

118TH CONGRESS
1ST SESSION

H. R. 6544

To advance the benefits of nuclear energy by enabling efficient, timely, and predictable licensing, regulation, and deployment of nuclear energy technologies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 2023

Mr. DUNCAN (for himself and Ms. DEGETTE) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To advance the benefits of nuclear energy by enabling efficient, timely, and predictable licensing, regulation, and deployment of nuclear energy technologies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Atomic Energy Advancement Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—NUCLEAR REGULATORY COMMISSION

Subtitle A—Efficiency, Performance, and Preparation for the Future

Sec. 101. NRC mission alignment.

Sec. 102. Nuclear licensing efficiency.

Sec. 103. Strengthening the NRC workforce.

Subtitle B—Fee Reduction

Sec. 111. Advanced reactor fee reduction.

Sec. 112. Advanced nuclear reactor prize.

Subtitle C—Siting, Licensing, and Oversight Reviews

Sec. 121. Modernization of nuclear reactor environmental reviews.

Sec. 122. Nuclear for Brownfield sites.

Sec. 123. Advancement of nuclear regulatory oversight.

TITLE II—NUCLEAR TECHNOLOGY DEPLOYMENT

Sec. 201. Advanced nuclear deployment.

Sec. 202. Global nuclear cooperation.

Sec. 203. American nuclear competitiveness.

3 **TITLE I—NUCLEAR** 4 **REGULATORY COMMISSION** 5 **Subtitle A—Efficiency, Perform-** 6 **ance, and Preparation for the** 7 **Future**

8 **SEC. 101. NRC MISSION ALIGNMENT.**

9 (a) MISSION OF THE COMMISSION.—

10 (1) UPDATE.—Not later than 1 year after the
 11 date of enactment of this Act, the Nuclear Regu-
 12 latory Commission shall, while remaining consistent
 13 with the policies of the Atomic Energy Act of 1954
 14 (including to provide reasonable assurance of ade-

1 quate protection of the public health and safety, to
2 promote the common defense and security, and to
3 protect the environment), update the mission state-
4 ment of the Commission to include that licensing
5 and regulation of nuclear energy activities be con-
6 ducted in a manner that is efficient and does not
7 unnecessarily limit—

8 (A) the potential of nuclear energy to im-
9 prove the general welfare; and

10 (B) the benefits of nuclear energy tech-
11 nology to society.

12 (2) REPORT.—Upon completion of the update
13 to the mission statement required under paragraph
14 (1), the Nuclear Regulatory Commission shall sub-
15 mit to Congress a report that describes—

16 (A) the updated mission statement; and

17 (B) the guidance that the Nuclear Regu-
18 latory Commission will provide to staff of the
19 Nuclear Regulatory Commission to ensure ef-
20 fective performance of such mission.

21 (b) OFFICE OF NUCLEAR REACTOR REGULATION.—
22 Section 203 of the Energy Reorganization Act of 1974
23 (42 U.S.C. 5843) is amended—

24 (1) in subsection (a), by striking “(a) There”
25 and inserting the following:

1 “(a) ESTABLISHMENT; APPOINTMENT OF DIREC-
2 TOR.—There”;

3 (2) in subsection (b)—

4 (A) in the matter preceding paragraph
5 (1)—

6 (i) by striking “(b) Subject” and in-
7 serting the following:

8 “(b) FUNCTIONS OF DIRECTOR.—Subject”; and

9 (ii) by striking “delegate including:”
10 and inserting “delegate, including the fol-
11 lowing:”; and

12 (B) in paragraph (3), by striking “for the
13 discharge of the” and inserting “to fulfill the li-
14 censing and regulatory oversight”;

15 (3) in subsection (c), by striking “(c) Nothing”
16 and inserting the following:

17 “(d) RESPONSIBILITY FOR SAFE OPERATION OF FA-
18 CILITIES.—Nothing”; and

19 (4) by inserting after subsection (b) the fol-
20 lowing:

21 “(e) LICENSING PROCESS.—In carrying out the prin-
22 cipal licensing and regulation functions under subsection
23 (b)(1), the Director of Nuclear Reactor Regulation shall—

24 “(1) establish techniques and guidance for eval-
25 uating applications for licenses for nuclear reactors

1 to support efficient, timely, and predictable reviews
2 of applications for such licenses to enable the safe
3 and secure use of nuclear reactors;

4 “(2) maintain the techniques and guidance es-
5 tablished under paragraph (1) by periodically assess-
6 ing and, if necessary, modifying such techniques and
7 guidance; and

8 “(3) obtain approval from the Commission if es-
9 tablishment or modification of the techniques and
10 guidance established under paragraph (1) or (2) in-
11 volves policy formulation.”.

12 **SEC. 102. NUCLEAR LICENSING EFFICIENCY.**

13 (a) EFFICIENT LICENSING REVIEWS.—

14 (1) GENERAL.—Section 181 of the Atomic En-
15 ergy Act of 1954 (42 U.S.C. 2231) is amended—

16 (A) by striking “The provisions of” and in-
17 serting the following:

18 “(a) The provisions of”; and

19 (B) by adding at the end the following:

20 “(b) Consistent with the declaration in section 1, the
21 Commission shall provide for efficient, timely, and predict-
22 able reviews and proceedings for the granting, suspending,
23 revoking, or amending of any license or construction per-
24 mit, or application to transfer control, and in any pro-

ceeding for the issuance or modification of rules and regulations dealing with the activities of licenses.”.

(2) CONSTRUCTION PERMITS AND OPERATING LICENSES.—Section 185 of the Atomic Energy Act of 1954 (42 U.S.C. 2235) is amended by adding at the end the following:

“c. APPLICATION REVIEWS FOR PRODUCTION AND UTILIZATION FACILITIES OF AN EXISTING SITE.—In reviewing an application for an early site permit, construction permit, operating license, or combined construction permit and operating license for a production facility or utilization facility located at the site of a production facility or utilization facility licensed by the Commission, the Commission shall, to the extent practicable, use information that was part of the licensing basis of the licensed production facility or utilization facility.”.

(b) PERFORMANCE METRICS AND MILESTONES.—Section 102(c) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(c)) is amended—

(1) in paragraph (3)—

(A) in the paragraph heading, by striking “180” and inserting “90”; and

(B) by striking “180” and inserting “90”; and

(2) by adding at the end the following:

1 “(4) PERIODIC UPDATES TO METRICS AND
2 SCHEDULES.—

3 “(A) REVIEW AND ASSESSMENT.—Not less
4 frequently than once every 3 years, the Com-
5 mission shall review and assess, based on the li-
6 censing and regulatory activities of the Com-
7 mission, the performance metrics and milestone
8 schedules developed under paragraph (1).

9 “(B) REVISIONS.—After each review and
10 assessment under subparagraph (A), the Com-
11 mission shall revise, as appropriate, the per-
12 formance metrics and milestone schedules devel-
13 oped under paragraph (1) to provide the most
14 efficient performance metrics and milestone
15 schedules reasonably achievable.”.

16 (c) CLARIFICATION ON FUSION REGULATION.—Sec-
17 tion 103(a)(4) of the Nuclear Energy Innovation and
18 Modernization Act (42 U.S.C. 2133 note; Public Law
19 115–439) is amended—

20 (1) by striking “Not later” and inserting the
21 following:

22 “(A) IN GENERAL.—Not later”; and

23 (2) by adding at the end the following:

24 “(B) EXCLUSION OF FUSION REACTORS.—

25 Notwithstanding section 3(1), for purposes of

1 subparagraph (A), the term ‘advanced nuclear
2 reactor applicant’ does not include an applicant
3 for a license for a nuclear fusion reactor.”.

4 (d) TECHNICAL CORRECTION.—Section 104 c. of the
5 Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amend-
6 ed—

7 (1) by striking the third sentence and inserting
8 the following:

9 “(3) LIMITATION ON UTILIZATION FACILI-
10 TIES.—The Commission may issue a license under
11 this section for a utilization facility useful in the
12 conduct of research and development activities of the
13 types specified in section 31 if—

14 “(A) not more than 75 percent of the an-
15 nual costs to the licensee of owning and oper-
16 ating the facility are devoted to the sale, other
17 than for research and development or education
18 and training, of—

19 “(i) nonenergy services;

20 “(ii) energy; or

21 “(iii) a combination of nonenergy
22 services and energy; and

23 “(B) not more than 50 percent of the an-
24 nual costs to the licensee of owning and oper-

1 ating the facility are devoted to the sale of en-
 2 ergy.”;

3 (2) in the second sentence, by striking “The
 4 Commission” and inserting the following:

5 “(2) REGULATION.—The Commission”; and

6 (3) by striking “C. The Commission” and in-
 7 serting the following:

8 “C. RESEARCH AND DEVELOPMENT ACTIVITIES.

9 “(1) IN GENERAL.—Subject to paragraphs (2)
 10 and (3), the Commission”.

11 **SEC. 103. STRENGTHENING THE NRC WORKFORCE.**

12 (a) COMMISSION WORKFORCE.—

13 (1) GENERAL AUTHORITY.—The Atomic En-
 14 ergy Act of 1954 (42 U.S.C. 2011 et seq.) is amend-
 15 ed by inserting after section 161A the following:

16 **“SEC. 161B. COMMISSION WORKFORCE.**

17 “(a) DIRECT HIRE AUTHORITY.—

18 “(1) IN GENERAL.—Notwithstanding section
 19 161 d. of this Act and section 2(b) of Reorganiza-
 20 tion Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C.
 21 app.), and without regard to any provision of title 5
 22 (except sections 3303 and 3328), United States
 23 Code, governing appointments in the civil service, if
 24 the Chairman of the Nuclear Regulatory Commis-
 25 sion (in this section referred to as the ‘Chairman’)

1 issues or renews a certification that there is a severe
2 shortage of candidates or a critical hiring need for
3 covered positions to carry out the Nuclear Regu-
4 latory Commission's (in this section referred to as
5 the 'Commission') responsibilities and activities in a
6 timely, efficient, and effective manner, the Chairman
7 may, during any period when such a certification is
8 in effect—

9 “(A) recruit and directly appoint highly
10 qualified individuals into the excepted service
11 for covered positions; and

12 “(B) establish in the excepted service
13 term-limited covered positions and recruit and
14 directly appoint highly qualified individuals into
15 such term-limited covered positions, which may
16 not exceed a term of 4 years.

17 “(2) LIMITATIONS.—

18 “(A) MERIT PRINCIPLES.—To the max-
19 imum extent practicable, any action authorized
20 pursuant to paragraph (1) shall be consistent
21 with the merit principles of section 2301 of title
22 5, United States Code.

