

HR 7081

United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: International Affairs

Introduced: Sep 25, 2008

Current Status: Became Public Law No: 110-369.

Latest Action: Became Public Law No: 110-369. (Oct 8, 2008)

Law: 110-369 (Enacted Oct 8, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/7081>

Sponsor

Name: Rep. Berman, Howard L. [D-CA-28]

Party: Democratic • **State:** CA • **Chamber:** House

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Del. Faleomavaega, Eni F. H. [D-AS-At Large]	D · AS		Sep 25, 2008
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Sep 25, 2008
Rep. Crowley, Joseph [D-NY-7]	D · NY		Sep 25, 2008
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Sep 25, 2008
Rep. Lampson, Nick [D-TX-22]	D · TX		Sep 25, 2008
Rep. Wexler, Robert [D-FL-19]	D · FL		Sep 25, 2008
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Sep 26, 2008
Rep. Royce, Edward R. [R-CA-40]	R · CA		Sep 26, 2008

Committee Activity

Committee	Chamber	Activity	Date
Foreign Affairs Committee	House	Referred To	Sep 25, 2008
Rules Committee	House	Referred To	Sep 25, 2008

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

Bill	Relationship	Last Action
110 HR 7061	Related bill	Sep 25, 2008: Referred to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
110 HR 7039	Related bill	Sep 24, 2008: Referred to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
110 S 3548	Identical bill	Sep 23, 2008: Placed on Senate Legislative Calendar under General Orders. Calendar No. 1048.

United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act - (Sec. 2) Defines specified terms.

Title I: Approval of United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy - (Sec. 101) Approves the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy (Agreement), subject to the provisions of the Atomic Energy Act of 1954, the Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation Act of 2006, and other applicable U.S. law.

(Sec. 102) Declares that it is the understanding of the United States that the provisions of the Agreement have the meanings conveyed in the authoritative representations provided by the President and his representatives to the Congress and its committees prior to September 20, 2008.

Declares it to be congressional policy that: (1) in the event that nuclear transfers to India are suspended or terminated it is U.S. policy to prevent the transfer to India of nuclear equipment, materials, or technology from other participating governments in the Nuclear Suppliers Group (NSG) or from any other source; and (2) any nuclear power reactor fuel reserve provided to India for use in safeguarded civilian nuclear facilities should be commensurate with reasonable reactor operating requirements.

States that before exchanging specified diplomatic notes the President shall certify to Congress that entry into force and implementation of the Agreement pursuant to its terms is consistent with the obligation of the United States under the Treaty on the Nonproliferation of Nuclear Weapons (Nuclear Nonproliferation Treaty) not to assist, encourage, or induce India to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices.

(Sec. 103) Urges the government of India to sign and adhere to an Additional Protocol with the International Atomic Energy Agency (IAEA).

(Sec. 104) States that licenses may be issued by the Nuclear Regulatory Commission (NRC) for transfers pursuant to the Agreement only after the President certifies to Congress that: (1) the Agreement Between the Government of India and the International Atomic Energy Agency for the Application of Safeguards to Civilian Nuclear Facilities has entered into force; and (2) the government of India has filed a declaration of facilities that is not materially inconsistent with the facilities and schedule of the separation plan presented in the national parliament of India.

(Sec. 105) Amends the Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation Act of 2006 to revise related congressional reporting requirements.

Title II: Strengthening United States Nonproliferation Law Relating to Peaceful Nuclear Cooperation - (Sec. 201) States that no subsequent arrangement concerning reprocessing arrangements and procedures shall take effect until: (1) the President reports to the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations (Committees) respecting the reasons for such arrangement and a certification that third-party reprocessing arrangements with India will be conducted under similar arrangements; and (2) a period of 30 days of continuous session has elapsed after such report's transmittal.

States that a subsequent agreement shall not become effective if during such 30-day period Congress enacts a joint resolution of disapproval.

(Sec. 202) Amends the Atomic Energy Act of 1954 to direct the President to inform the Committees of any negotiations relating to a new or amended agreement for peaceful nuclear cooperation.

(Sec. 203) Requires that Congress enact a joint resolution to override a presidential determination permitting the export of nuclear materials, equipment, or technology to a country to which such export is otherwise prohibited. (Current law provides for a concurrent resolution of disapproval.)

(Sec. 204) Directs the President to: (1) certify to the Committees that it is U.S. policy to work with members of the Nuclear Suppliers Group (NSG) to restrict transfers of equipment and technology related to the enrichment of uranium and reprocessing of spent nuclear fuel; (2) seek to achieve within NSG or with NSG participating governments the adoption of principles and exchanges of information to assure peaceful use and accounting of byproduct material; and (3) report every six months to the Committees until such purposes have been achieved.

(Sec. 205) Makes conforming amendments with respect to related congressional actions under the Atomic Energy Act of 1954.

Actions Timeline

- **Oct 8, 2008:** Signed by President.
- **Oct 8, 2008:** Became Public Law No: 110-369.
- **Oct 3, 2008:** Presented to President.
- **Oct 2, 2008:** Message on Senate action sent to the House.
- **Oct 1, 2008:** Measure laid before Senate by unanimous consent. (consideration: CR S10191-10198, S10199-10208, S10290-10291)
- **Oct 1, 2008:** Passed/agreed to in Senate: Passed Senate, having achieved the required 60 votes in the affirmative, pursuant to the order of September 30, 2008, without amendment by Yea-Nay Vote. 86 - 13. Record Vote Number: 211.
- **Oct 1, 2008:** Passed Senate, having achieved the required 60 votes in the affirmative, pursuant to the order of September 30, 2008, without amendment by Yea-Nay Vote. 86 - 13. Record Vote Number: 211.
- **Oct 1, 2008:** Cleared for White House.
- **Sep 29, 2008:** Received in the Senate, read twice.
- **Sep 27, 2008:** Considered as unfinished business. (consideration: CR H10223)
- **Sep 27, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 298 - 117, 1 Present (Roll no. 662).(text: CR 9/26/2008 H10088-10090)
- **Sep 27, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 27, 2008:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 298 - 117, 1 Present (Roll no. 662). (text: CR 9/26/2008 H10088-10090)
- **Sep 26, 2008:** Mr. Berman moved to suspend the rules and pass the bill.
- **Sep 26, 2008:** Considered under suspension of the rules. (consideration: CR H10088-10103)
- **Sep 26, 2008:** DEBATE - The House proceeded with forty minutes of debate on H.R. 7081.
- **Sep 26, 2008:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Sep 25, 2008:** Introduced in House
- **Sep 25, 2008:** Referred to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.