

The AEA establishes the requirements for agreements for nuclear cooperation, some of which apply only to non-nuclear-weapon states (see AEA, section 123a.). The AEA incorporates the definition of "nuclear-weapon state" from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which defines it to mean a state that has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967. Therefore India is a non-nuclear-weapon state for NPT and AEA purposes, even though it possesses nuclear weapons. The Agreement satisfies all requirements set forth in section 123a. of the AEA except the requirement of section 123a.(2) that, as a condition of continued U.S. nuclear supply under the Agreement, IAEA safeguards be maintained in India with respect to all nuclear materials in all peaceful nuclear activities within its territory, under its jurisdiction, or carried out under its control anywhere (i.e., "full-scope" or "comprehensive" safeguards).

The Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation Act of 2006 (the "Hyde Act") established authority to exempt the Agreement from the full-scope safeguards requirement of section 123a.(2) of the AEA, as well as certain other provisions of the AEA relating to supply under such an agreement, provided that the President makes certain determinations and transmits them to the Congress together with a report detailing the basis for the determinations. I have made those determinations, and I am submitting them together with the required report as an enclosure to this transmittal.

Approval of the Agreement, followed by its signature and entry into force, will permit the United States and India to move forward on the U.S.-India Civil Nuclear Cooperation Initiative, which Indian Prime Minister Manmohan Singh and I announced on July 18, 2005, and reaffirmed on March 2, 2006. Civil nuclear cooperation between the United States and India pursuant to the Agreement will offer major strategic and economic benefits to both countries, including enhanced energy security, an ability to rely more extensively on an environmentally friendly energy source, greater economic opportunities, and more robust nonproliferation efforts.

The Agreement will reinforce the growing bilateral relationship between two vibrant democracies. The United States is committed to a strategic partnership with India, the Agreement promises to be a major milestone in achieving and sustaining that goal.

In reviewing the proposed Agreement I have considered the views and recommendations of interested agencies. I have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved it and I urge that the Congress also approve it this year.

GEORGE W. BUSH.

THE WHITE HOUSE, September 10, 2008.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 11:24 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 5683. An act to make certain reforms with respect to the Government Accountability Office, and for other purposes.

H.R. 6456. An act to provide for extensions of certain authorities of the Department of State, and for other purposes.

S. 2450. An act to amend the Federal Rules of Evidence to address the waiver of the attorney-client privilege and the work product doctrine.

S. 2837. An act to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Theodore Roosevelt United States Courthouse".

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

At 3:58 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1527. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to conduct a pilot program to permit certain highly rural veterans enrolled in the health system of the Department of Veterans Affairs to receive covered health services through providers other than those of the Department.

H.R. 3667. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Missisquoi and Trout Rivers in the State of Vermont for study for potential addition to the National Wild and Scenic Rivers System.

H.R. 4081. An act to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 2617. An act to amend title 38, United States Code, to codify increases in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans that were effective as of December 1, 2007, to provide for an increase in the rates of such compensation effective December 1, 2008, and for other purposes.

At 4:44 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 344. Concurrent resolution recognizing the disproportionate impact of the global food crisis on children in the developing world.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 6532) to

amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund balance.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 6532. An act to amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund balance.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1527. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to conduct a pilot program to permit certain highly rural veterans enrolled in the health system of the Department of Veterans Affairs to receive covered health services through providers other than those of the Department; to the Committee on Veterans' Affairs.

H.R. 3667. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Missisquoi and Trout Rivers in the State of Vermont for study for potential addition to the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 344. Recognizing the disproportionate impact of the global food crisis on children in the developing world; to the Committee on Foreign Relations.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 11, 2008, she had presented to the President of the United States the following enrolled bills:

S. 2450. An act to amend the Federal Rules of Evidence to address the waiver of the attorney-client privilege and the work product doctrine.

S. 2837. An act to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Theodore Roosevelt United States Courthouse".

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7522. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Common Crop Insurance Regulations; Coverage Enhancement Option" (RIN0563-AC15) received on August 26, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7523. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department