EDO Principal Correspondence Control

FROM:

DUE: 07/14/10

Representative John M. Spratt, Jr. Representative Jeff Fortenberry Representative Andre Carson Representative Adam Schiff Representative Bill Foster Representative Doug Lamborn

 TO :

Chairman Jaczko

FOR SIGNATURE OF :

** PRI **

CRC NO: 10-0303

EDO CONTROL: G20100424

FINAL REPLY:

DOC DT: 06/30/10

Chairman Jackzo

DESC:

ROUTING:

Inclusion of a Nonproliferation Assessment as Part of the Process for Evaluating License Applications (EDATS: SECY-2010-0345)

DATE: 07/02/10

ASSIGNED TO: CONTACT:

EDO

SPECIAL INSTRUCTIONS OR REMARKS:

Please prepare a response in accordance with OEDO Notice 2009-0441-02 (ML093290179). NSIR, NRR, and NRO to provide input to Roger Rihm, OEDO, if required. Roger Rihm to coordinate response with OGC and OCA.

Rihm

Template: SECY-DIT

ment as Part Borchardt Applications Weber Virgilio Ash Mamish OGC/GC Wiggins, NSIR Leeds,NRR Johnson, NRO Schmidt, OCA Burns, OGC

F-RIOS' SECH- OI



EDATS Number: SECY-2010-0345

Source: SECY

Other Assignees: SECY Due Date: 7/16/2010 11:00 PN Subject: Inclusion of a Nonproliferation Assessment as Part of the Process for Evaluating License Applications Description: CC Routing: NRR; NSIR; NRO ADAMS Accession Numbers - Incoming: NONE Response/Package: NON Other Information Cross Reference Number: G20100424, LTR-10-0303 Related Task: Related Task: Related Task: File Routing: EDATS Agency Lesson Learned: NG OEDO Monthly Report Item: NG Process Information Signature Level: Chairman Jaczko Approval Level: No Approval Required OEDO Concurrence: YES OCM Concurrence: NO OCA Concurrence: NO OCA. Document Information NRR, and NRO to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC ar OCA. Document Information NRR, and DRO to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC ar OCA. Document Information NRR, and ARO to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC ar OCA. Document Information Driginato	General Information	
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Description: CC Routing: NRR; NSIR; NRO ADAMS Accession Numbers - Incoming: NONE Response/Package: NON Other Information Cross Reference Number: G20100424, LTR-10-0303 Staff Initiated: NC Related Task: Recurring Item: NC File Routing: EDATS Agency Lesson Learned: NC OEDO Monthly Report Item: NC Process Information Action Type: Letter Priority: Mediur Sensitivity: Non Signature Level: Chairman Jaczko Urgency: NC Approval Level: No Approval Required OEDO Concurrence: YES OCM Concurrence: NO Special Instructions: Please prepare response in accordance with OEDO Notice 2009-0441-02 (ML093290179). NSIR NRR, and NRO to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC ar OCA. Document Information Originator Name: Rep. Spratt,Fortenberry, Carson, Schiff, Date of Incoming: 6/30/201 Foster, and Lamborn Originating Organization: Congress Document Received by SECY Date: 7/2/201	Other Assignees:	SECY Due Date: 7/16/2010 11:00 PM
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	Originator Name: Rep. Spratt, Fortenberry, Carson, Schiff, Foster, and Lamborn	Date of Incoming: 6/30/201
Addressee: Chairman JaczkoDate Response Requested by Originator: NON	Originating Organization: Congress	Document Received by SECY Date: 7/2/201
	Addressee: Chairman Jaczko	Date Response Requested by Originator: NON

OFFICE OF THE SECRETARY CORRESPONDENCE CONTROL TICKET

Date Printed: Jul 02, 2010 11:35

PAPER NUMBER:	LTR-10-0303	LOGGING DATE: 07/01/2010
ACTION OFFICE:	EDO/OGC	
	1	
AUTHOR:	REP John Spratt	
AFFILIATION:	CONG	
ADDRESSEE:	CHRM Gregory Jaczko	
SUBJECT:	Concerns including a nonprolifer applications	ration assessment as part of the process for evaluating license
ACTION:	Signature of Chairman	· · ·
DISTRIBUTION:	RF, OIP, OCA to Ack	
• •		
LETTER DATE:	06/30/2010	
ACKNOWLEDGED	No	
SPECIAL HANDLING:	EDO to coordinate with OGC.	· · · · · · · · · · · · · · · · · · ·
NOTES:		
FILE LOCATION:	ADAMS	
DATE DUE:	07/16/2010	DATE SIGNED:

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Congress of the United States House of Representatives Mashington, DC 20515

June 30, 2010

The Honorable Gregory Jaczko Chairman U.S. Nuclear Regulatory Commission Mail Stop O-16G4 Washington, DC 20555-0001

Dear Chairman Jaczko:

We are writing to express our support for including a nonproliferation assessment as part of the process for evaluating license applications. This is of particular interest with the continuing expansion of domestic and international civilian nuclear power generation as well as this Administration's increased commitment to strengthening the nonproliferation regime.

We believe that the Nuclear Regulatory Commission (NRC) should take all appropriate actions to ensure that the nuclear technologies that they license are not diverted to uses that could threaten the security interests of the United States. As you will recall, the recent Nuclear Security Summit's multilateral communiqué emphasized "the importance of robust national legislative and regulatory frameworks for nuclear security" to contain the threat of proliferation. Indeed, the uncovering of A. Q. Khan's clandestine proliferation networks has taught us that we can never be too careful in protecting nuclear materials and technologies.

As you know, emerging nuclear technologies are becoming smaller and more efficient, and therefore more difficult to detect if a country attempts to develop them covertly. *Technical Steps to Support Nuclear Arsenal Downsizing*, a recent report by the American Physical Society, found that the NRC has the responsibility for reviewing license applications for new technologies that could carry substantial proliferation risks. In light of the evolution of nuclear technology, we think that it would be prudent for the NRC to conduct a nuclear nonproliferation assessment as part of its process for evaluating license applications. Such assessments would not be—and should not be viewed as being—an onerous addition to the process.

Most important, we firmly believe that NRC licensing assessments of nuclear proliferation risk would be completely consistent with the jurisdiction established by the Atomic Energy Act of 1954 that requires the NRC to evaluate whether the issuance of a license "would be inimical to the common defense and security or to the health and safety of the public." We understand that such assessments, by themselves, will not ensure that nuclear technologies are not diverted to nuclear weapons production or other military purposes. However, making nonproliferation a

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consideration in licensing such technologies can provide an additional and perhaps crucial layer of protection against their proliferation and use against the United States.

We look forward to your response and to hearing what steps the NRC will take to address our letter.

Sincerely,

Rep. John M. Spratt, Jr.

André Carson

Rep. Bill Foster

Rep. Jeff Fortenberry

Rep. Adam Schiff

Rep. boug Lamborn

cc: Commissioner Kristine L. Svinicki Commissioner George Apostolakis Commissioner William D. Magwood Commissioner William C. Ostendorff