

117TH CONGRESS
2D SESSION

S. 4064

To facilitate the development of a whole-of-government strategy for nuclear cooperation and nuclear exports.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2022

Mr. MANCHIN (for himself and Mr. RISCH) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To facilitate the development of a whole-of-government strategy for nuclear cooperation and nuclear exports.

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.**

4 This Act may be cited as the “International Nuclear
5 Energy Act of 2022”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ADVANCED NUCLEAR REACTOR.**—The term
9 “advanced nuclear reactor” has the meaning given

1 the term in section 951(b) of the Energy Policy Act
2 of 2005 (42 U.S.C. 16271(b)).

3 (2) ALLY OR PARTNER NATION.—The term
4 “ally or partner nation” means the Government of
5 each of the following:

6 (A) A country that is a member of the
7 North Atlantic Treaty Organization.

8 (B) Japan.

9 (C) The Republic of Korea.

10 (D) Australia.

11 (E) Switzerland.

12 (F) Sweden.

13 (G) Finland.

14 (H) Any other country designated as an
15 ally or partner nation by the Secretary of State
16 for purposes of this Act.

17 (3) ASSISTANT.—The term “Assistant” means
18 the Assistant to the President and Director for Nu-
19 clear Energy Policy described in section 3(a)(3)(A).

20 (4) ASSOCIATED ENTITY.—The term “associ-
21 ated entity” means an entity that—

22 (A) is owned, controlled, or dominated
23 by—

24 (i) an ally or partner nation; or

25 (ii) an associated individual; or

1 (B) is organized under the laws of, or oth-
2 erwise subject to the jurisdiction of, a country
3 described in any of subparagraphs (A) through
4 (H) of paragraph (2), including a corporation
5 that is incorporated in a country described in
6 any of those subparagraphs.

7 (5) ASSOCIATED INDIVIDUAL.—The term “asso-
8 ciated individual” means an alien who is a national
9 of a country described in any of subparagraphs (A)
10 through (H) of paragraph (2).

11 (6) CENTER.—The term “Center” means the
12 Advanced Reactor Coordination and Resource Cen-
13 ter established under section 11.

14 (7) EMBARKING CIVIL NUCLEAR ENERGY NA-
15 TION.—The term “embarking civil nuclear energy
16 nation” means a country that—

17 (A) does not have a civil nuclear program;

18 (B) is in the process of developing or ex-
19 panding a civil nuclear program, including safe-
20 guards and a legal and regulatory framework,
21 for—

22 (i) nuclear safety;

23 (ii) nuclear security;

24 (iii) radioactive waste management;

25 (iv) civil nuclear energy;

1 (v) nuclear liability; or

2 (vi) advanced nuclear reactor licens-
3 ing; or

4 (C) is in the process of selecting, devel-
5 oping, constructing, or utilizing advanced light
6 water reactors, advanced nuclear reactors, or
7 advanced nuclear technologies.

8 (8) HIGH-ASSAY LOW-ENRICHED URANIUM.—
9 The term “high-assay low-enriched uranium” has
10 the meaning given the term in section 2001(d) of
11 the Energy Act of 2020 (42 U.S.C. 16281(d)).

12 (9) LOW-ENRICHED URANIUM.—The term “low-
13 enriched uranium” means each of—

14 (A) low-enriched uranium (as defined in
15 section 3102 of the USEC Privatization Act
16 (42 U.S.C. 2297h)); and

17 (B) low-enriched uranium (as defined in
18 section 3112A(a) of that Act (42 U.S.C.
19 2297h–10a(a))).

20 (10) NATIONAL STRATEGIC URANIUM RE-
21 SERVE.—The term “National Strategic Uranium Re-
22 serve” means the National Strategic Uranium Re-
23 serve established under section 16(e)(1)(A).

24 (11) NUCLEAR SAFETY.—The term “nuclear
25 safety” means issues relating to—

- 1 (A) the safe operation of nuclear reactors
2 and other nuclear facilities;
- 3 (B) radiological protection of—
4 (i) members of the public;
5 (ii) workers; and
6 (iii) the environment;
- 7 (C) nuclear waste management;
- 8 (D) emergency preparedness;
- 9 (E) nuclear liability; and
- 10 (F) the safe transportation of nuclear ma-
11 terials.

