatively approving the extension of civil nuclear cooperation to India while not abandoning long-standing U.S. commitments to nuclear nonproliferation and the NPT.

The Need for Legislative Approval. The Atomic Energy Act of 1954 imposes severe restrictions on

cooperation of the sort that the Administration proposes to extend to India. As a result, the Bush Administration took the responsible position that it would seek clear congressional authorization to proceed with its plan. H.R. 5682 and S. 3709 provide that authorization on a tentative basis. They do so by establishing criteria for qualifying non-weapons states that nevertheless possess nuclear weapons to receive civil nuclear cooperation. They further declare that India, under current circumstances and plans for the future, qualifies for such cooperation.

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- U.S. policy toward India carefully balances U.S. nonproliferation goals and other important national security, regional security, and international economic goals.
 - H.R. 5682 and S. 3709 would maintain this balance by tentatively approving the extension of civil nuclear cooperation to India while not abandoning long-standing U.S. nonproliferation commitments.
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The two bills waive the most onerous provisions of the Atomic Energy Act, although civil nuclear cooperation with India would cease if India fails to honor its nonproliferation and other commitments to the U.S. Further, Congress could reject a final agreement to export nuclear materials by adopting legislation prohibiting such exports under "fast track" legislative procedures.

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Maintaining Nonproliferation Goals. While extending civil nuclear cooperation to India entails changing U.S. nuclear nonproliferation policy, it does not require abandoning long-sought U.S. goals, chief among which is limiting the number of states possessing nuclear weapons to the five designated weapons states. The two companion bills reaffirm the commitment to, in the words of the House bill, “preventing the proliferation of nuclear weapons, other weapons of mass destruction, the means to produce them, and the means to deliver them [as] critical objectives for the United States foreign policy.”

It therefore remains U.S. policy to convince India to join the NPT as a non-weapons state and abandon nuclear weapons. While the Indian government does not agree with this policy, it has not succeeded in using the U.S. desire for a closer bilateral relationship to force the U.S. to choose between improved relations and its nuclear nonproliferation goals. India now understands that if forced to choose, the U.S. would choose in favor of its nonproliferation goals.

In this context, it is important to recognize that a closer bilateral relationship with India could give the U.S. an opportunity to further its nonproliferation goals. Another avenue for realizing these goals, beyond the NPT, is regional diplomacy that addresses the underlying security concerns that motivate a country like India to obtain nuclear weapons in the first place. Such diplomacy could also lessen the likelihood that nuclear weapons would ever be used in a conflict. The closer bilateral relationship with India will put the U.S. in a better position to pursue such diplomacy.

Advantages of an Improved Relationship with India. During the Cold War, even though India is a democratic state, the U.S.–Indian relationship was strained because of India’s ideological tilt toward the Soviet Union. American conservatives, therefore, were properly skeptical of the value of a close relationship because India had demonstrated that it was not a reliable security partner. Today, the chief threat to U.S. security is posed by violent Islamic extremists. This is a threat that India shares with

the U.S., and conservatives have reason to believe that India is becoming a reliable security partner in this context while continuing to honor the principle of democratic pluralism.

China’s emergence as a threatening regional and global power is another issue that concerns India as well as American conservatives. As a result, a close bilateral U.S.–India relationship supports a mutually beneficial insurance policy against this eventuality—an insurance policy that conservatives have every reason to welcome. Conservatives also have a strong interest in expanding economic freedom worldwide. During the Cold War, India’s experiment with socialism drove the government in the direction of closing the economy and depriving Indians of economic freedom and U.S. businesses of the opportunity for trade. Today, the Indian government is moving in the direction of opening its economy. While it still has a long way to go, India could eventually become a beacon of economic liberalism throughout the developing world. Conservatives have every reason to support this outcome.

What Should Be Done. The Bush Administration’s pursuit of civil nuclear cooperation with India is a critical part of a broader effort to improve the U.S.–Indian bilateral relationship for a variety of purposes. These include advancing the fight against violent Islamic militants, discouraging the emergence of an aggressive China, and expanding economic freedom worldwide. While this requires a significant modification of U.S. nuclear nonproliferation policy, it does not require an abandonment of critical U.S. nonproliferation goals. The broader policy toward India maintains a careful balance between U.S. nonproliferation goals and other important national security, regional security, and international economic goals. Authorizing the furnishing of civil nuclear cooperation to India on a restricted basis is the logical next step in this balanced policy.

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