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(Original Signature of Member)

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.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. DUNCAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## **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”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 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.

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

6 **SEC. 101. NRC MISSION ALIGNMENT.**

7           (a) MISSION OF THE COMMISSION.—

8                   (1) UPDATE.—Not later than 1 year after the  
 9           date of enactment of this Act, the Nuclear Regu-  
 10          latory Commission shall, while remaining consistent  
 11          with the policies of the Atomic Energy Act of 1954  
 12          (including to provide reasonable assurance of ade-  
 13          quate protection of the public health and safety, to  
 14          promote the common defense and security, and to

1 protect the environment), update the mission state-  
2 ment of the Commission to include that licensing  
3 and regulation of nuclear energy activities be con-  
4 ducted in a manner that is efficient and does not  
5 unnecessarily limit—

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

8 (B) the benefits of nuclear energy tech-  
9 nology to society.

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

14 (A) the updated mission statement; and

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

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

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

24 “(a) ESTABLISHMENT; APPOINTMENT OF DIREC-  
25 TOR.—There”;

1 (2) in subsection (b)—

2 (A) in the matter preceding paragraph

3 (1)—

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

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

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

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

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

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

17 (4) by inserting after subsection (b) the fol-  
18 lowing:

19 “(c) LICENSING PROCESS.—In carrying out the prin-  
20 cipal licensing and regulation functions under subsection

21 (b)(1), the Director of Nuclear Reactor Regulation shall—

22 “(1) establish techniques and guidance for eval-  
23 uating applications for licenses for nuclear reactors  
24 to support efficient, timely, and predictable reviews

1 of applications for such licenses to enable the safe  
2 and secure use of nuclear reactors;

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

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

11 **SEC. 102. NUCLEAR LICENSING EFFICIENCY.**

12 (a) EFFICIENT LICENSING REVIEWS.—

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

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

17 “(a) The provisions of”; and

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

19 “(b) Consistent with the declaration in section 1, the  
20 Commission shall provide for efficient, timely, and predict-  
21 able reviews and proceedings for the granting, suspending,  
22 revoking, or amending of any license or construction per-  
23 mit, or application to transfer control, and in any pro-  
24 ceeding for the issuance or modification of rules and regu-  
25 lations dealing with the activities of licenses.”.

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

5           “c. APPLICATION REVIEWS FOR PRODUCTION AND  
6           UTILIZATION FACILITIES OF AN EXISTING SITE.—In re-  
7           viewing an application for an early site permit, construc-  
8           tion permit, operating license, or combined construction  
9           permit and operating license for a production facility or  
10          utilization facility located at the site of a production facil-  
11          ity or utilization facility licensed by the Commission, the  
12          Commission shall, to the extent practicable, use informa-  
13          tion that was part of the licensing basis of the licensed  
14          production facility or utilization facility.”.

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

18                 (1) in paragraph (3)—

19                         (A) in the paragraph heading, by striking  
20                         “180” and inserting “90”; and

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

22                         and

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

24                         “(4) PERIODIC UPDATES TO METRICS AND  
25                         SCHEDULES.—

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

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

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

18           (1) by striking “Not later” and inserting the  
19 following:

20           “(A) IN GENERAL.—Not later”; and

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

22           “(B) EXCLUSION OF FUSION REACTORS.—  
23 Notwithstanding section 3(1), for purposes of  
24 subparagraph (A), the term ‘advanced nuclear

1 reactor applicant' does not include an applicant  
2 for a license for a nuclear fusion reactor.”.

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

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

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

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

18 “(i) nonenergy services;

19 “(ii) energy; or

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

22 “(B) not more than 50 percent of the an-  
23 nual costs to the licensee of owning and oper-  
24 ating the facility are devoted to the sale of en-  
25 ergy.”;



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

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

4           (3) by striking “c. The Commission” and in-  
5 serting the following:

6           “c. RESEARCH AND DEVELOPMENT ACTIVITIES.