12 (12) SECRETARY.—The term “Secretary”
13 means the Secretary of Energy.

14 (13) SPENT NUCLEAR FUEL.—The term “spent
15 nuclear fuel” has the meaning given the term in sec-
16 tion 2 of the Nuclear Waste Policy Act of 1982 (42
17 U.S.C. 10101).

18 (14) TEAM USA.—The term “Team USA”
19 means the interagency initiative to identify opportu-
20 nities in emerging economies, embarking civil nu-
21 clear energy nations, and ally or partner nations for
22 topics such as—

- 23 (A) nuclear plant construction;
- 24 (B) nuclear fuel services;
- 25 (C) nuclear energy financing;

1 (D) nuclear plant operations;

2 (E) nuclear plant regulation;

3 (F) nuclear medicine;

4 (G) infrastructure support for nuclear en-
5 ergy;

6 (H) nuclear plant decommissioning;

7 (I) nuclear liability;

8 (J) storage and disposal of spent nuclear
9 fuel; and

10 (K) technology related to the matters de-
11 scribed in subparagraphs (A) through (J).

12 (15) U.S. NUCLEAR ENERGY COMPANY.—The
13 term “U.S. nuclear energy company” means a com-
14 pany that—

15 (A) is organized under the laws of, or oth-
16 erwise subject to the jurisdiction of, the United
17 States; and

18 (B) is involved in the nuclear energy indus-
19 try.

20 **SEC. 3. CIVIL NUCLEAR COORDINATION AND STRATEGY.**

21 (a) OFFICE OF THE ASSISTANT TO THE PRESIDENT
22 AND DIRECTOR FOR NUCLEAR ENERGY POLICY.—

23 (1) ESTABLISHMENT.—There is established in
24 the Executive Office of the President an office, to be
25 known as the “Office of the Assistant to the Presi-

1 dent and Director for Nuclear Energy Policy” (re-
2 ferred to in this subsection as the “Office”).

3 (2) MISSION.—The Office shall act as the sin-
4 gle coordinating office for—

5 (A) civil nuclear cooperation; and

6 (B) civil nuclear export strategy.

7 (3) LEADERSHIP.—

8 (A) ASSISTANT.—

9 (i) IN GENERAL.—The Office shall be
10 headed by the Assistant to the President
11 and Director for Nuclear Energy Policy,
12 who shall be appointed by the President.

13 (ii) REPORTING.—The Assistant shall
14 report directly to the President.

15 (B) DEPUTY ASSISTANT.—

16 (i) IN GENERAL.—The Assistant shall
17 appoint a Deputy Assistant with experi-
18 ence in advising on civil nuclear project de-
19 velopment and financing.

20 (ii) REPORTING.—The Deputy Assist-
21 ant shall report directly to the Assistant.

22 (4) DUTIES.—

23 (A) IN GENERAL.—The Assistant, in con-
24 sultation with the Deputy Assistant, shall—

- 1 (i) coordinate the civil nuclear export
2 policy of the United States;
- 3 (ii) develop a cohesive Federal strat-
4 egy for engagement with foreign govern-
5 ments (including ally or partner nations
6 and the governments of embarking civil
7 nuclear energy nations), associated enti-
8 ties, associated individuals, and inter-
9 national lending institutions with respect
10 to civil nuclear exports;
- 11 (iii) coordinate with the officials de-
12 scribed in subparagraph (B) to ensure that
13 necessary framework agreements and trade
14 controls relating to civil nuclear materials
15 and technologies are in place for key mar-
16 kets; and
- 17 (iv) develop—
- 18 (I) a whole-of-government coordi-
19 nating strategy for civil nuclear co-
20 operation;
- 21 (II) a whole-of-government strat-
22 egy for civil nuclear exports; and
- 23 (III) a whole-of-government ap-
24 proach to support foreign investment
25 in domestic construction projects.

