

April 22, 2010

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

In accordance with the provisions of Section 123 of the Atomic Energy Act of 1954, as amended, the U.S. Nuclear Regulatory Commission (NRC) has reviewed the proposed Agreement with Australia for Cooperation Concerning Peaceful Uses of Nuclear Energy. It is the view of the Commission that the proposed agreement as represented by the Secretary of State and the Secretary of Energy, includes the provisions required by law, and provides a workable framework for civilian nuclear cooperation with Australia. The Commission recommends that you make the requisite positive statutory determination, approve the proposed agreement, and authorize its execution. We note that any NRC licensing actions that are covered under this potential agreement, will be subject to licensing reviews under existing NRC requirements to determine, in part, whether they would be inimical to the common defense and security.

Respectfully,

/RA/

Gregory B. Jaczko