23 “(B) NUMBER.—The number of highly
24 qualified individuals serving in—

1 “(i) covered positions pursuant to
2 paragraph (1)(A) may not exceed 210 at
3 any one time; and

4 “(ii) term-limited covered positions
5 pursuant to paragraph (1)(B) may not ex-
6 ceed 80 at any one time.

7 “(C) COMPENSATION.—The Chairman
8 may not use authority under paragraph (1)(A)
9 or paragraph (1)(B) to compensate individuals
10 recruited and directly appointed into a covered
11 position or a term-limited covered position at an
12 annual rate of basic pay higher than the annual
13 salary payable for level III of the Executive
14 Schedule under section 5314 of title 5, United
15 States Code.

16 “(D) SENIOR EXECUTIVE SERVICE POSI-
17 TION.—The Chairman may not, under para-
18 graph (1)(A) or paragraph (1)(B), appoint
19 highly qualified individuals to any Senior Exec-
20 utive Service position, as defined in section
21 3132 of title 5, United States Code.

22 “(3) RENEWAL.—The Chairman may renew a
23 certification issued or renewed under this subsection
24 if the Chairman determines there is still a severe
25 shortage of candidates or a critical hiring need for

1 covered positions to carry out the Commission’s re-
2 sponsibilities and activities in a timely, efficient, and
3 effective manner.

4 “(4) TERMINATION.—A certification issued or
5 renewed under this subsection shall terminate on the
6 earlier of—

7 “(A) the date that is 10 years after the
8 certification is renewed or issued; or

9 “(B) the date on which the Chairman de-
10 termines there is no longer a severe shortage of
11 candidates or a critical hiring need for covered
12 positions to carry out the Commission’s respon-
13 sibilities and activities in a timely, efficient, and
14 effective manner.

15 “(5) LEVEL OF POSITIONS.—To the extent
16 practicable, in carrying out paragraph (1) the Chair-
17 man shall recruit and directly appoint highly quali-
18 fied individuals into the excepted service to entry,
19 mid, and senior level covered positions, including
20 term-limited covered positions.

21 “(b) ADDRESSING INSUFFICIENT COMPENSATION OF
22 EMPLOYEES AND OTHER PERSONNEL OF THE COMMIS-
23 SION.—

24 “(1) IN GENERAL.—Notwithstanding any other
25 provision of law, if the Chairman issues or renews

1 a certification that compensation for employees or
2 other personnel of the Commission serving in a cov-
3 ered position is insufficient to retain or attract such
4 employees and other personnel to allow the Commis-
5 sion to carry out the responsibilities and activities of
6 the Commission in a timely, efficient, and effective
7 manner, the Chairman may, during any period when
8 such a certification is in effect, fix the compensation
9 for such employees or other personnel serving in a
10 covered position without regard to any provision of
11 title 5, United States Code, governing General
12 Schedule classification and pay rates.

13 “(2) CERTIFICATION REQUIREMENTS.—A cer-
14 tification issued or renewed under this subsection
15 shall—

16 “(A) apply to employees or other personnel
17 who serve in covered positions;

18 “(B) terminate on the earlier of—

19 “(i) the date that is 10 years after the
20 certification is issued or renewed; or

21 “(ii) the date on which the Chairman
22 determines that the use of the authority of
23 the Chairman under this subsection to fix
24 compensation for employees or other per-
25 sonnel serving in a covered position is no

1 longer necessary to retain or attract such
2 employees and other personnel to allow the
3 Commission to carry out the Commission's
4 responsibilities and activities in a timely,
5 efficient, and effective manner; and

6 “(C) be no broader than necessary to
7 achieve the objective of retaining or attracting
8 employees and other personnel serving in a cov-
9 ered position to allow the Commission to carry
10 out the Commission's responsibilities and activi-
11 ties in a timely, efficient, and effective manner.

12 “(3) RENEWAL.—The Chairman may renew a
13 certification issued or renewed under this subsection
14 if the Chairman determines that use of the authority
15 of the Chairman under this subsection to fix com-
16 pensation for employees or other personnel serving
17 in a covered position is still necessary to retain or
18 attract such employees or other personnel to allow
19 the Commission to carry out the Commission's re-
20 sponsibilities and activities in a timely, efficient, and
21 effective manner.

22 “(4) APPLICABILITY.—The authority under this
23 subsection to fix the compensation of employees or
24 other personnel during any period when a certifi-
25 cation issued or renewed under paragraph (1) is in

1 effect shall apply with respect to an employee or
2 other personnel serving in a covered position regard-
3 less of when the employee or other personnel was
4 hired.

5 “(5) RETENTION OF LEVEL OF FIXED COM-
6 PENSATION.—The termination of a certification
7 issued or renewed under paragraph (1) shall not af-
8 fect the compensation of an employee or other per-
9 sonnel serving in a covered position whose com-
10 pensation was fixed by the Chairman in accordance
11 with paragraph (1).

12 “(6) LIMITATION ON COMPENSATION.—The
13 Chairman may not use the authority under para-
14 graph (1) to fix the compensation of employees or
15 other personnel at an annual rate of basic pay high-
16 er than the annual salary payable for level III of the
17 Executive Schedule under section 5314 of title 5,
18 United States Code.

19 “(7) EXPERTS AND CONSULTANTS.—

20 “(A) IN GENERAL.—Subject to subpara-
21 graph (B), the Chairman may—

22 “(i) obtain the services of experts and
23 consultants in accordance with section
24 3109 of title 5, United States Code;

1 “(ii) compensate those experts and
2 consultants for each day (including travel
3 time) at rates not in excess of the rate of
4 pay for level IV of the Executive Schedule
5 under section 5315 of that title; and

6 “(iii) pay to the experts and consult-
7 ants serving away from the homes or reg-
8 ular places of business of the experts and
9 consultants travel expenses and per diem
10 in lieu of subsistence at rates authorized
11 by sections 5702 and 5703 of that title for
12 persons in Government service employed
13 intermittently.

14 “(B) LIMITATIONS.—The Chairman
15 shall—

16 “(i) to the maximum extent prac-
17 ticable, limit the use of experts and con-
18 sultants pursuant to subparagraph (A);
19 and

20 “(ii) ensure that the employment con-
21 tract of each expert and consultant em-
22 ployed pursuant to subparagraph (A) is
23 subject to renewal not less frequently than
24 annually.

25 “(c) ADDITIONAL COMPENSATION AUTHORITY.—

1 “(1) FOR NEW EMPLOYEES.—The Chairman
2 may pay a person recruited and directly appointed
3 under subsection (a) a 1-time hiring bonus in an
4 amount not to exceed \$25,000.

5 “(2) FOR EXISTING EMPLOYEES.—

6 “(A) IN GENERAL.—Subject to subpara-
7 graph (B), an employee or other personnel who
8 the Chairman determines exhibited exceptional
9 performance in a fiscal year may be paid a per-
10 formance bonus in an amount not to exceed the
11 least of—

12 “(i) \$25,000; and

13 “(ii) the amount of the limitation that
14 is applicable for a calendar year under sec-
15 tion 5307(a)(1) of title 5, United States
16 Code.

17 “(B) LIMITATIONS.—

18 “(i) SUBSEQUENT BONUSES.—Any
19 person who receives a performance bonus
20 under subparagraph (A) may not receive
21 another performance bonus under that
22 subparagraph for a period of 5 years there-
23 after.

24 “(ii) HIRING BONUSES.—Any person
25 who receives a 1-time hiring bonus under

1 paragraph (1) may not receive a perform-
2 ance bonus under subparagraph (A) unless
3 more than one year has elapsed since the
4 payment of such 1-time hiring bonus.

5 “(d) IMPLEMENTATION PLAN AND REPORT.—

6 “(1) IN GENERAL.—Not later than 180 days
7 after the date of enactment of this section, the
8 Chairman shall develop and implement a plan to
9 carry out this section. Before implementing such
10 plan, the Chairman shall submit to the Committee
11 on Energy and Commerce of the House of Rep-
12 resentatives, the Committee on Environment and
13 Public Works of the Senate, and the Office of Per-
14 sonnel Management a report on the details of the
15 plan.

16 “(2) REPORT CONTENT.—The report submitted
17 under paragraph (1) shall include—

18 “(A) evidence and supporting documenta-
19 tion justifying the plan; and

20 “(B) budgeting projections on costs and
21 benefits resulting from the plan.

22 “(3) CONSULTATION.—The Chairman may con-
23 sult with the Office of Personnel Management, the
24 Office of Management and Budget, and the Comp-

1 troller General of the United States in developing
2 the plan under paragraph (1).

3 “(e) DELEGATION.—The Chairman shall delegate,
4 subject to the direction and supervision of the Chairman,
5 the authority provided by subsections (a), (b), and (c) to
6 the Executive Director for Operations of the Commission.

7 “(f) INFORMATION ON HIRING, VACANCIES, AND
8 COMPENSATION.—

9 “(1) IN GENERAL.—The Commission shall in-
10 clude in its budget materials submitted in support of
11 the budget of the President (submitted to Congress
12 pursuant to section 1105 of title 31, United States
13 Code), for each fiscal year beginning after the date
14 of enactment of this section, information relating to
15 hiring, vacancies, and compensation at the Commis-
16 sion.

17 “(2) INCLUSIONS.—The information described
18 in paragraph (1) shall include—

19 “(A) an analysis of any trends with respect
20 to hiring, vacancies, and compensation at the
21 Commission;

22 “(B) a description of the efforts to retain
23 and attract employees or other personnel to
24 serve in covered positions at the Commission;

25 “(C) information that describes—

1 “(i) if a certification under subsection
2 (a) was in effect at any point in the pre-
3 vious year, how the authority provided by
4 that subsection is being used to address
5 the hiring needs of the Commission;

6 “(ii) the total number of highly quali-
7 fied individuals serving in—

8 “(I) covered positions pursuant
9 to subsection (a)(1)(A); and

10 “(II) term-limited covered posi-
11 tions pursuant to subsection
12 (a)(1)(B);

13 “(iii) if a certification under sub-
14 section (b) was in effect at any point in the
15 previous year, how the authority provided
16 by that subsection is being used to address
17 the hiring or retention needs of the Com-
18 mission;

19 “(iv) the total number of employees or
20 other personnel serving in a covered posi-
21 tion that have their compensation fixed
22 pursuant to subsection (b);

23 “(v) if a certification under subsection
24 (a) or (b) was terminated or was not in ef-
25 fect at any point in the previous year, why

1 such a certification was terminated or was
2 not in effect;

3 “(vi) the attrition levels with respect
4 to term-limited covered positions appointed
5 under subsection (a)(1)(B), including the
6 number of individuals leaving a term-lim-
7 ited covered position before completion of
8 the applicable term of service and the aver-
9 age length of service for such individuals
10 as a percentage of the applicable term of
11 service; and

12 “(vii) the number of experts and con-
13 sultants retained under subsection (b)(7);
14 and

15 “(D) an assessment of—

16 “(i) the current critical workforce
17 needs of the Commission and any critical
18 workforce needs that the Commission an-
19 ticipates in the next five years; and

20 “(ii) additional skillsets that are or
21 likely will be needed for the Commission to
22 fulfill the licensing and oversight respon-
23 sibilities of the Commission.

