

Lawsuit Filed against U.S. Government for Illegal Aid to Nuclear Israel. IRMEP

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A lawsuit filed in federal court in Washington, D.C. claims that United States aid to Israel is illegal under a law passed in the 1970s that prohibits aid to nuclear powers that don't sign the Nuclear Non Proliferation Treaty (NPT).

The lawsuit was filed by Grant Smith, director of the Institute for Research: Middle East Policy (IRMEP).

The lawsuit comes as the Obama administration is pushing to finalize a ten-year memorandum of understanding which will reportedly boost aid to Israel to \$4 billion per year.

Such aid violates longstanding bans on foreign aid to non-signatories to the Nuclear Non-proliferation Treaty (NPT) with nuclear weapons programs, the lawsuit alleges.



Senator Symington with JFK, who was adamantly against a nuclear Israel.

Since the bans went into effect, U.S. foreign aid to Israel is estimated to be \$234 billion.

Smith says that during investigations into the illegal diversion of weapons-grade uranium from U.S. contractor NUMEC to Israel in the mid-1970s, Senators Stuart Symington and John Glenn amended the 1961 Foreign Assistance Act to ban any aid to clandestine nuclear

powers that were not NPT signatories.

Symington said at the time that “if you wish to take the dangerous and costly steps necessary to achieve a nuclear weapons option, you cannot expect the United States to help underwrite that effort indirectly or directly.”

Smith says that both the Symington and Glenn amendments have since been watered down and now apply only to nuclear transfers after 1985.

Smith says that the Obama administration follows precedents established since the Ford administration by ignoring internal agency and public domain information that should trigger Symington and Glenn cutoffs and waiver provisions governing foreign aid.

In 2012 the Department of Energy under U.S. State Department authority passed a secret gag law called [“Guidance on Release of Information relating to the Potential for an Israeli Nuclear Capability.”](#)

Smith says that measure promotes a “nuclear ambiguity” policy toward Israel.

The primary purpose of the gag law is to unlawfully subvert Symington and Glenn arms export controls, the lawsuit alleges.

In 2008, former President Jimmy Carter told reporters that Israel has “more than 150 nuclear weapons.”

[In reporting President Carter’s remarks, the BBC also reported](#) that “most experts estimate that Israel has between 100 and 200 nuclear warheads, largely based on information leaked to the *Sunday Times* newspaper in the 1990s by Mordechai Vanunu, a former worker at the country’s Dimona nuclear reactor.”

Smith says that the administration has three legal avenues to deal with a nuclear Israel under the Symington and Glenn amendments – either cut off foreign assistance, change the Symington and Glenn amendments to exempt Israel, or just grant a waiver.

Such Symington and Glenn waivers have already been granted to two other countries in a similar position – Pakistan and India, Smith said.

“But if you are Israel, and you don’t want an arms race in the Middle East, then you pretend it’s unknown that you have the weapons,” Smith said.

Comment: A little known aspect of Kennedy’s foreign policy was his insistence that Israel stop its nuclear program. In May 1963, he [warned](#) Ben Gurion that if Israel didn’t allow inspectors to Dimona, Israel would find itself completely isolated. The Israeli PM was not pleased and abruptly resigned. Six months later, Kennedy was assassinated. It would be a blessing to JFK’s memory of Symington’s work were to vindicate Kennedy’s position, and isolate the Israeli regime for their unacknowledged weapons of mass destruction. (Symington was JFK’s first choice to be his VP.)

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