- 1 (B) OFFICIALS DESCRIBED.—The officials
2 referred to in subparagraph (A)(iii) are—
- 3 (i) the appropriate officials of—
- 4 (I) the Department of State;
- 5 (II) the Department of Energy;
- 6 (III) the Department of Com-
7 merce;
- 8 (IV) the Nuclear Regulatory
9 Commission;
- 10 (V) the Department of Defense;
- 11 (VI) the National Security Coun-
12 cil;
- 13 (VII) the National Economic
14 Council;
- 15 (VIII) the Office of the United
16 States Trade Representative;
- 17 (IX) the Office of Management
18 and Budget;
- 19 (X) the Office of the Director of
20 National Intelligence;
- 21 (XI) the Export-Import Bank of
22 the United States;
- 23 (XII) the United States Inter-
24 national Development Finance Cor-
25 poration;

1 (XIII) the United States Trade
2 and Development Agency; and

3 (XIV) the Office of Science and
4 Technology Policy; and

5 (ii) appropriate officials representing
6 foreign countries and governments, includ-
7 ing—

8 (I) ally or partner nations;

9 (II) embarking civil nuclear en-
10 ergy nations; and

11 (III) any other country or gov-
12 ernment that the Assistant, in con-
13 sultation with the Deputy Assistant
14 and the officials described in clause
15 (i), determines to be appropriate.

16 (5) STAFF.—

17 (A) SENIOR ADVISORS.—

18 (i) IN GENERAL.—The Assistant shall
19 select a staff of not fewer than 4, and not
20 more than 6, Senior Advisors to assist in
21 the mission of the Office.

22 (ii) REQUIREMENT.—The Senior Ad-
23 visors selected under clause (i) shall be
24 composed of individuals with diverse indus-

1 try and government backgrounds, including
2 individuals with backgrounds in—

3 (I) project financing;

4 (II) construction development
5 and management;

6 (III) contract structuring, risk
7 allocation, and nuclear liability;

8 (IV) regulatory, licensing, and
9 safeguards processes;

10 (V) civil nuclear electric and non-
11 electric applications of nuclear tech-
12 nologies;

13 (VI) government-to-government
14 negotiations;

15 (VII) social acceptance and envi-
16 ronmental justice;

17 (VIII) human infrastructure de-
18 velopment;

19 (IX) major project development;

20 (X) international infrastructure
21 financing; and

22 (XI) nuclear safety and security
23 requirements.

1 (B) OTHER STAFF.—The Assistant may
2 hire such other additional personnel as may be
3 necessary to carry out the mission of the Office.

4 (6) AUTHORIZATION OF APPROPRIATIONS.—
5 There is authorized to be appropriated to carry out
6 this subsection \$2,000,000 for each of fiscal years
7 2023 through 2027.

8 (b) NUCLEAR EXPORTS WORKING GROUP.—

9 (1) ESTABLISHMENT.—There is established a
10 working group, to be known as the “Nuclear Ex-
11 ports Working Group” (referred to in this subsection
12 as the “working group”).

13 (2) COMPOSITION.—The working group shall be
14 composed of—

15 (A) senior-level Federal officials, selected
16 internally by the applicable Federal agency or
17 organization, from—

- 18 (i) the Department of State;
- 19 (ii) the Department of Commerce;
- 20 (iii) the Department of Energy;
- 21 (iv) the Department of the Treasury;
- 22 (v) the Export-Import Bank of the
23 United States;
- 24 (vi) the United States International
25 Development Finance Corporation;

1 (vii) the Nuclear Regulatory Commis-
2 sion;

3 (viii) the Office of the United States
4 Trade Representative; and

5 (ix) the United States Trade and De-
6 velopment Agency;

7 (B) other senior-level Federal officials, se-
8 lected internally by the applicable Federal agen-
9 cy or organization, from any other Federal
10 agency or organization that the Secretary deter-
11 mines to be appropriate; and

12 (C) any senior-level Federal official se-
13 lected by the Assistant from any Federal agen-
14 cy or organization.

15 (3) REPORTING.—The working group shall re-
16 port to the Assistant.

17 (4) DUTIES.—The working group shall—

18 (A) provide direction and advice to the As-
19 sistant; and

20 (B) submit to the Civil Nuclear Trade Ad-
21 visory Committee of the Department of Com-
22 merce and the Nuclear Energy Advisory Com-
23 mittee of the Department of Energy quarterly
24 reports on the standing of civil nuclear exports
25 from the United States, including with respect

1 to meeting the targets established as part of the
2 5-year civil nuclear trade strategy described in
3 paragraph (5)(A).