24 “(g) COVERED POSITION.—In this section, the term
25 ‘covered position’ means a position in which an employee

1 or other personnel is responsible for conducting work of
 2 a scientific, technical, engineering, mathematical, legal,
 3 managerial, or otherwise highly specialized or skilled na-
 4 ture.”.

5 (2) TABLE OF CONTENTS.—The table of con-
 6 tents of the Atomic Energy Act of 1954 is amended
 7 by inserting after the item relating to section 161
 8 the following:

“Sec. 161A. Use of firearms by security personnel.

“Sec. 161B. Commission workforce.”.

9 (b) GOVERNMENT ACCOUNTABILITY OFFICE RE-
 10 PORT.—Not later than September 30, 2032, the Comp-
 11 troller General of the United States shall submit to the
 12 Committee on Energy and Commerce of the House of
 13 Representatives and the Committee on Environment and
 14 Public Works of the Senate a report that—

15 (1) evaluates the extent to which the authorities
 16 provided under subsections (a), (b), and (c) of sec-
 17 tion 161B of the Atomic Energy Act of 1954 (as
 18 added by this Act) have been utilized;

19 (2) describes the role in which the highly quali-
 20 fied individuals recruited and directly appointed pur-
 21 suant to section 161B(a) of the Atomic Energy Act
 22 of 1954 (as added by this Act) have been utilized to
 23 support the licensing of advanced nuclear reactors;

1 (3) assesses the effectiveness of the authorities
 2 provided under subsections (a), (b), and (c) of sec-
 3 tion 161B of the Atomic Energy Act of 1954 (as
 4 added by this Act) in helping the Nuclear Regu-
 5 latory Commission fulfill its mission;

6 (4) makes recommendations to improve the Nu-
 7 clear Regulatory Commission’s strategic workforce
 8 management; and

9 (5) makes recommendations with respect to
 10 whether Congress should enhance, modify, or dis-
 11 continue the authorities provided under subsections
 12 (a), (b), and (c) of section 161B of the Atomic En-
 13 ergy Act of 1954 (as added by this Act).

14 (c) ANNUAL SOLICITATION FOR NUCLEAR REGU-
 15 LATOR APPRENTICESHIP NETWORK APPLICATIONS.—The
 16 Nuclear Regulatory Commission, on an annual basis, shall
 17 solicit applications for the Nuclear Regulator Apprentice-
 18 ship Network.

19 **Subtitle B—Fee Reduction**

20 **SEC. 111. ADVANCED REACTOR FEE REDUCTION.**

21 (a) DEFINITIONS.—Section 3 of the Nuclear Energy
 22 Innovation and Modernization Act (42 U.S.C. 2215 note;
 23 Public Law 115–439) is amended—

24 (1) by redesignating paragraphs (2) through
 25 (15) as paragraphs (3), (6), (7), (8), (9), (10), (11),

1 (14), (15), (16), (17), (18), (19), and (20), respec-
2 tively;

3 (2) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) ADVANCED NUCLEAR REACTOR APPLI-
6 CANT.—The term ‘advanced nuclear reactor appli-
7 cant’ means an entity that has submitted to the
8 Commission an application for a license for an ad-
9 vanced nuclear reactor under the Atomic Energy Act
10 of 1954 (42 U.S.C. 2011 et seq.).”;

11 (3) by inserting after paragraph (3) (as so re-
12 designated) the following:

13 “(4) ADVANCED NUCLEAR REACTOR
14 PREAPPLICANT.—The term ‘advanced nuclear reac-
15 tor preapplicant’ means an entity that has submitted
16 to the Commission a licensing project plan for the
17 purposes of submitting a future application for a li-
18 cense for an advanced nuclear reactor under the
19 Atomic Energy Act of 1954 (42 U.S.C. 2011 et
20 seq.).

21 “(5) AGENCY SUPPORT.—The term ‘agency
22 support’ has the meaning given the term ‘agency
23 support (corporate support and the IG)’ in section
24 170.3 of title 10, Code of Federal Regulations (or
25 any successor regulation).”; and

1 (4) by inserting after paragraph (11) (as so re-
2 designated) the following:

3 “(12) MISSION-DIRECT PROGRAM SALARIES
4 AND BENEFITS.—The term ‘mission-direct program
5 salaries and benefits’ has the meaning given such
6 term in section 170.3 of title 10, Code of Federal
7 Regulations (or any successor regulation).

8 “(13) MISSION-INDIRECT PROGRAM SUPPORT.—
9 The term ‘mission-indirect program support’ has the
10 meaning given such term in section 170.3 of title 10,
11 Code of Federal Regulations (or any successor regu-
12 lation).”.

13 (b) EXCLUDED ACTIVITIES.—Section 102(b)(1)(B)
14 of the Nuclear Energy Innovation and Modernization Act
15 (42 U.S.C. 2215(b)(1)(B)) is amended by adding at the
16 end the following:

17 “(iv) The total costs of mission-indi-
18 rect program support and agency support
19 that, under paragraph (2)(B)(ii), may not
20 be included in the professional hourly rate
21 charged for fees assessed and collected
22 from advanced nuclear reactor applicants.

23 “(v) The total costs of mission-indi-
24 rect program support and agency support
25 that, under paragraph (2)(C)(ii), may not

1 be included in the professional hourly rate
2 charged for fees assessed and collected
3 from advanced nuclear reactor
4 preapplicants.”.

5 (c) FEES FOR SERVICE OR THING OF VALUE.—Sec-
6 tion 102(b) of the Nuclear Energy Innovation and Mod-
7 ernization Act (42 U.S.C. 2215(b)) is amended by striking
8 paragraph (2) and inserting the following:

9 “(2) FEES FOR SERVICE OR THING OF
10 VALUE.—

11 “(A) IN GENERAL.—In accordance with
12 section 9701 of title 31, United States Code,
13 the Commission shall assess and collect fees
14 from any person who receives a service or thing
15 of value from the Commission to cover the costs
16 to the Commission of providing the service or
17 thing of value.

18 “(B) ADVANCED NUCLEAR REACTOR AP-
19 PLICANTS.—The professional hourly rate
20 charged for fees assessed and collected from an
21 advanced nuclear reactor applicant under this
22 paragraph relating to the review of a submitted
23 application for an advanced nuclear reactor may
24 not—

1 “(i) exceed the professional hourly
2 rate for mission-direct program salaries
3 and benefits of the Nuclear Reactor Safety
4 Program; and

5 “(ii) include the costs of mission-indi-
6 rect program support and agency support.

7 “(C) ADVANCED NUCLEAR REACTOR
8 PREAPPLICANTS.—The professional hourly rate
9 charged for fees assessed and collected from an
10 advanced nuclear reactor preapplicant under
11 this paragraph relating to the review of sub-
12 mitted materials as described in the licensing
13 project plan of such advanced nuclear reactor
14 preapplicant may not—

15 “(i) exceed the professional hourly
16 rate for mission-direct program salaries
17 and benefits of the Nuclear Reactor Safety
18 Program; and

19 “(ii) include the costs of mission-indi-
20 rect program support and agency support.

21 “(D) CALCULATION OF HOURLY RATE.—In
22 this paragraph, the professional hourly rate for
23 mission-direct program salaries and benefits of
24 the Nuclear Reactor Safety Program equals the
25 quotient obtained by dividing—

1 “(i) the full-time equivalent rate
2 (within the meaning of the document of
3 the Commission entitled ‘FY 2023 Final
4 Fee Rule Work Papers’ (or a successor
5 document)) for mission-direct program sal-
6 aries and benefits of the Nuclear Reactor
7 Safety Program (as determined by the
8 Commission) for a fiscal year; by

9 “(ii) the productive hours assumption
10 for that fiscal year, determined in accord-
11 ance with the formula established in the
12 document referred to in clause (i) (or a
13 successor document).”.

14 (d) SUNSET.—Section 102(f) of the Nuclear Energy
15 Innovation and Modernization Act (42 U.S.C. 2215(f)) is
16 amended to read as follows:

17 “(f) CESSATION OF EFFECTIVENESS.—Paragraphs
18 (1)(B)(v) and (2)(C) of subsection (b) shall cease to be
19 effective on September 30, 2029.”.

20 (e) EFFECTIVE DATE.—The amendments made by
21 this section shall take effect on October 1, 2024.

22 **SEC. 112. ADVANCED NUCLEAR REACTOR PRIZE.**

23 Section 103 of the Nuclear Energy Innovation and
24 Modernization Act (Public Law 115–439; 132 Stat. 5571)
25 is amended by adding at the end the following:

1 “(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LI-
2 CENSING.—

3 “(1) DEFINITION OF ELIGIBLE ENTITY.—In
4 this subsection, the term ‘eligible entity’ means—

5 “(A) a non-Federal entity; and

6 “(B) the Tennessee Valley Authority.

7 “(2) PRIZE FOR ADVANCED NUCLEAR REACTOR
8 LICENSING.—

9 “(A) IN GENERAL.—Notwithstanding sec-
10 tion 169 of the Atomic Energy Act of 1954 (42
11 U.S.C. 2209) and subject to the availability of
12 appropriations, the Secretary is authorized to
13 make, with respect to each award category de-
14 scribed in subparagraph (C), an award in an
15 amount described in subparagraph (B) to the
16 first eligible entity—

17 “(i) to which the Commission issues
18 an operating license for an advanced nu-
19 clear reactor under part 50 of title 10,
20 Code of Federal Regulations (or successor
21 regulations), for which an application has
22 not been approved by the Commission as
23 of the date of enactment of this subsection;
24 or

1 “(ii) for which the Commission makes
2 a finding described in section 52.103(g) of
3 title 10, Code of Federal Regulations (or
4 successor regulations), with respect to a
5 combined license for an advanced nuclear
6 reactor—

7 “(I) that is issued under subpart
8 C of part 52 of that title (or successor
9 regulations); and

10 “(II) for which an application
11 has not been approved by the Com-
12 mission as of the date of enactment of
13 this subsection.