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

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

10          (a) COMMISSION WORKFORCE.—

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

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

15          “(a) DIRECT HIRE AUTHORITY.—

16           “(1) IN GENERAL.—Notwithstanding section  
17 161 d. of this Act and section 2(b) of Reorganiza-  
18 tion Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C.  
19 app.), and without regard to any provision of title 5  
20 (except sections 3303 and 3328), United States  
21 Code, governing appointments in the civil service, if  
22 the Chairman of the Nuclear Regulatory Commis-  
23 sion (in this section referred to as the ‘Chairman’)  
24 issues or renews a certification that there is a severe  
25 shortage of candidates or a critical hiring need for

1 covered positions to carry out the Nuclear Regu-  
2 latory Commission's (in this section referred to as  
3 the 'Commission') responsibilities and activities in a  
4 timely, efficient, and effective manner, the Chairman  
5 may, during any period when such a certification is  
6 in effect—

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

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

15 “(2) LIMITATIONS.—

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

21 “(B) NUMBER.—The number of highly  
22 qualified individuals serving in—

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

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

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

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

19                  “(3) RENEWAL.—The Chairman may renew a  
20                  certification issued or renewed under this subsection  
21                  if the Chairman determines there is still a severe  
22                  shortage of candidates or a critical hiring need for  
23                  covered positions to carry out the Commission’s re-  
24                  sponsibilities and activities in a timely, efficient, and  
25                  effective manner.

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

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

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

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

18           “(b) ADDRESSING INSUFFICIENT COMPENSATION OF  
19 EMPLOYEES AND OTHER PERSONNEL OF THE COMMIS-  
20 SION.—

21           “(1) IN GENERAL.—Notwithstanding any other  
22 provision of law, if the Chairman issues or renews  
23 a certification that compensation for employees or  
24 other personnel of the Commission serving in a cov-  
25 ered position is insufficient to retain or attract such

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

10 “(2) CERTIFICATION REQUIREMENTS.—A cer-  
11 tification issued or renewed under this subsection  
12 shall—

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

15 “(B) terminate on the earlier of—

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

18 “(ii) the date on which the Chairman  
19 determines that the use of the authority of  
20 the Chairman under this subsection to fix  
21 compensation for employees or other per-  
22 sonnel serving in a covered position is no  
23 longer necessary to retain or attract such  
24 employees and other personnel to allow the  
25 Commission to carry out the Commission’s

1 responsibilities and activities in a timely,  
2 efficient, and effective manner; and

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

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

19 “(4) APPLICABILITY.—The authority under this  
20 subsection to fix the compensation of employees or  
21 other personnel during any period when a certifi-  
22 cation issued or renewed under paragraph (1) is in  
23 effect shall apply with respect to an employee or  
24 other personnel serving in a covered position regard-

1 less of when the employee or other personnel was  
2 hired.

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

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

17 “(7) EXPERTS AND CONSULTANTS.—

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

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

23 “(ii) compensate those experts and  
24 consultants for each day (including travel  
25 time) at rates not in excess of the rate of

1 pay for level IV of the Executive Schedule  
2 under section 5315 of that title; and

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

11 “(B) LIMITATIONS.—The Chairman  
12 shall—

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

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

22 “(c) ADDITIONAL COMPENSATION AUTHORITY.—

23 “(1) FOR NEW EMPLOYEES.—The Chairman  
24 may pay a person recruited and directly appointed



1 under subsection (a) a 1-time hiring bonus in an  
2 amount not to exceed \$25,000.

3 “(2) FOR EXISTING EMPLOYEES.—

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

10 “(i) \$25,000; and

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

15 “(B) LIMITATIONS.—

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

22 “(ii) HIRING BONUSES.—Any person  
23 who receives a 1-time hiring bonus under  
24 paragraph (1) may not receive a perform-  
25 ance bonus under subparagraph (A) unless

1 more than one year has elapsed since the  
2 payment of such 1-time hiring bonus.

