



Congress of the United States
House of Representatives
Washington, 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

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.

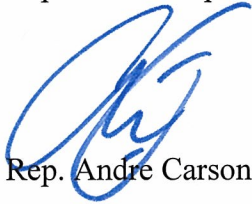
Sincerely,



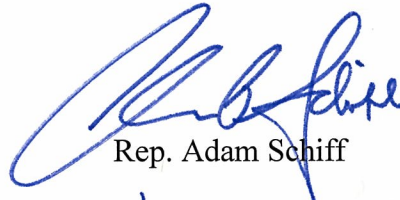
Rep. John M. Spratt, Jr.



Rep. Jeff Fortenberry



Rep. Andre Carson



Rep. Adam Schiff



Rep. Bill Foster



Rep. Doug Lamborn

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