14 “(B) AMOUNT OF AWARD.—Subject to
15 paragraph (3), an award under subparagraph
16 (A) shall be in an amount equal to the total
17 amount assessed by the Commission and col-
18 lected under section 102(b)(2) from the eligible
19 entity receiving the award for costs relating to
20 the issuance of the license described in that
21 subparagraph, including, as applicable, costs re-
22 lating to the issuance of an associated construc-
23 tion permit described in section 50.23 of title
24 10, Code of Federal Regulations (or successor
25 regulations), or early site permit (as defined in

1 section 52.1 of that title (or successor regula-
2 tions)).

3 “(C) AWARD CATEGORIES.—An award
4 under subparagraph (A) may be made for—

5 “(i) the first advanced nuclear reactor
6 for which the Commission—

7 “(I) issues a license in accord-
8 ance with clause (i) of subparagraph
9 (A); or

10 “(II) makes a finding in accord-
11 ance with clause (ii) of that subpara-
12 graph;

13 “(ii) an advanced nuclear reactor
14 that—

15 “(I) uses isotopes derived from
16 spent nuclear fuel (as defined in sec-
17 tion 2 of the Nuclear Waste Policy
18 Act of 1982 (42 U.S.C. 10101)) or
19 depleted uranium as fuel for the ad-
20 vanced nuclear reactor; and

21 “(II) is the first advanced nu-
22 clear reactor described in subclause
23 (I) for which the Commission—

1 “(aa) issues a license in ac-
2 cordance with clause (i) of sub-
3 paragraph (A); or

4 “(bb) makes a finding in ac-
5 cordance with clause (ii) of that
6 subparagraph;

7 “(iii) an advanced nuclear reactor
8 that—

9 “(I) is a nuclear integrated en-
10 ergy system—

11 “(aa) that is composed of 2
12 or more co-located or jointly op-
13 erated subsystems of energy gen-
14 eration, energy storage, or other
15 technologies;

16 “(bb) in which not fewer
17 than 1 subsystem described in
18 item (aa) is a nuclear energy sys-
19 tem; and

20 “(cc) the purpose of which
21 is—

22 “(AA) to reduce green-
23 house gas emissions in both
24 the power and nonpower sec-
25 tors; and

1 “(BB) to maximize en-
2 ergy production and effi-
3 ciency; and

4 “(II) is the first advanced nu-
5 clear reactor described in subclause
6 (I) for which the Commission—

7 “(aa) issues a license in ac-
8 cordance with clause (i) of sub-
9 paragraph (A); or

10 “(bb) makes a finding in ac-
11 cordance with clause (ii) of that
12 subparagraph;

13 “(iv) an advanced reactor that—

14 “(I) operates flexibly to generate
15 electricity or high temperature process
16 heat for nonelectric applications; and

17 “(II) is the first advanced nu-
18 clear reactor described in subclause
19 (I) for which the Commission—

20 “(aa) issues a license in ac-
21 cordance with clause (i) of sub-
22 paragraph (A); or

23 “(bb) makes a finding in ac-
24 cordance with clause (ii) of that
25 subparagraph; and

1 “(v) the first advanced nuclear reactor
2 for which the Commission grants approval
3 to load nuclear fuel pursuant to the tech-
4 nology-inclusive regulatory framework es-
5 tablished under subsection (a)(4).

6 “(3) FEDERAL FUNDING LIMITATION.—

7 “(A) EXCLUSION OF TVA FUNDS.—In this
8 paragraph, the term ‘Federal funds’ does not
9 include funds received under the power program
10 of the Tennessee Valley Authority established
11 pursuant to the Tennessee Valley Authority Act
12 of 1933 (16 U.S.C. 831 et seq.).

13 “(B) LIMITATION ON AMOUNTS EX-
14 PENDED.—An award under this subsection
15 shall not exceed the total amount expended (ex-
16 cluding any expenditures made with Federal
17 funds received for the applicable project and an
18 amount equal to the minimum cost-share re-
19 quired under section 988 of the Energy Policy
20 Act of 2005 (42 U.S.C. 16352)) by the eligible
21 entity receiving the award for licensing costs re-
22 lating to the project for which the award is
23 made.

24 “(C) REPAYMENTS AND DIVIDENDS NOT
25 REQUIRED.—Notwithstanding section

9104(a)(4) of title 31, United States Code, or any other provision of law, an eligible entity that received an award under this subsection shall not be required—

“(i) to repay that award or any part of that award; or

“(ii) to pay a dividend, interest, or other similar payment based on the sum of that award.”.

Subtitle C—Siting, Licensing, and Oversight Reviews

SEC. 121. MODERNIZATION OF NUCLEAR REACTOR ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Nuclear Regulatory Commission (in this section referred to as the “Commission”) shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the efforts of the Commission to facilitate efficient, timely, and predictable environmental reviews of nuclear reactor applications, including through expanded use of categorical exclusions, environmental assessments, and generic environmental impact statements.

1 (b) REPORT.—In completing the report under sub-
2 section (a), the Commission shall—

3 (1) describe the actions the Commission will
4 take to implement the amendments to the National
5 Environmental Policy Act of 1969 (42 U.S.C. 4321
6 et seq.) made by section 321 of the Fiscal Responsi-
7 bility Act of 2023;

8 (2) consider—

9 (A) using through adoption, incorporation
10 by reference, or other appropriate means, cat-
11 egorical exclusions, environmental assessments,
12 and environmental impact statements prepared
13 by other Federal agencies to streamline environ-
14 mental reviews of nuclear reactor applications
15 by the Commission;

16 (B) using categorical exclusions, environ-
17 mental assessments, and environmental impact
18 statements prepared by the Commission to
19 streamline environmental reviews of nuclear re-
20 actor applications by the Commission;

21 (C) using mitigated findings of no signifi-
22 cant impact in environmental reviews of nuclear
23 reactor applications by the Commission to re-
24 duce the impact of a proposed action to a level
25 that is not significant;

1 (D) the extent to which the Commission
2 may rely on prior studies or analyses prepared
3 by Federal, State, and local governmental per-
4 mitting agencies to streamline environmental
5 reviews of nuclear reactor applications by the
6 Commission;

7 (E) opportunities to coordinate the devel-
8 opment of environmental assessments and envi-
9 ronmental impact statements with other Fed-
10 eral agencies to avoid duplicative environmental
11 reviews and to streamline environmental reviews
12 of nuclear reactor applications by the Commis-
13 sion;

14 (F) opportunities to streamline formal and
15 informal consultations and coordination with
16 other Federal, State, and local governmental
17 permitting agencies during environmental re-
18 views of nuclear reactor applications by the
19 Commission;

20 (G) opportunities to streamline the Com-
21 mission's analyses of alternatives, including the
22 Commission's analysis of alternative sites, in
23 environmental reviews of nuclear reactor appli-
24 cations by the Commission;

1 (H) establishing new categorical exclusions
2 that could be applied to actions relating to new
3 nuclear reactors applications;

4 (I) amending section 51.20(b) of title 10,
5 Code of Federal Regulations, to allow the Com-
6 mission to determine on a case-specific basis
7 whether an environmental assessment (rather
8 than an environmental impact statement or
9 supplemental environmental impact statement)
10 is appropriate for a particular nuclear reactor
11 application, including in proceedings in which
12 the Commission relies upon a generic environ-
13 mental impact statement for advanced nuclear
14 reactors;

15 (J) authorizing the use of an applicant's
16 environmental impact statement as the Com-
17 mission's draft environmental impact statement,
18 consistent with section 107(f) of the National
19 Environmental Policy Act of 1969 (42 U.S.C.
20 4336a(f));

21 (K) opportunities to adopt online and dig-
22 ital technologies, including technologies that
23 would allow applicants and cooperating agencies
24 to upload documents and coordinate with the
25 Commission to edit documents in real time,

1 that would streamline communications be-
2 tween—

3 (i) the Commission and applicants;

4 and

5 (ii) the Commission and other rel-
6 evant cooperating agencies; and

7 (L) in addition to implementing measures
8 under subsection (c), potential revisions to part
9 51 of title 10, Code of Federal Regulations, and
10 relevant Commission guidance documents, to—

11 (i) facilitate efficient, timely, and pre-
12 dictable environmental reviews of nuclear
13 reactor applications;

14 (ii) assist decision making about rel-
15 evant environmental issues;

16 (iii) maintain openness with the pub-
17 lic;

18 (iv) meet obligations under the Na-
19 tional Environmental Policy Act of 1969
20 (42 U.S.C. 4321 et seq.); and

21 (v) reduce burdens on licensees, appli-
22 cants, and the Commission; and

23 (3) include a schedule for promulgating the rule
24 required under subsection (c).

1 (c) RULEMAKING.—Not later than 2 years after the
2 submission of the report under subsection (a), the Com-
3 mission shall promulgate a final rule implementing, to the
4 maximum extent practicable, measures considered by the
5 Commission under subsection (b)(2) that are necessary to
6 streamline the Commission’s review of nuclear reactor ap-
7 plications.

8 **SEC. 122. NUCLEAR FOR BROWNFIELD SITES.**

9 (a) DEFINITIONS.—In this section:

10 (1) BROWNFIELD SITE.—The term “brownfield
11 site” has the meaning given the term in section 101
12 of the Comprehensive Environmental Response,
13 Compensation, and Liability Act of 1980 (42 U.S.C.
14 9601).

15 (2) COMMISSION.—The term “Commission”
16 means the Nuclear Regulatory Commission.

17 (3) COVERED SITE.—The term “covered site”
18 means a brownfield site, a retired fossil fuel site, or
19 a site that is both a retired fossil fuel site and a
20 brownfield site.

21 (4) PRODUCTION FACILITY.—The term “pro-
22 duction facility” has the meaning given the term in
23 section 11 of the Atomic Energy Act of 1954 (42
24 U.S.C. 2014).

1 (5) RETIRED FOSSIL FUEL SITE.—The term
2 “retired fossil fuel site” means the site of 1 or more
3 fossil fuel electric generation facilities that are re-
4 tired or scheduled to retire, including multiunit fa-
5 cilities that are partially shut down.

6 (6) UTILIZATION FACILITY.—The term “utiliza-
7 tion facility” has the meaning given the term in sec-
8 tion 11 of the Atomic Energy Act of 1954 (42
9 U.S.C. 2014).

10 (b) IDENTIFICATION OF REGULATORY ISSUES.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this Act, the Commission
13 shall evaluate the extent to which modification of
14 regulations, guidance, or policy is needed to enable
15 efficient, timely, and predictable licensing reviews
16 for, and to support the oversight of, production fa-
17 cilities or utilization facilities at covered sites.