3 “(d) IMPLEMENTATION PLAN AND REPORT.—

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

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

16 “(A) evidence and supporting documenta-  
17 tion justifying the plan; and

18 “(B) budgeting projections on costs and  
19 benefits resulting from the plan.

20 “(3) CONSULTATION.—The Chairman may con-  
21 sult with the Office of Personnel Management, the  
22 Office of Management and Budget, and the Comp-  
23 troller General of the United States in developing  
24 the plan under paragraph (1).

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

5       “(f) INFORMATION ON HIRING, VACANCIES, AND  
6 COMPENSATION.—

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

15           “(2) INCLUSIONS.—The information described  
16 in paragraph (1) shall include—

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

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

23           “(C) information that describes—

24           “(i) if a certification under subsection  
25 (a) was in effect at any point in the pre-

1           vious year, how the authority provided by  
2           that subsection is being used to address  
3           the hiring needs of the Commission;

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

6                           “(I) covered positions pursuant  
7           to subsection (a)(1)(A); and

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

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

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

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

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

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

13 “(D) an assessment of—

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

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

22 “(g) COVERED POSITION.—In this section, the term  
23 ‘covered position’ means a position in which an employee  
24 or other personnel is responsible for conducting work of  
25 a scientific, technical, engineering, mathematical, legal,

1 managerial, or otherwise highly specialized or skilled na-  
2 ture.”.

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

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

“Sec. 161B. Commission workforce.”.

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

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

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

22 (3) assesses the effectiveness of the authorities  
23 provided under subsections (a), (b), and (c) of sec-  
24 tion 161B of the Atomic Energy Act of 1954 (as

1 added by this Act) in helping the Nuclear Regu-  
2 latory Commission fulfill its mission;

3 (4) makes recommendations to improve the Nu-  
4 clear Regulatory Commission's strategic workforce  
5 management; and

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

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

## 16 **Subtitle B—Fee Reduction**

### 17 **SEC. 111. ADVANCED REACTOR FEE REDUCTION.**

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

21 (1) by redesignating paragraphs (2) through  
22 (15) as paragraphs (3), (6), (7), (8), (9), (10), (11),  
23 (14), (15), (16), (17), (18), (19), and (20), respec-  
24 tively;

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

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

9           (3) by inserting after paragraph (3) (as so re-  
10          designated) the following:

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

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

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



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

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

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

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

21                   “(v) The total costs of mission-indi-  
22                   rect program support and agency support  
23                   that, under paragraph (2)(C)(ii), may not  
24                   be included in the professional hourly rate  
25                   charged for fees assessed and collected

1                   from advanced nuclear reactor  
2                   preapplicants.”.

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

7                   “(2) FEES FOR SERVICE OR THING OF  
8           VALUE.—

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

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

23                   “(i) exceed the professional hourly  
24           rate for mission-direct program salaries

1 and benefits of the Nuclear Reactor Safety  
2 Program; and

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

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

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

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

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

24 “(i) the full-time equivalent rate  
25 (within the meaning of the document of

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

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

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

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

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

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

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

24 “(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LI-  
25 CENSING.—

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

3                   “(A) a non-Federal entity; and

4                   “(B) the Tennessee Valley Authority.

5           “(2) PRIZE FOR ADVANCED NUCLEAR REACTOR  
6 LICENSING.—

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

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

23                           “(ii) for which the Commission makes  
24 a finding described in section 52.103(g) of  
25 title 10, Code of Federal Regulations (or

1                   successor regulations), with respect to a  
2                   combined license for an advanced nuclear  
3                   reactor—

4                   “(I) that is issued under subpart  
5                   C of part 52 of that title (or successor  
6                   regulations); and

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

11                  “(B) AMOUNT OF AWARD.—Subject to  
12                  paragraph (3), an award under subparagraph  
13                  (A) shall be in an amount equal to the total  
14                  amount assessed by the Commission and col-  
15                  lected under section 102(b)(2) from the eligible  
16                  entity receiving the award for costs relating to  
17                  the issuance of the license described in that  
18                  subparagraph, including, as applicable, costs re-  
19                  lating to the issuance of an associated construc-  
20                  tion permit described in section 50.23 of title  
21                  10, Code of Federal Regulations (or successor  
22                  regulations), or early site permit (as defined in  
23                  section 52.1 of that title (or successor regula-  
24                  tions)).

