

October 26, 2010

The Honorable Joseph I. Lieberman  
Chairman, Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am providing you with NRC's views of the U.S. Government Accountability Office (GAO) report, "2010 Resubmission of the U.S.-Russia Nuclear Cooperation Agreement: Further Actions Needed by State and Other Agencies to Improve the Review of the Classified Nuclear Proliferation Assessment" (GAO-10-1039R).

The NRC appreciated the opportunity to have participated in both the 2008 and 2010 GAO reviews of the process by which the classified Nuclear Proliferation Assessments are conducted.

The NRC agrees with the GAO's recommendations in the report; i.e., to have the Department of State "ensure adequate time for consultation...with all parties that participate in the review of a nuclear cooperation agreement prior to its submission to the President and Congress" and to "strengthen the written procedures governing nuclear cooperation agreements" such that a mechanism for resolving interagency conflicts is included, the roles of the Office of the Director of National Intelligence and the Department of Energy's Office of Intelligence and Counterintelligence are clarified, and relevant members of the intelligence community are appropriately involved in the review process. The NRC believes the recommendations provided in the draft report will enhance the U.S. Government's process for thorough reviews of these important agreements. To this end, the NRC staff has consulted with the Executive Branch on their proposed draft procedures, and has provided input to clarify the NRC's role in this process. While the procedures have not yet been finalized by the Executive Branch, NRC continues to work with the Executive Branch agencies to ensure that the final document creates an efficient and orderly system for the review of these U.S. Government agreements.

Should you have any questions, please contact Rebecca Schmidt, Director, Office of Congressional Affairs at (301) 415-1776.

Sincerely,

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Gregory B. Jaczko

cc: Senator Susan Collins

Identical letter sent to:

The Honorable Joseph I. Lieberman  
Chairman, Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
Washington, D.C. 20510  
cc: Senator Susan Collins

The Honorable Edolphus Towns  
Chairman, Committee on Oversight and  
Government Reform  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative Darrell Issa

The Honorable Ileana Ros-Lehtinen  
Ranking Member, Committee on Foreign Affairs  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative Howard L. Berman

The Honorable Edward J. Markey  
Chairman, Subcommittee on Energy  
and Environment  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative Fred Upton

The Honorable Daniel K. Inouye  
Chairman, Committee on Appropriations  
United States Senate  
Washington, D.C. 20510  
cc: Senator Thad Cochran

The Honorable David R. Obey  
Chairman, Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative Jerry Lewis

The Honorable Gene L. Dodaro  
Acting Comptroller General of the United States  
U.S. Government Accountability Office  
Washington, D.C. 20548  
cc: Gene Aloise, GAO  
Glen S. Levis, GAO