18 (2) REQUIREMENT.—In carrying out paragraph
19 (1), the Commission shall consider how licensing re-
20 views for production facilities or utilization facilities
21 at covered sites may be expedited by—

22 (A) siting and operating a production facil-
23 ity or a utilization facility at or near existing
24 site infrastructure to support the reuse of such
25 infrastructure, including—

- 1 (i) electric switchyard components and
- 2 transmission infrastructure;
- 3 (ii) heat-sink components;
- 4 (iii) steam cycle components;
- 5 (iv) roads;
- 6 (v) railroad access; and
- 7 (vi) water availability;

8 (B) using early site permits;

9 (C) using plant parameter envelopes or
10 similar standardized site parameters on a por-
11 tion of a larger site; and

12 (D) using a standardized application for
13 similar sites.

14 (3) REPORT.—Not later than 14 months after
15 the date of enactment of this Act, the Commission
16 shall submit to the appropriate committees of Con-
17 gress a report describing any regulations, guidance,
18 and policies evaluated under paragraph (1).

19 (c) LICENSING.—

20 (1) IN GENERAL.—Not later than 2 years after
21 the date of enactment of this Act, the Commission
22 shall, based on the evaluation under subsection (b)—

23 (A) develop and implement strategies to
24 enable efficient, timely, and predictable licens-
25 ing reviews for, and to support the oversight of,

1 production facilities or utilization facilities at
2 covered sites; and

3 (B) initiate a rulemaking to enable effi-
4 cient, timely, and predictable licensing reviews
5 for, and to support the oversight of, production
6 facilities or utilization facilities at covered sites.

7 (2) REQUIREMENTS.—In carrying out para-
8 graph (1), consistent with the mission of the Com-
9 mission, the Commission shall consider matters re-
10 lating to—

11 (A) the use of existing site infrastructure;

12 (B) existing emergency preparedness orga-
13 nizations and planning;

14 (C) the availability of historical site-spe-
15 cific environmental data;

16 (D) previously completed environmental re-
17 views required by the National Environmental
18 Policy Act of 1969 (42 U.S.C. 4321 et seq.);

19 (E) activities associated with the potential
20 decommissioning of facilities or decontamina-
21 tion and remediation at covered sites; and

22 (F) community engagement and historical
23 experience with energy production.

24 (d) REPORT.—Not later than 3 years after the date
25 of enactment of this Act, the Commission shall submit to

1 the Committee on Energy and Commerce of the House
2 of Representatives and the Committee on Environment
3 and Public Works of the Senate a report describing the
4 actions taken by the Commission under subsection (c)(1).

5 **SEC. 123. ADVANCEMENT OF NUCLEAR REGULATORY OVER-**
6 **SIGHT.**

7 (a) IMPLEMENTING LESSONS LEARNED FROM THE
8 COVID–19 HEALTH EMERGENCY.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of enactment of this Act, the Commis-
11 sion shall submit to the appropriate committees of
12 Congress a report on actions taken by the Commis-
13 sion during the public health emergency declared by
14 the Secretary of Health and Human Services under
15 section 319 of the Public Health Service Act (42
16 U.S.C. 247d) on January 31, 2020, with respect to
17 COVID–19.

18 (2) CONTENTS.—The report submitted under
19 paragraph (1) shall—

20 (A) identify any processes, procedures, and
21 other regulatory policies that the Commission
22 revised or temporarily suspended during the
23 public health emergency described in paragraph
24 (1);

1 (B) examine how any revision or tem-
2 porary suspension of a process, procedure, or
3 other regulatory policy identified under sub-
4 paragraph (A) affected the ability of the Com-
5 mission to license and regulate the civilian use
6 of radioactive materials in the United States to
7 protect public health and safety, promote the
8 common defense and security, and protect the
9 environment;

10 (C) discuss lessons learned from the mat-
11 ters described in subparagraph (B);

12 (D) list actions that the Commission has
13 taken or will take to incorporate into the licens-
14 ing and oversight activities of the Commission,
15 without compromising the mission of the Com-
16 mission, the lessons described in subparagraph
17 (C); and

18 (E) describe when the actions listed under
19 subparagraph (D) were implemented or may be
20 implemented.

21 (b) ADVANCING EFFICIENT, RISK-INFORMED OVER-
22 SIGHT AND INSPECTIONS.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the date of enactment of this Act, the Commission
25 shall develop and submit to the appropriate commit-

tees of Congress a report that identifies specific improvements to the nuclear reactor and materials oversight and inspection programs carried out pursuant to the Atomic Energy Act of 1954 that the Commission may implement to maximize the efficiency of such programs through, where appropriate, the use of risk-informed, performance-based procedures, expanded incorporation of information technologies, and staff training.

(2) STAKEHOLDER INPUT.—In developing the report under paragraph (1), the Commission shall, as appropriate, seek input from—

(A) the Secretary of Energy;

(B) the National Laboratories;

(C) the nuclear energy industry; and

(D) nongovernmental organizations that are related to nuclear energy.

(3) CONTENTS.—The report submitted under paragraph (1) shall—

(A) assess specific elements of oversight and inspections that may be modified by the use of technology, improved planning, and continually updated risk-informed, performance-based assessment, including—

(i) use of travel resources;

1 (ii) planning and preparation for in-
2 spections, including entrance and exit
3 meetings with licensees;

4 (iii) document collection and prepara-
5 tion, including consideration of whether
6 nuclear reactor data are accessible prior to
7 onsite visits or requests to the licensee and
8 that document requests are timely and
9 within the scope of inspections;

10 (iv) the cross-cutting issues program;
11 and

12 (v) the scope of event reporting re-
13 quired by licensees to ensure decisions are
14 risk-informed;

15 (B) identify and assess measures to im-
16 prove oversight and inspections, including—

17 (i) elimination of areas of duplicative
18 or otherwise unnecessary activities;

19 (ii) increased use of templates in doc-
20 umenting inspection results; and

21 (iii) periodic training of Commission
22 staff and leadership on the application of
23 risk-informed criteria for—

24 (I) inspection planning and as-
25 sessments;

1 (II) agency decision making proc-
2 esses on the application of regulations
3 and guidance; and

4 (III) the application of the Com-
5 mission's standard of reasonable as-
6 surance of adequate protection;

7 (C) assess measures to advance risk-in-
8 formed procedures, including—

9 (i) increased use of inspection ap-
10 proaches that balance the level of resources
11 commensurate with safety significance;

12 (ii) increased review of the use of in-
13 spection program resources based on li-
14 censee performance;

15 (iii) expansion of modern information
16 technology, including artificial intelligence
17 and machine learning to risk inform over-
18 sight and inspection decisions; and

19 (iv) updating the Differing Profes-
20 sional Views or Opinions process to ensure
21 any impacts on agency decisions and
22 schedules are commensurate with the safe-
23 ty significance of the differing opinion;

24 (D) assess the ability of the Commission,
25 consistent with its obligations to provide reason-

1 able assurance of adequate protection of health
2 and safety pursuant to the Atomic Energy Act
3 of 1954, to enable licensee innovations that may
4 advance nuclear reactor operational efficiency
5 and safety, including the criteria of the Com-
6 mission for timely acceptance of licensee adop-
7 tion of advanced technologies, including digital
8 technologies;

9 (E) identify recommendations resulting
10 from the assessments described in subpara-
11 graphs (A) through (D);

12 (F) identify specific actions that the Com-
13 mission will take to incorporate into the train-
14 ing, inspection, oversight, and licensing activi-
15 ties, and regulations of the Commission, with-
16 out compromising the mission of the Commis-
17 sion, the recommendations identified under sub-
18 paragraph (E); and

19 (G) describe when the actions identified
20 under subparagraph (F) may be implemented.

21 (c) OFFICE AND FACILITY SPACE REVIEW.—

22 (1) REPORT.—Not later than 1 year after the
23 date of enactment of this Act, the Comptroller Gen-
24 eral of the United States shall—

1 (A) review office and other facility space
2 requirements of the Commission; and

3 (B) submit to the appropriate committees
4 of Congress a report, with recommendations, on
5 the results of such review.

6 (2) CONTENTS.—The report described in para-
7 graph (1) shall include—

8 (A) an examination of—

9 (i) the costs associated with the head-
10 quarters, regional offices, and technical
11 training center of the Commission, includ-
12 ing examination of—

13 (I) costs that do not support the
14 Commission's mission, including rent
15 subsidies for other Federal agencies;
16 and

17 (II) opportunities to reduce fu-
18 ture costs through reduction in unnec-
19 essary office space, consolidation of
20 offices, use of advanced information
21 technology, or any other appropriate
22 means; and

23 (ii) current and anticipated office and
24 facility requirements to efficiently accom-
25 plish the mission of the Commission; and

1 (B) recommendations to Congress, the
2 Commission, and the General Services Adminis-
3 tration for actions that may assist in reducing
4 office and facility costs to licensees and tax-
5 payers.

6 (d) DEFINITIONS.—In this section:

7 (1) APPROPRIATE COMMITTEES OF CON-
8 GRESS.—The term “appropriate committees of Con-
9 gress” means the Committee on Energy and Com-
10 merce of the House of Representatives and the Com-
11 mittee on Environment and Public Works of the
12 Senate.

13 (2) COMMISSION.—The term “Commission”
14 means the Nuclear Regulatory Commission.

15 (3) LICENSEE.—The term “licensee” means a
16 person that holds a license issued under section 103
17 or section 104 of the Atomic Energy Act of 1954
18 (42 U.S.C. 2133; 2134).

19 **TITLE II—NUCLEAR** 20 **TECHNOLOGY DEPLOYMENT**

21 **SEC. 201. ADVANCED NUCLEAR DEPLOYMENT.**

22 (a) ENABLING PREPARATIONS FOR ADVANCED NU-
23 CLEAR REACTOR DEMONSTRATIONS ON FEDERAL
24 SITES.—

1 (1) IN GENERAL.—Section 102(b)(1)(B) of the
2 Nuclear Energy Innovation and Modernization Act
3 (42 U.S.C. 2215(b)(1)(B)) is further amended by
4 adding at the end the following:

5 “(vi) Costs for—

6 “(I) activities to review and ap-
7 prove or disapprove an application for
8 an early site permit (as defined in sec-
9 tion 52.1 of title 10, Code of Federal
10 Regulations (or any successor regula-
11 tion)) to demonstrate an advanced nu-
12 clear reactor on a Department of En-
13 ergy site or any site or installation
14 that is critical national security infra-
15 structure (as defined in section 327(d)
16 of the John S. McCain National De-
17 fense Authorization Act for Fiscal
18 Year 2019); and

19 “(II) pre-application activities re-
20 lating to an early site permit (as so
21 defined) to demonstrate an advanced
22 nuclear reactor on a Department of
23 Energy site or any site or installation
24 that is critical national security infra-
25 structure (as defined in section 327(d)

1 of the John S. McCain National De-
2 fense Authorization Act for Fiscal
3 Year 2019).”.