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

3                   “(i) the first advanced nuclear reactor  
4                   for which the Commission—

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

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

11                  “(ii) an advanced nuclear reactor  
12                  that—

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

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

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

1                   “(bb) makes a finding in ac-  
2                   cordance with clause (ii) of that  
3                   subparagraph;

4                   “(iii) an advanced nuclear reactor  
5                   that—

6                   “(I) is a nuclear integrated en-  
7                   ergy system—

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

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

17                  “(cc) the purpose of which  
18                  is—

19                  “(AA) to reduce green-  
20                  house gas emissions in both  
21                  the power and nonpower sec-  
22                  tors; and

23                  “(BB) to maximize en-  
24                  ergy production and effi-  
25                  ciency; and



1                   “(II) is the first advanced nu-  
2 clear reactor described in subclause  
3 (I) for which the Commission—

4                   “(aa) issues a license in ac-  
5 cordance with clause (i) of sub-  
6 paragraph (A); or

7                   “(bb) makes a finding in ac-  
8 cordance with clause (ii) of that  
9 subparagraph;

10                  “(iv) an advanced reactor that—

11                  “(I) operates flexibly to generate  
12 electricity or high temperature process  
13 heat for nonelectric applications; and

14                  “(II) is the first advanced nu-  
15 clear reactor described in subclause  
16 (I) for which the Commission—

17                  “(aa) issues a license in ac-  
18 cordance with clause (i) of sub-  
19 paragraph (A); or

20                  “(bb) makes a finding in ac-  
21 cordance with clause (ii) of that  
22 subparagraph; and

23                  “(v) the first advanced nuclear reactor  
24 for which the Commission grants approval  
25 to load nuclear fuel pursuant to the tech-

1 nology-inclusive regulatory framework es-  
2 tablished under subsection (a)(4).

3 “(3) FEDERAL FUNDING LIMITATION.—

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

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

21 “(C) REPAYMENTS AND DIVIDENDS NOT  
22 REQUIRED.—Notwithstanding section  
23 9104(a)(4) of title 31, United States Code, or  
24 any other provision of law, an eligible entity

1           that received an award under this subsection  
2           shall not be required—

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

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

## 8           **Subtitle C—Siting, Licensing, and** 9           **Oversight Reviews**

### 10   **SEC. 121. MODERNIZATION OF NUCLEAR REACTOR ENVI-** 11           **RONMENTAL REVIEWS.**

12           (a) **IN GENERAL.**—Not later than 90 days after the  
13 date of enactment of this Act, the Nuclear Regulatory  
14 Commission (in this section referred to as the “Commis-  
15 sion”) shall submit to the Committee on Environment and  
16 Public Works of the Senate and the Committee on Energy  
17 and Commerce of the House of Representatives a report  
18 on the efforts of the Commission to facilitate efficient,  
19 timely, and predictable environmental reviews of nuclear  
20 reactor applications, including through expanded use of  
21 categorical exclusions, environmental assessments, and ge-  
22 neric environmental impact statements.

