

The Agreement will have an initial term of 30 years from the date of its entry into force, and will continue in force thereafter for additional periods of five years each. Either Party may terminate the proposed Agreement on six months advance written notice at the end of the initial 30 year term or at the end of any subsequent five year period. Additionally, either Party may terminate the proposed Agreement on one year's written notice.

The Agreement permits the transfer of information, material, equipment (including reactors), and components for nuclear research and nuclear power production. It does not permit transfers of restricted data, sensitive nuclear technology, sensitive nuclear facilities, or major critical components of such facilities. In the event of termination of the Agreement, key nonproliferation conditions and controls continue with respect to material, equipment, and components subject to the Agreement.

Vietnam is a non-nuclear-weapon State party to the Treaty on the Nonproliferation of Nuclear Weapons. Vietnam has in force a comprehensive safeguards agreement and an Additional Protocol with the International Atomic Energy Agency. Vietnam is a party to the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the use, storage, and transport of nuclear material, and has ratified the 2005 Amendment to the Convention. A more detailed discussion of Vietnam's intended civil nuclear program and its nuclear nonproliferation policies and practices, including its nuclear export policies and practices, is provided in the Nuclear Proliferation Assessment Statement ("NPAS"), and in a classified annex to the NPAS submitted to you separately. An addendum to the NPAS containing a comprehensive analysis of the export control system of Vietnam with respect to nuclear-related matters, including interactions with countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A of the National Security Act of 1947 (50 U.S.C. 403-1), as amended, is being submitted to you separately by the Director of National Intelligence.

In accordance with the provisions of section 123 of the Act, the proposed Agreement was negotiated by the Department of State, with the technical assistance and concurrence of the Department of Energy. The proposed Agreement has also been reviewed by the members of the Nuclear Regulatory Commission. The Commission's views are being submitted to you separately.

In our judgment, the proposed Agreement satisfies all requirements of U.S. law for agreements of this type. We believe, as well, that U.S. cooperation with Vietnam in the peaceful uses of nuclear energy under the proposed Agreement will be supportive of U.S. nonproliferation, foreign policy, and commercial interests. We recommend, therefore, that you determine, pursuant to section 123 b. of the Act, that performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security; and that you approve the Agreement and authorize its execution.

RECOMMENDATION

That you sign the determination, approval, and authorization at Attachment 1 and the transmittal letter to Congress at Attachment 2. (The transmittal will be held until the Agreement is signed.)

ATTACHMENTS:

Tab 1—Draft Presidential determination, approval, and authorization.

Tab 2—Draft transmittal letter to the Congress (To be held until after the Agreement is signed).

Tab 3—Text of Proposed Agreement for Cooperation Between the United States of America and the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy.

Tab 4—Unclassified Nuclear Proliferation Assessment Statement.

UNITED STATES
NUCLEAR REGULATORY COMMISSION,
Washington, DC, December 3, 2013.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: In accordance with the provisions of Section 123 of the Atomic Energy Act of 1954, as amended, the Nuclear Regulatory Commission reviewed the proposed Agreement for Cooperation between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning Peaceful Uses of Nuclear Energy. It is the view of the Commission that the proposed Agreement includes all of the provisions required by law and provides a sufficient framework for civilian nuclear cooperation between the United States and Vietnam. The Commission therefore recommends that you make the requisite positive statutory determination, approve the proposed Agreement, and authorize its execution.

Respectfully,

ALLISON M. MACFARLANE.

MESSAGES FROM THE HOUSE

At 11:23 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 863. An act to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 83. Authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.

ENROLLED BILL SIGNED

At 5:36 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3627. An act to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2824. An act to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes.

H.R. 3826. An act to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric

utility generating units, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5665. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XD215) received in the Office of the President of the Senate on May 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5666. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Reopening of Commercial Penaeid Shrimp Trawling Off South Carolina" (RIN0648-XD232) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5667. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XD236) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5668. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries Inseason Actions No. 1, 2 and 3" (RIN0648-XD198) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5669. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XD222) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5670. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2014 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper" (RIN0648-XD173) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5671. A communication from the Deputy Assistant Chief Counsel for Safety, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Critical Incident Stress Plans" (RIN2130-AC00) received in the Office of the President of the Senate on May 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5672. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the