4 (5) STRATEGY.—

5 (A) IN GENERAL.—Not later than 1 year
6 after the date of enactment of this Act, the
7 working group shall establish a 10-year civil nu-
8 clear trade strategy, including biennial targets
9 for the export of civil nuclear technologies, in-
10 cluding light water and non-light water reactors
11 and associated equipment and technologies, civil
12 nuclear materials, and nuclear fuel that align
13 with meeting international energy demand while
14 seeking to avoid or reduce emissions.

15 (B) COLLABORATION REQUIRED.—In es-
16 tablishing the strategy under subparagraph (A),
17 the working group shall collaborate with—

18 (i) the Secretary;

19 (ii) the Secretary of Commerce;

20 (iii) the Secretary of State;

21 (iv) the Secretary of the Treasury;

22 (v) the Nuclear Regulatory Commis-
23 sion;

24 (vi) the President of the Export-Im-
25 port Bank of the United States;

1 (vii) the Chief Executive Officer of the
2 United States International Development
3 Finance Corporation;

4 (viii) the United States Trade Rep-
5 resentative; and

6 (ix) representatives of private indus-
7 try.

8 **SEC. 4. ENGAGEMENT WITH ALLY OR PARTNER NATIONS.**

9 (a) IN GENERAL.—The Secretary of State, in coordi-
10 nation with the Secretary, the Nuclear Regulatory Com-
11 mission, Team USA, and the Assistant, shall launch, in
12 accordance with applicable nuclear technology export laws
13 (including regulations), an international initiative to mod-
14 ernize the civil nuclear outreach carried out by the United
15 States for the purpose of establishing cooperative financ-
16 ing relationships for the export of civil nuclear technology,
17 components, materials, and infrastructure to countries in
18 the coalition described in subsection (b).

19 (b) COALITION DESCRIBED.—The coalition referred
20 to in subsection (a) is a coalition of countries that—

21 (1) is developed for purposes of carrying out
22 the initiative described in subsection (a); and

23 (2) includes each ally or partner nation that is
24 willing to participate in the coalition.

1 (c) ACTIVITIES.—In carrying out the initiative de-
2 scribed in subsection (a), the Secretary of State shall—

3 (1) assist nongovernmental organizations and
4 appropriate offices, administrations, agencies, lab-
5 oratories, and programs of the Department of En-
6 ergy in providing education and training to foreign
7 governments in nuclear safety, security, and safe-
8 guards—

9 (A) through engagement with the Inter-
10 national Atomic Energy Agency; or

11 (B) independently, if the applicable entity
12 determines that it would be more advantageous
13 under the circumstances to provide the applica-
14 ble education and training independently;

15 (2) assist the efforts of the International Atom-
16 ic Energy Agency to expand the support provided by
17 the International Atomic Energy Agency to embark-
18 ing civil nuclear energy nations for nuclear safety,
19 security, and safeguards;

20 (3) expand outreach by the Assistant to the pri-
21 vate investment community to create public-private
22 financing relationships to assist in the export of civil
23 nuclear technology to countries in the coalition de-
24 scribed in subsection (b);

1 (4) seek to coordinate, to the maximum extent
2 practicable, the work carried out by each of—

3 (A) the Nuclear Regulatory Commission;

4 (B) the Department of Energy;

5 (C) the Department of Commerce;

6 (D) the International Atomic Energy
7 Agency;

8 (E) the Nuclear Energy Agency; and

9 (F) the nuclear regulatory agencies and or-
10 ganizations of embarking civil nuclear energy
11 nations and ally or partner nations; and

12 (5) improve the regulatory framework to allow
13 for the expeditious exporting and importing of civil
14 nuclear technologies and materials.

15 **SEC. 5. COOPERATIVE FINANCING RELATIONSHIPS WITH**
16 **ALLY OR PARTNER NATIONS AND EMBARK-**
17 **ING CIVIL NUCLEAR ENERGY NATIONS.**

18 (a) IN GENERAL.—The Secretary, the Secretary of
19 State, the Secretary of Commerce, the President of the
20 Export-Import Bank of the United States, and the Chief
21 Executive Officer of the United States International De-
22 velopment Finance Corporation, in coordination with the
23 Assistant, shall develop cooperative financing relationships
24 with ally or partner nations or embarking civil nuclear en-
25 ergy nations to advance civil nuclear exports from the

1 United States to ally or partner nations or embarking civil
2 nuclear energy nations.

3 (b) UNITED STATES COMPETITIVENESS CLAUSES.—

4 (1) DEFINITION OF UNITED STATES COMPETI-
5 TIVENESS CLAUSE.—In this subsection, the term
6 “United States competitiveness clause” means any
7 United States competitiveness provision in any
8 agreement entered into by the Department of En-
9 ergy, including—

10 (A) a cooperative agreement;

11 (B) a cooperative research and develop-
12 ment agreement; and

13 (C) a patent waiver.