23           (b) **REPORT.**—In completing the report under sub-  
24 section (a), the Commission shall—

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

6           (2) consider—

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

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

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

24                  (D) the extent to which the Commission  
25                  may rely on prior studies or analyses prepared

1 by Federal, State, and local governmental per-  
2 mitting agencies to streamline environmental  
3 reviews of nuclear reactor applications by the  
4 Commission;

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

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

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

23 (H) establishing new categorical exclusions  
24 that could be applied to actions relating to new  
25 nuclear reactors applications;

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

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

18 (K) opportunities to adopt online and dig-  
19 ital technologies, including technologies that  
20 would allow applicants and cooperating agencies  
21 to upload documents and coordinate with the  
22 Commission to edit documents in real time,  
23 that would streamline communications be-  
24 tween—

1 (i) the Commission and applicants;

2 and

3 (ii) the Commission and other rel-  
4 evant cooperating agencies;

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

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

12 (ii) assist decision-making about rel-  
13 evant environmental issues;

14 (iii) maintain openness with the pub-  
15 lic;

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

19 (v) reduce burdens on licensees, appli-  
20 cants, and the Commission; and

21 (3) include a schedule for promulgating the rule  
22 required under subsection (c).

23 (c) RULEMAKING.—Not later than 2 years after the  
24 submission of the report under subsection (a), the Com-  
25 mission shall promulgate a final rule implementing, to the

1 maximum extent practicable, measures considered by the  
2 Commission under subsection (b)(2) that are necessary to  
3 streamline the Commission’s review of nuclear reactor ap-  
4 plications.

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

6 (a) DEFINITIONS.—In this section:

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

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

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

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

22 (5) RETIRED FOSSIL FUEL SITE.—The term  
23 “retired fossil fuel site” means the site of 1 or more  
24 fossil fuel electric generation facilities that are re-



1       tired or scheduled to retire, including multiunit fa-  
2       cilities that are partially shut down.

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

7       (b) IDENTIFICATION OF REGULATORY ISSUES.—

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

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

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

23                  (i) electric switchyard components and  
24                  transmission infrastructure;

25                  (ii) heat-sink components;

1 (iii) steam cycle components;

2 (iv) roads;

3 (v) railroad access; and

4 (vi) water availability;

5 (B) using early site permits;

6 (C) using plant parameter envelopes or  
7 similar standardized site parameters on a por-  
8 tion of a larger site; and

9 (D) using a standardized application for  
10 similar sites.

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

16 (c) LICENSING.—

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

20 (A) develop and implement strategies to  
21 enable efficient, timely, and predictable licens-  
22 ing reviews for, and to support the oversight of,  
23 production facilities or utilization facilities at  
24 covered sites; and

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

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

9 (A) the use of existing site infrastructure;

10 (B) existing emergency preparedness orga-  
11 nizations and planning;

12 (C) the availability of historical site-spe-  
13 cific environmental data;

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

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

20 (F) community engagement and historical  
21 experience with energy production.

22 (d) REPORT.—Not later than 3 years after the date  
23 of enactment of this Act, the Commission shall submit to  
24 the Committee on Energy and Commerce of the House  
25 of Representatives and the Committee on Environment

1 and Public Works of the Senate a report describing the  
2 actions taken by the Commission under subsection (c)(1).

3 **SEC. 123. ADVANCEMENT OF NUCLEAR REGULATORY OVER-**  
4 **SIGHT.**

5 (a) IMPLEMENTING LESSONS LEARNED FROM THE  
6 COVID–19 HEALTH EMERGENCY.—

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

16 (2) CONTENTS.—The report submitted under  
17 paragraph (1) shall—

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

23 (B) examine how any revision or tem-  
24 porary suspension of a process, procedure, or  
25 other regulatory policy identified under sub-

1 paragraph (A) affected the ability of the Com-  
2 mission to license and regulate the civilian use  
3 of radioactive materials in the United States to  
4 protect public health and safety, promote the  
5 common defense and security, and protect the  
6 environment;

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

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

15 (E) describe when the actions listed under  
16 subparagraph (D) were implemented or may be  
17 implemented.

