



United States Department of State

Washington, D.C. 20520

AUG 11 2006

Dear Mr. Markey:

Thank you for your letter of July 11 regarding negotiation of a civilian nuclear cooperation agreement with Russia. The White House has asked that we reply to your concerns.

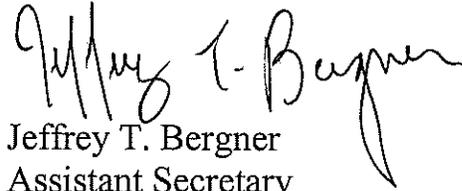
Subsequent to transmittal of your letter, President Bush and President Putin agreed in St. Petersburg to direct our Governments to begin negotiations with the purpose of concluding an agreement between the United States and the Russian Federation on cooperation in the peaceful use of nuclear energy. The Executive Branch is preparing a U.S. proposal for such a negotiation and we expect negotiations to begin before the end of 2006. The U.S. negotiating team will be led by the Department of State and we would expect to include, at a minimum, representatives from the Departments of Energy and Defense and the Nuclear Regulatory Commission.

As you know, the requirements for a nuclear cooperation agreement are set out in law, specifically Section 123 of the Atomic Energy Act of 1954, as amended. Section 123 requires that an agreement for cooperation contain provisions giving the United States consent rights over reprocessing and retransfer of U.S.-origin or derived nuclear material and equipment. Some of the other specific questions you raise, including the scope of Russian cooperation under GNEP and the conditions to be applied if spent nuclear fuel containing U.S.-origin nuclear material in a third country were proposed to be transferred to Russia have yet to be determined. We understand the concerns expressed in your letter and will fully take them into account during our negotiations. As provided for in Section 123, Congress will have the opportunity to review the agreement concluded as a result of our negotiations before that agreement can become effective.

The Honorable
Edward J. Markey
House of Representatives.

We hope this information is helpful in addressing your concerns.
Please feel free to contact us further on this or any matter of concern to you.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey T. Bergner". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

Jeffrey T. Bergner
Assistant Secretary
Legislative Affairs