4 (2) EFFECTIVE DATE.—The amendment made
5 by paragraph (1) shall take effect on October 1,
6 2024.

7 (b) REGULATORY REQUIREMENTS FOR MICRO-REAC-
8 TORS.—

9 (1) MICRO-REACTOR LICENSING.—The Nuclear
10 Regulatory Commission (in this subsection referred
11 to as the “Commission”) shall—

12 (A) not later than 18 months after the
13 date of enactment of this Act, develop risk-in-
14 formed and performance-based strategies and
15 guidance to license and regulate micro-reactors
16 pursuant to section 103 of the Atomic Energy
17 Act of 1954 (42 U.S.C. 2133), including strate-
18 gies and guidance for—

- 19 (i) staffing and operations;
20 (ii) oversight and inspections;
21 (iii) safeguards and security;
22 (iv) emergency preparedness;
23 (v) risk analysis methods, including
24 alternatives to probabilistic risk assess-
25 ments;

- 1 (vi) decommissioning funding assur-
2 ance methods that permit the use of
3 design- and site-specific cost estimates;
- 4 (vii) the transportation of fueled
5 micro-reactors; and
- 6 (viii) siting, including in relation to—
- 7 (I) the population density cri-
8 terion limit described in the policy
9 issue paper on population-related
10 siting considerations for advanced re-
11 actors dated May 8, 2020, and num-
12 bered SECY–20–0045;
- 13 (II) licensing mobile deployment;
- 14 and
- 15 (III) environmental reviews; and
- 16 (B) not later than 3 years after the date
17 of enactment of this Act, implement, as appro-
18 priate, the strategies and guidance developed
19 under subparagraph (A)—
- 20 (i) within the existing regulatory
21 framework;
- 22 (ii) through the technology-inclusive,
23 regulatory framework to be established
24 under section 103(a)(4) of the Nuclear En-
25 ergy Innovation and Modernization Act (42

1 U.S.C. 2133 note; Public Law 115–439);

2 or

3 (iii) through a pending or new rule-

4 making.

5 (2) CONSIDERATIONS.—In developing and im-

6 plementing strategies and guidance under paragraph

7 (1), the Commission shall consider—

8 (A) the unique characteristics of micro-re-

9 actors, including characteristics relating to—

10 (i) physical size;

11 (ii) design simplicity; and

12 (iii) source term;

13 (B) opportunities to address redundancies

14 and inefficiencies;

15 (C) opportunities to consolidate review

16 phases and reduce transitions between review

17 teams;

18 (D) opportunities to establish integrated

19 review teams to ensure continuity throughout

20 the review process; and

21 (E) other relevant considerations discussed

22 in the policy issue paper on policy and licensing

23 considerations related to micro-reactors dated

24 October 6, 2020, and numbered SECY–20–

25 0093.

1 (3) CONSULTATION.—In carrying out para-
2 graph (1), the Commission shall consult with—

3 (A) the Secretary of Energy;

4 (B) the heads of other Federal agencies, as
5 appropriate;

6 (C) micro-reactor technology developers;

7 and

8 (D) other stakeholders.

9 (c) EXPEDITED SUBSEQUENT COMBINED LI-
10 CENSES.—

11 (1) IN GENERAL.—In accordance with this sub-
12 section, the Nuclear Regulatory Commission (re-
13 ferred to in this subsection as the “Commission”)
14 shall establish and carry out an expedited procedure
15 for issuing a combined license pursuant to section
16 185 b. of the Atomic Energy Act of 1954 (42 U.S.C.
17 2235).

18 (2) QUALIFICATIONS.—To qualify for the expe-
19 dited procedure under paragraph (1), an applicant—

20 (A) shall submit a combined license appli-
21 cation for a new nuclear reactor based off a
22 previously licensed design;

23 (B) shall propose to construct the new nu-
24 clear reactor on or adjacent to a site on which

1 a nuclear reactor already operates or previously
2 operated; and

3 (C) may not be subject to an order of the
4 Commission to suspend or revoke a license
5 under section 2.202 of title 10, Code of Federal
6 Regulations (or any successor regulation).

7 (3) EXPEDITED PROCEDURE.—With respect to
8 a combined license for which the applicant has satis-
9 fied the requirements described in paragraph (2),
10 the Commission shall, to the maximum extent prac-
11 ticable—

12 (A) not later than 1 year after the applica-
13 tion is accepted for docketing, issue a draft en-
14 vironmental impact statement;

15 (B) not later than 18 months after the ap-
16 plication is accepted for docketing—

17 (i) complete the technical review proc-
18 ess; and

19 (ii) issue a safety evaluation report
20 and final environmental impact statement;

21 (C) not later than 2 years after the appli-
22 cation is accepted for docketing, complete any
23 necessary public licensing hearings and related
24 processes; and

1 (D) not later than 25 months after the ap-
2 plication is accepted for docketing, make a final
3 decision on whether to issue the combined li-
4 cense.

5 (4) PERFORMANCE AND REPORTING.—

6 (A) DELAYS IN ISSUANCE.—Not later than
7 30 days after the applicable deadline, the Exec-
8 utive Director for Operations of the Commis-
9 sion shall inform the Commission of any failure
10 to meet a deadline under paragraph (3).

11 (B) DELAYS IN ISSUANCE EXCEEDING 90
12 DAYS.—If any deadline under paragraph (3) is
13 not met by the date that is 90 days after the
14 applicable date required under such paragraph,
15 the Commission shall submit to the Committee
16 on Environment and Public Works of the Sen-
17 ate and the Committee on Energy and Com-
18 merce of the House of Representatives a report
19 describing the delay, including a detailed expla-
20 nation accounting for the delay and a plan for
21 completion of the applicable action.

22 (d) PILOT PROGRAM FOR NUCLEAR POWER PUR-
23 CHASE AGREEMENTS.—

24 (1) IN GENERAL.—Subtitle B of title VI of the
25 Energy Policy Act of 2005 (Public Law 109–58; 119

1 Stat. 782) is amended by adding at the end the fol-
2 lowing:

3 **“SEC. 639A. LONG-TERM NUCLEAR POWER PURCHASE**
4 **AGREEMENT PILOT PROGRAM.**

5 “(a) ESTABLISHMENT.—The Secretary shall estab-
6 lish a pilot program under which the Secretary shall enter
7 into at least one long-term power purchase agreement for
8 power generated by a commercial nuclear reactor with re-
9 spect to which an operating license is issued by the Nu-
10 clear Regulatory Commission after January 1, 2024.

11 “(b) REQUIREMENTS.—In establishing the pilot pro-
12 gram under this section, the Secretary shall—

13 “(1) consult with the heads of other Federal de-
14 partments and agencies that may benefit from pur-
15 chasing nuclear power for a period of longer than 10
16 years, including the Secretary of Defense; and

17 “(2) not later than December 31, 2028, enter
18 into at least one long-term agreement to purchase
19 power from a commercial nuclear reactor described
20 in subsection (a).

21 “(c) PERIOD OF AGREEMENT.—Notwithstanding any
22 other provision of law, an agreement entered into pursuant
23 to subsection (b)(2) to purchase power from a commercial
24 nuclear reactor shall be made for a period of at least 10
25 years and not more than 40 years.

1 “(d) PRIORITY.—In carrying out this section, the
 2 Secretary shall prioritize entering into long-term power
 3 purchase agreements for power generated by first-of-a-
 4 kind or early deployment commercial nuclear reactors that
 5 will provide reliable and resilient power—

6 “(1) to high-value assets for national security
 7 purposes; or

8 “(2) for other purposes that the Secretary de-
 9 termines are in the national interest, including for
 10 remote off-grid scenarios or grid-connected scenarios
 11 that provide capabilities commonly known as
 12 ‘islanding power capabilities’ during an emergency.

13 “(e) RATES.—A long-term power purchase agreement
 14 entered into under this section may not be at a rate that
 15 is higher than the average market rate, unless the agree-
 16 ment is for power generated by a commercial nuclear reac-
 17 tor described in subsection (d).”.

18 (2) TABLE OF CONTENTS.—The table of con-
 19 tents of the Energy Policy Act of 2005 (Public Law
 20 109–58; 119 Stat. 594) is amended by inserting
 21 after the item relating to section 639 the following:

“Sec. 639A. Long-term nuclear power purchase agreement pilot program.”.

22 **SEC. 202. GLOBAL NUCLEAR COOPERATION.**

23 (a) GLOBAL NUCLEAR ENERGY ASSESSMENT
 24 STUDY.—

1 (1) STUDY REQUIRED.—Not later than 1 year
2 after the date of enactment of this Act, the Sec-
3 retary of Energy, in consultation with the Secretary
4 of State, the Secretary of Commerce, the Adminis-
5 trator of the Environmental Protection Agency, and
6 the Commission, shall conduct a study on the global
7 status of—

8 (A) the civilian nuclear energy industry;
9 and

10 (B) the supply chains of the civilian nu-
11 clear energy industry.

12 (2) CONTENTS.—The study conducted under
13 paragraph (1) shall include—

14 (A) information on the status of the civil-
15 ian nuclear energy industry, the long-term risks
16 to such industry, and the basis for such risks;

17 (B) information on how the use of the ci-
18 vilian nuclear energy industry, relative to other
19 types of energy industries, can reduce the emis-
20 sion of criteria pollutants and carbon dioxide;

21 (C) information on the role the United
22 States civilian nuclear energy industry plays in
23 United States foreign policy;

24 (D) information on the importance of the
25 United States civilian nuclear energy industry

1 to countries that are allied to the United
2 States;

3 (E) information on how the United States
4 may collaborate with such countries in devel-
5 oping, deploying, and investing in nuclear tech-
6 nology;

7 (F) information on how foreign countries
8 use nuclear energy when crafting and imple-
9 menting their own foreign policy, including such
10 use by foreign countries that are strategic com-
11 petitors;

12 (G) an evaluation of how nuclear non-
13 proliferation and security efforts and nuclear
14 energy safety are affected by the involvement of
15 the United States in—

16 (i) international markets; and

17 (ii) setting civilian nuclear energy in-
18 dustry standards;

19 (H) an evaluation of how industries in the
20 United States, other than the civilian nuclear
21 energy industry, benefit from the generation of
22 electricity by nuclear power plants;

23 (I) information on utilities and companies
24 in the United States that are involved in the ci-

1 vilian nuclear energy supply chain, including,
2 with respect to such utilities and companies—

3 (i) financial challenges;

4 (ii) nuclear liability issues;

5 (iii) foreign strategic competition; and

6 (iv) risks to continued operation; and

7 (J) recommendations for how the United
8 States may—

9 (i) develop a national strategy to in-
10 crease the role nuclear energy plays in di-
11 plomacy and strategic energy policy;

12 (ii) develop a strategy to mitigate for-
13 eign competitor's utilization of their civil-
14 ian nuclear energy industries in diplomacy;

15 (iii) align its nuclear energy policy
16 with national security objectives; and

17 (iv) remove regulatory barriers to the
18 development of the United States civilian
19 nuclear energy supply chain.