18 (b) **ADVANCING EFFICIENT, RISK-INFORMED OVER-**  
19 **SIGHT AND INSPECTIONS.—**

20 (1) **IN GENERAL.—**Not later than 1 year after  
21 the date of enactment of this Act, the Commission  
22 shall develop and submit to the appropriate commit-  
23 tees of Congress a report that identifies specific im-  
24 provements to the nuclear reactor and materials  
25 oversight and inspection programs carried out pur-

1       suant to the Atomic Energy Act of 1954 that the  
2       Commission may implement to maximize the effi-  
3       ciency of such programs through, where appropriate,  
4       the use of risk-informed, performance-based proce-  
5       dures, expanded incorporation of information tech-  
6       nologies, and staff training.

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

10                       (A) the Secretary of Energy;

11                       (B) the National Laboratories;

12                       (C) the nuclear energy industry; and

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

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

17                       (A) assess specific elements of oversight  
18       and inspections that may be modified by the  
19       use of technology, improved planning, and con-  
20       tinually updated risk-informed, performance-  
21       based assessment, including—

22                               (i) use of travel resources;

23                               (ii) planning and preparation for in-  
24       spections, including entrance and exit  
25       meetings with licensees;

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

7 (iv) the cross-cutting issues program;  
8 and

9 (v) the scope of event reporting re-  
10 quired by licensees to ensure decisions are  
11 risk-informed;

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

14 (i) elimination of areas of duplicative  
15 or otherwise unnecessary activities;

16 (ii) increased use of templates in doc-  
17 umenting inspection results; and

18 (iii) periodic training of Commission  
19 staff and leadership on the application of  
20 risk-informed criteria for—

21 (I) inspection planning and as-  
22 sessments;

23 (II) agency decision making proc-  
24 esses on the application of regulations  
25 and guidance; and

1 (III) the application of the Com-  
2 mission's standard of reasonable as-  
3 surance of adequate protection;

4 (C) assess measures to advance risk-in-  
5 formed procedures, including—

6 (i) increased use of inspection ap-  
7 proaches that balance the level of resources  
8 commensurate with safety significance;

9 (ii) increased review of the use of in-  
10 spection program resources based on li-  
11 censee performance;

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

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

21 (D) assess the ability of the Commission,  
22 consistent with its obligations to provide reason-  
23 able assurance of adequate protection of health  
24 and safety pursuant to the Atomic Energy Act  
25 of 1954, to enable licensee innovations that may



1 advance nuclear reactor operational efficiency  
2 and safety, including the criteria of the Com-  
3 mission for timely acceptance of licensee adop-  
4 tion of advanced technologies, including digital  
5 technologies;

6 (E) identify recommendations resulting  
7 from the assessments described in subpara-  
8 graphs (A) through (D);

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

16 (G) describe when the actions identified  
17 under subparagraph (F) may be implemented.

18 (c) OFFICE AND FACILITY SPACE REVIEW.—

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

22 (A) review office and other facility space  
23 requirements of the Commission; and

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

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

6 (A) an examination of—

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

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

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

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

24 (B) recommendations to Congress, the  
25 Commission, and the General Services Adminis-



1       (42 U.S.C. 2215(b)(1)(B)) is further amended by  
2       adding at the end the following:

3               “(vi) Costs for—

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

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

1                   fense Authorization Act for Fiscal  
2                   Year 2019).”.

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

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

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

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

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

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

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

6 (I) within the existing regulatory  
7 framework; or

8 (II) through a new rulemaking;  
9 and

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

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

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

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

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

4                   (A) in subsection d. (5), by striking  
5                   “\$500,000,000”                   and                   inserting  
6                   “\$2,000,000,000”; and

7                   (B) in subsection e. (4), by striking  
8                   “\$500,000,000”                   and                   inserting  
9                   “\$2,000,000,000”.

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

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

20           (f) RISK POOLING PROGRAM ASSESSMENT.—

21                   (1) REPORT.—Not later than 1 year after the  
22                   date of enactment of this Act, the Comptroller Gen-  
23                   eral shall carry out a review of, and submit to the  
24                   Committee on Energy and Commerce of the House  
25                   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.