

The Honorable Barbara Boxer  
Chairman, Committee on Environment  
and Public Works  
United States Senate  
Washington, DC 20510

Dear Madam Chairman:

The United States Nuclear Regulatory Commission (NRC) intends to publish a final rule in the *Federal Register* titled, “Regulatory Changes to Implement the United States/Australian Agreement for Peaceful Nuclear Cooperation” (the Agreement) that amends Title 10 of the *Code of Federal Regulations* (10 CFR) Part 40. The Agreement prohibits the United States from using Australian-obligated nuclear material to produce tritium for use in a nuclear explosive device, or for any other “military purpose” as defined in the Agreement. Under the Agreement’s terms, the use of Australian-obligated depleted uranium in munitions is prohibited. The amendments to 10 CFR Part 40 enable the United States Government to meet its obligations under this new Agreement with the Government of Australia. The new Agreement has been in force since December 22, 2010. The rule change will become effective upon publication in the *Federal Register*.

Sincerely,

Rebecca L. Schmidt, Director  
Office of Congressional Affairs

Enclosure:  
*Federal Register* Notice

cc: Senator James M. Inhofe

The Honorable Barbara Boxer  
Chairman, Committee on Environment  
and Public Works  
United States Senate  
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**Identical Letters sent to:**

The Honorable Thomas R. Carper with cc to Senator John Barrasso  
The Honorable Fred Upton with cc to Representative Henry A. Waxman  
The Honorable Ed Whitfield with cc to Representative Bobby L. Rush  
The Honorable John Shimkus with cc to Representative Gene Green

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The Honorable Fred Upton  
Chairman, Committee on Energy  
and Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

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Rebecca L. Schmidt, Director  
Office of Congressional Affairs

Enclosure:  
*Federal Register* Notice

cc: Representative Henry A. Waxman

The Honorable Ed Whitfield  
Chairman, Subcommittee on Energy and Power  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

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Office of Congressional Affairs

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cc: Representative Bobby L. Rush

The Honorable John Shimkus  
Chairman, Subcommittee on Environment  
and the Economy  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

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Rebecca L. Schmidt, Director  
Office of Congressional Affairs

Enclosure:  
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cc: Representative Gene Green

The Honorable Thomas R. Carper  
Chairman, Subcommittee on Clean Air  
and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

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