20 (3) REPORT TO CONGRESS.—Not later than 6
21 months after the study is conducted under para-
22 graph (1), the Secretary of Energy shall submit to
23 the appropriate committees of Congress a report, in-
24 cluding a classified annex as necessary, on the re-
25 sults of such study.

1 (b) PROGRAM TO TRAIN AND SHARE EXPERTISE.—

2 (1) IN GENERAL.—Not later than 1 year after
3 the date of enactment of this Act, the Secretary of
4 Energy, in consultation with the Secretary of State
5 and the Commission, shall develop and carry out a
6 program under which the Secretary of Energy shall
7 train foreign nuclear energy experts and standardize
8 practices.

9 (2) REQUIREMENTS.—In carrying out the pro-
10 gram developed under paragraph (1), the Secretary
11 of Energy shall—

12 (A) issue guidance for best safety practices
13 in the global civilian nuclear energy industry
14 based on practices established in the United
15 States;

16 (B) train foreign nuclear energy experts on
17 the operation and safety and security practices
18 used by the United States civilian nuclear en-
19 ergy industry;

20 (C) review global supply chain risks for
21 foreign civilian nuclear energy industries;

22 (D) identify weaknesses and concerns
23 found in foreign civilian nuclear energy indus-
24 tries; and

1 (E) establish partnerships with foreign
2 countries that have developed or are developing
3 civilian nuclear energy industries.

4 (3) FOREIGN NUCLEAR ENERGY EXPERT.—In
5 this subsection, the term “foreign nuclear energy ex-
6 pert” does not include a person who is from a coun-
7 try—

8 (A) in which intellectual property theft is
9 legal;

10 (B) that takes actions to undermine the ci-
11 vilian nuclear energy industry or other critical
12 industries of the United States; or

13 (C) which the Secretary of Energy deter-
14 mines is inimical to the interest of the United
15 States.

16 (c) INTERNATIONAL NUCLEAR REACTOR EXPORT
17 AND INNOVATION ACTIVITIES.—

18 (1) COORDINATION.—The Commission shall—

19 (A) coordinate all work of the Commission
20 relating to—

21 (i) issuing a license for the import or
22 export of a nuclear reactor under section
23 103 of the Atomic Energy Act of 1954 (42
24 U.S.C. 2133); and

1 (ii) international regulatory coopera-
2 tion and assistance relating to nuclear re-
3 actors; and

4 (B) support—

5 (i) the consideration of international
6 technical standards to assist the design, li-
7 censing, and construction of advanced nu-
8 clear systems;

9 (ii) efforts to help build competent nu-
10 clear regulatory organizations and legal
11 frameworks in foreign countries that are
12 seeking to develop civilian nuclear energy
13 industries; and

14 (iii) exchange programs and training
15 provided in coordination with the Secretary
16 of State to foreign countries relating to ci-
17 vilian nuclear energy industry regulation
18 and oversight to improve nuclear tech-
19 nology licensing.

20 (2) CONSULTATION.—In supporting exchange
21 programs and training under paragraph (1)(B)(iii),
22 the Commission shall consult with—

23 (A) the Secretary of Energy;

24 (B) the Secretary of State;

25 (C) the National Laboratories;

1 (D) the private sector; and

2 (E) institutions of higher education.

3 (3) NUCLEAR REACTOR EXPORT AND INNOVA-
 4 TION BRANCH.—The Commission may establish
 5 within the Office of International Programs of the
 6 Commission a branch, to be known as the “Inter-
 7 national Nuclear Reactor Export and Innovation
 8 Branch”, to carry out the nuclear reactor export and
 9 innovation activities described in paragraph (1) as
 10 the Commission determines appropriate.

11 (4) EXCLUSION OF INTERNATIONAL ACTIVITIES
 12 FROM THE FEE BASE.—

13 (A) IN GENERAL.—Section 102 of the Nu-
 14 clear Energy Innovation and Modernization Act
 15 (42 U.S.C. 2215) is amended—

16 (i) in subsection (a), by adding at the
 17 end the following:

18 “(4) INTERNATIONAL NUCLEAR REACTOR EX-
 19 PORT AND INNOVATION ACTIVITIES.—The Commis-
 20 sion shall identify in the annual budget justification
 21 international nuclear reactor export and innovation
 22 activities described in section 202(c)(1) of the Atom-
 23 ic Energy Advancement Act.”; and

24 (ii) in subsection (b)(1)(B), by adding
 25 at the end the following:

1 “(vii) Costs for international nuclear
2 reactor export and innovation activities de-
3 scribed in section 202(c)(1) of the Atomic
4 Energy Advancement Act.”.

5 (B) EFFECTIVE DATE.—The amendments
6 made by subparagraph (A) shall take effect on
7 October 1, 2024.

8 (d) DENIAL OF CERTAIN DOMESTIC LICENSES FOR
9 NATIONAL SECURITY PURPOSES.—

10 (1) DEFINITION OF COVERED FUEL.—In this
11 subsection, the term “covered fuel” means enriched
12 uranium that is fabricated into fuel assemblies for
13 nuclear reactors by an entity that—

14 (A) is owned or controlled by the Govern-
15 ment of the Russian Federation or the Govern-
16 ment of the People’s Republic of China; or

17 (B) is organized under the laws of, or oth-
18 erwise subject to the jurisdiction of, the Rus-
19 sian Federation or the People’s Republic of
20 China.

21 (2) PROHIBITION ON UNLICENSED POSSESSION
22 OR OWNERSHIP OF COVERED FUEL.—Unless specifi-
23 cally authorized by the Commission in a license
24 issued under section 53 of the Atomic Energy Act
25 of 1954 (42 U.S.C. 2073), no person subject to the

1 jurisdiction of the Commission may possess or own
2 covered fuel.

3 (3) LICENSE TO POSSESS OR OWN COVERED
4 FUEL.—

5 (A) CONSULTATION REQUIRED PRIOR TO
6 ISSUANCE.—The Commission shall not issue a
7 license to possess or own covered fuel under
8 section 53 of the Atomic Energy Act of 1954
9 (42 U.S.C. 2073) unless the Commission has
10 first consulted with the Secretary of Energy
11 and the Secretary of State before issuing the li-
12 cense.

13 (B) PROHIBITION ON ISSUANCE OF LI-
14 CENSE.—

15 (i) IN GENERAL.—Subject to clause
16 (iii), a license to possess or own covered
17 fuel shall not be issued if the Secretary of
18 Energy and the Secretary of State make
19 the determination described in clause (ii).

20 (ii) DETERMINATION.—

21 (I) IN GENERAL.—The deter-
22 mination referred to in clause (i) is a
23 determination that possession or own-
24 ership, as applicable, of covered fuel
25 poses a threat to the national security

1 of the United States that adversely
2 impacts the physical and economic se-
3 curity of the United States.

4 (II) JOINT DETERMINATION.—A
5 determination described in subclause
6 (I) shall be jointly made by the Sec-
7 retary of Energy and the Secretary of
8 State.

9 (III) TIMELINE.—

10 (aa) NOTICE OF APPLICA-
11 TION.—Not later than 30 days
12 after the date on which the Com-
13 mission receives an application
14 for a license to possess or own
15 covered fuel, the Commission
16 shall notify the Secretary of En-
17 ergy and the Secretary of State
18 of the application.

19 (bb) DETERMINATION.—The
20 Secretary of Energy and the Sec-
21 retary of State shall have a pe-
22 riod of 180 days, beginning on
23 the date on which the Commis-
24 sion notifies the Secretary of En-
25 ergy and the Secretary of State

1 under item (aa) of an application
2 for a license to possess or own
3 covered fuel, in which to make
4 the determination described in
5 subclause (I).

6 (cc) COMMISSION NOTIFICA-
7 TION.—On making the deter-
8 mination described in subclause
9 (I), the Secretary of Energy and
10 the Secretary of State shall im-
11 mediately notify the Commission.

12 (dd) CONGRESSIONAL NOTI-
13 FICATION.—Not later than 30
14 days after the date on which the
15 Secretary of Energy and the Sec-
16 retary of State notify the Com-
17 mission under item (cc), the
18 Commission shall notify the ap-
19 propriate committees of Congress
20 of the determination.

21 (ee) PUBLIC NOTICE.—Not
22 later than 15 days after the date
23 on which the Commission notifies
24 Congress under item (dd) of a
25 determination made under sub-

1 clause (I), the Commission shall
2 make that determination publicly
3 available.

4 (iii) EFFECT OF NO DETERMINA-
5 TION.—The prohibition described in clause
6 (i) shall not apply if the Secretary of En-
7 ergy and the Secretary of State do not
8 make the determination described in clause
9 (ii) by the date described in subclause
10 (III)(bb) of that clause.

11 (e) DEFINITIONS.—In this section:

12 (1) APPROPRIATE COMMITTEES OF CON-
13 GRESS.—The term “appropriate committees of Con-
14 gress” means each of the following:

15 (A) The Committee on Energy and Com-
16 merce of the House of Representatives.

17 (B) The Committee on Foreign Affairs of
18 the House of Representatives.

19 (C) The Committee on Environment and
20 Public Works of the Senate.

21 (D) The Committee on Energy and Nat-
22 ural Resources of the Senate.

23 (E) The Committee on Foreign Relations
24 of the Senate.

1 (2) COMMISSION.—The term “Commission”
2 means the Nuclear Regulatory Commission.

3 **SEC. 203. AMERICAN NUCLEAR COMPETITIVENESS.**

4 (a) PROCESS FOR REVIEW AND AMENDMENT OF
5 PART 810 GENERALLY AUTHORIZED DESTINATIONS.—

6 (1) IDENTIFICATION AND EVALUATION OF FAC-
7 TORS.—Not later than 90 days after the date of en-
8 actment of this Act, the Secretary of Energy, with
9 the concurrence of the Secretary of State, shall iden-
10 tify and evaluate factors, other than agreements for
11 cooperation entered into in accordance with section
12 123 of the Atomic Energy Act of 1954 (42 U.S.C.
13 2153), that may be used to determine a country’s
14 generally authorized destination status under part
15 810 of title 10, Code of Federal Regulations, and to
16 list such country as a generally authorized destina-
17 tion in Appendix A to part 810 of title 10, Code of
18 Federal Regulations.

