



H.R. 7061 – United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act

FLOOR SITUATION

H.R. 7061 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Howard Berman (D-CA) on September 25, 2008. The bill as referred to the House Foreign Affairs Committee, but was never considered.

H.R. 7061 is expected to be considered on the floor of the House on September 25, 2008.

BACKGROUND

President Bush announced his intention to pursue a civil nuclear energy agreement with India in July 2005. On December 2006, Congress passed and the President signed legislation (P.L. 109-401), which provided the framework for the negotiation and approval of a nuclear cooperation agreement between the U.S. and India. The United States and India concluded a peaceful nuclear cooperation agreement, also called a "123 agreement," in July 2007.

P.L. 109-401 includes several requirements that India and the United States must meet in order to waive restrictions in the Atomic Energy Act that otherwise would not permit nuclear trade between the two countries. The President has determined that those requirements have been met and has forwarded the U.S.-India nuclear cooperation agreement to Congress for its approval. This bill would approve that agreement.

The Senate Foreign Relations Committee approved the agreement by a vote of 19 to 2 on September 23, 2008. H.R. 7061 differs from the Senate bill in a few ways, including requiring the Administration to keep Congress fully informed regarding negotiations for future nuclear cooperation agreements. These relatively small differences may result in procedural difficulties and thereby prevent approval by this Congress. To avoid that problem, Rep. Ileana Ros-Lehtinen (R-FL), Ranking Member on the House Foreign Affairs Committee, introduced a bill (H.R. 7039) identical to the Senate-version on September 24, 2008.

Indian Prime Minister Manmohan Singh is scheduled to meet with President Bush on September 25, 2008.

SUMMARY

H.R. 7061 waives the Atomic Energy Act and provides final approval for enactment of the civil nuclear energy agreement between the United States and India. The bill also includes implementation safeguards for the agreement and waives the 30-day Congressional consideration requirement included in P.L. 109-401.

COST

The Congressional Budget Office (CBO) had not scored this legislation as of September 25, 2008.

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