19 (2) PROCESS UPDATE.—The Secretary of En-
20 ergy shall review and, as appropriate, update the
21 Department of Energy’s process for determining a
22 country’s generally authorized destination status
23 under part 810 of title 10, Code of Federal Regula-
24 tions, and for listing such country as a generally au-
25 thorized destination in Appendix A to part 810 of

1 title 10, Code of Federal Regulations, taking into
2 consideration, and, as appropriate, incorporating
3 factors identified and evaluated under paragraph
4 (1).

5 (3) REVISIONS TO LIST.—Not later than one
6 year after the date of enactment of this Act, and at
7 least once every 5 years thereafter, the Secretary of
8 Energy shall, in accordance with any process up-
9 dated pursuant to this subsection, review the list in
10 Appendix A to part 810 of title 10, Code of Federal
11 Regulations, and amend such list as appropriate.

12 (b) LICENSING DOMESTIC NUCLEAR PROJECTS IN
13 WHICH UNITED STATES ALLIES INVEST.—

14 (1) IN GENERAL.—The prohibitions against
15 issuing certain licenses for utilization facilities to
16 certain aliens, corporations, and other entities de-
17 scribed in the second sentence of section 103 d. of
18 the Atomic Energy Act of 1954 (42 U.S.C. 2133(d))
19 and the second sentence of section 104 d. of that
20 Act (42 U.S.C. 2134(d)) shall not apply to an entity
21 described in paragraph (2) of this subsection if the
22 Nuclear Regulatory Commission determines that
23 issuance of the applicable license to that entity is
24 not inimical to—

25 (A) the common defense and security; or

1 (B) the health and safety of the public.

2 (2) ENTITIES DESCRIBED.—

3 (A) IN GENERAL.—An entity referred to in
4 paragraph (1) is an alien, corporation, or other
5 entity that is owned, controlled, or dominated
6 by—

7 (i) the government of—

8 (I) a country, other than a coun-
9 try described in subparagraph (B),
10 that is a member of the Organization
11 for Economic Co-operation and Devel-
12 opment on the date of enactment of
13 this Act; or

14 (II) the Republic of India;

15 (ii) a corporation that is incorporated
16 in a country described in subclause (I) or
17 (II) of clause (i); or

18 (iii) an alien who is a citizen or na-
19 tional of a country described in subclause
20 (I) or (II) of clause (i).

21 (B) EXCLUSION.—A country described in
22 this subparagraph is a country—

23 (i) any department, agency, or instru-
24 mentality of the government of which, on
25 the date of enactment of this Act, is sub-

1 ject to sanctions under section 231 of the
2 Countering America’s Adversaries Through
3 Sanctions Act (22 U.S.C. 9525); or

4 (ii) any citizen, national, or entity of
5 which, as of the date of enactment of this
6 Act, is included on the List of Specially
7 Designated Nationals and Blocked Persons
8 maintained by the Office of Foreign Assets
9 Control of the Department of the Treasury
10 pursuant to sanctions imposed under sec-
11 tion 231 of the Countering America’s Ad-
12 versaries Through Sanctions Act (22
13 U.S.C. 9525).

14 (3) TECHNICAL AMENDMENT.—Section 103 d.
15 of the Atomic Energy Act of 1954 (42 U.S.C.
16 2133(d)) is amended, in the second sentence, by
17 striking “any any” and inserting “any”.

18 (4) SAVINGS CLAUSE.—Nothing in this sub-
19 section affects the requirements of section 721 of
20 the Defense Production Act of 1950 (50 U.S.C.
21 4565).

22 (c) LICENSING CONSIDERATIONS RELATING TO USE
23 OF NUCLEAR ENERGY FOR NONELECTRIC APPLICA-
24 TIONS.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, the Nuclear Regu-
3 latory Commission (in this subsection referred to as
4 the “Commission”) shall submit to the Committee
5 on Energy and Commerce of the House of Rep-
6 resentatives and the Committee on Environment and
7 Public Works of the Senate a report addressing any
8 unique licensing issues or requirements relating to—

9 (A) the flexible operation of advanced nu-
10 clear reactors, such as ramping power output
11 and switching between electricity generation
12 and nonelectric applications;

13 (B) the use of advanced nuclear reactors
14 exclusively for nonelectric applications; and

15 (C) the collocation of advanced nuclear re-
16 actors with industrial plants or other facilities.

17 (2) STAKEHOLDER INPUT.—In developing the
18 report under paragraph (1), the Commission shall
19 seek input from—

20 (A) the Secretary of Energy;

21 (B) the nuclear energy industry;

22 (C) technology developers;

23 (D) the industrial, chemical, and medical
24 sectors;

25 (E) nongovernmental organizations; and

1 (F) other public stakeholders.

2 (3) CONTENTS.—The report under paragraph

3 (1) shall describe—

4 (A) any unique licensing issues or require-
5 ments relating to the matters described in sub-
6 paragraphs (A) through (C) of paragraph (1),
7 including, with respect to the nonelectric appli-
8 cations referred to in subparagraphs (A) and
9 (B) of that paragraph, any licensing issues or
10 requirements relating to the use of nuclear en-
11 ergy—

12 (i) for hydrogen or other liquid and
13 gaseous fuel or chemical production;

14 (ii) for water desalination and waste-
15 water treatment;

16 (iii) for heat used in industrial proc-
17 esses;

18 (iv) for district heating;

19 (v) in relation to energy storage;

20 (vi) for industrial or medical isotope
21 production; and

22 (vii) other applications, as identified
23 by the Commission;

24 (B) options for addressing such issues or
25 requirements—

1 (i) within the existing regulatory
2 framework;

3 (ii) through the technology-inclusive,
4 regulatory framework to be established
5 under section 103(a)(4) of the Nuclear En-
6 ergy Innovation and Modernization Act (42
7 U.S.C. 2133 note; Public Law 115–439);
8 or

9 (iii) through a new rulemaking;

10 (C) the extent to which Commission action
11 is needed to implement any matter described in
12 the report; and

13 (D) cost estimates, proposed budgets, and
14 proposed timeframes for implementing risk-in-
15 formed and performance-based regulatory guid-
16 ance for licensing advanced nuclear reactors for
17 nonelectric applications.

18 (d) REPORT ON ADVANCED METHODS OF MANUFAC-
19 TURING AND CONSTRUCTION FOR NUCLEAR ENERGY
20 PROJECTS.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of enactment of this Act, the Nuclear
23 Regulatory Commission (in this subsection referred
24 to as the “Commission”) shall submit to the Com-
25 mittee on Energy and Commerce of the House of

1 Representatives and the Committee on Environment
2 and Public Works of the Senate a report on ad-
3 vanced methods of manufacturing and construction
4 for nuclear energy projects.

5 (2) STAKEHOLDER INPUT.—In developing the
6 report under paragraph (1), the Commission shall
7 seek input from—

8 (A) the Secretary of Energy;

9 (B) the nuclear energy industry;

10 (C) the National Laboratories;

11 (D) institutions of higher education;

12 (E) nuclear and manufacturing technology
13 developers;

14 (F) the manufacturing and construction
15 industries;

16 (G) standards development organizations;

17 (H) labor unions;

18 (I) nongovernmental organizations; and

19 (J) other public stakeholders.

20 (3) CONTENTS.—

21 (A) IN GENERAL.—The report under para-
22 graph (1) shall—

23 (i) examine any unique licensing
24 issues or requirements relating to the use,
25 for nuclear energy projects, of—

1 (I) advanced manufacturing tech-
2 niques; and

3 (II) advanced construction tech-
4 niques;

5 (ii) examine—

6 (I) the requirements for nuclear-
7 grade components in manufacturing
8 and construction for nuclear energy
9 projects;

10 (II) opportunities to use standard
11 materials, parts, or components in
12 manufacturing and construction for
13 nuclear energy applications; and

14 (III) opportunities to use stand-
15 ard materials that are in compliance
16 with existing codes and standards to
17 provide acceptable approaches to sup-
18 port or encapsulate new materials
19 that do not yet have applicable codes
20 or standards;

21 (iii) identify safety aspects of ad-
22 vanced manufacturing processes and ad-
23 vanced construction techniques that are
24 not addressed by existing codes and stand-
25 ards, so that generic guidance for nuclear

energy projects may be updated or created
as necessary by the Commission;

(iv) identify options for addressing the
issues, requirements, and opportunities ex-
amined under clauses (i) and (ii)—

(I) within the existing regulatory
framework; or

(II) through a new rulemaking;
and

(v) describe the extent to which Com-
mission action is needed to implement any
matter described in the report.

(B) COST ESTIMATES, BUDGETS, AND
TIMEFRAMES.—The report under paragraph (1)
shall include cost estimates, proposed budgets,
and proposed timeframes for implementing risk-
informed and performance-based regulatory
guidance for advanced manufacturing and con-
struction for nuclear energy projects.

(e) EXTENSION OF THE PRICE-ANDERSON ACT.—

(1) EXTENSION.—Section 170 of the Atomic
Energy Act of 1954 (42 U.S.C. 2210) (commonly
known as the “Price-Anderson Act”) is amended by
striking “December 31, 2025” each place it appears
and inserting “December 31, 2065”.

(2) LIABILITY.—Section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) (commonly known as the “Price-Anderson Act”) is amended—

(A) in subsection d. (5), by striking “\$500,000,000” and inserting “\$2,000,000,000”; and

(B) in subsection e. (4), by striking “\$500,000,000” and inserting “\$2,000,000,000”.

(3) REPORT.—Section 170 p. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(p)) (commonly known as the “Price-Anderson Act”) is amended by striking “December 31, 2021” and inserting “December 31, 2061”.

(4) DEFINITION OF NUCLEAR INCIDENT.—Section 11 q. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(q)) is amended, in the second proviso, by striking “if such occurrence” and all that follows through “United States:” and inserting a colon.

(f) RISK POOLING PROGRAM ASSESSMENT.—

(1) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall carry out a review of, and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environ-

1 ment and Public Works of the Senate a report on,
2 the Secretary of Energy's actions with respect to the
3 program described in section 934(e) of the Energy
4 Independence and Security Act of 2007 (42 U.S.C.
5 17373(e)).

6 (2) CONTENTS.—The report described in para-
7 graph (1) shall include—

8 (A) an evaluation of the Secretary of Ener-
9 gy's actions to determine the risk-informed as-
10 sessment formula under section 934(e)(2)(C) of
11 the Energy Independence and Security Act of
12 2007 (42 U.S.C. 17373(e)(2)(C)); and

13 (B) a review of the Secretary of Energy's
14 methodology to collect information to determine
15 and implement the formula.

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