14 (2) CONSIDERATION.—In carrying out sub-
15 section (a), the Secretary, the Secretary of State,
16 the Secretary of Commerce, the President of the Ex-
17 port-Import Bank of the United States, and the
18 Chief Executive Officer of the United States Inter-
19 national Development Finance Corporation shall
20 consider the impact of United States competitiveness
21 clauses on any cooperative financing relationships
22 entered into or proposed to be entered into under
23 that subsection.

24 (3) WAIVER.—The Secretary shall facilitate
25 waivers of United States competitiveness clauses as

1 necessary to facilitate cooperative financing relation-
2 ships with ally or partner nations or embarking civil
3 nuclear energy nations under subsection (a).

4 **SEC. 6. FAST-TRACK PROCEDURES AND EXPORT CON-**
5 **TROLS.**

6 Not later than 180 days after the date of enactment
7 of this Act, the Secretary shall promulgate a regulation
8 revising part 810 of title 10, Code of Federal Regulations,
9 to establish fast-track procedures for obtaining specific
10 authorizations for exports, which may be similar to exist-
11 ing fast-track procedures in existing Federal export-con-
12 trol regulations—

13 (1) for deemed exports to—

14 (A) a list of countries defined by the Sec-
15 retary;

16 (B) a list of countries defined by the Sec-
17 retary of State;

18 (C) a list of countries defined by the Sec-
19 retary of the Treasury;

20 (D) a list of countries defined by the Sec-
21 retary of Commerce; or

22 (E) destinations based on country criteria
23 defined by the Secretary; or

1 (2) for widely deployed technologies available
2 from multiple suppliers, such as light water reactor
3 technology.

4 **SEC. 7. COOPERATION WITH ALLY OR PARTNER NATIONS**
5 **ON ADVANCED NUCLEAR REACTOR DEM-**
6 **ONSTRATION AND COOPERATIVE RESEARCH**
7 **FACILITIES.**

8 (a) IN GENERAL.—Not later than 2 years after the
9 date of enactment of this Act, the Secretary of State, in
10 coordination with the Secretary, the Secretary of Com-
11 merce, and the Assistant, shall conduct bilateral and mul-
12 tilateral meetings with not fewer than 5 ally or partner
13 nations, with the aim of enhancing nuclear energy co-
14 operation among those ally or partner nations and the
15 United States, for the purpose of developing collaborative
16 relationships with respect to research, development, licens-
17 ing, and deployment of advanced nuclear reactor tech-
18 nologies.

19 (b) REQUIREMENT.—The meetings described in sub-
20 section (a) shall include—

21 (1) a focus on cooperation to demonstrate and
22 deploy advanced nuclear reactors, with an emphasis
23 on U.S. nuclear energy companies, during the 10-
24 year period beginning on the date of enactment of

1 this Act to provide options for addressing climate
2 change by 2050; and

3 (2) a focus on developing a memorandum of un-
4 derstanding or any other appropriate agreement be-
5 tween the United States and ally or partner nations
6 with respect to—

7 (A) the demonstration and deployment of
8 advanced nuclear reactors; and

9 (B) the development of cooperative re-
10 search facilities.

11 (c) FINANCING ARRANGEMENTS.—In conducting the
12 meetings described in subsection (a), the Secretary of
13 State, in coordination with the Secretary, the Secretary
14 of Commerce, and the Assistant, shall seek to develop fi-
15 nancing arrangements to share the costs of the demonstra-
16 tion and deployment of advanced nuclear reactors and the
17 development of cooperative research facilities with the ally
18 or partner nations participating in those meetings.

19 (d) REPORT.—Not later than 1 year after the date
20 of enactment of this Act, the Secretary, the Secretary of
21 State, and the Secretary of Commerce shall jointly submit
22 to Congress a report highlighting potential partners—

23 (1) for the establishment of cost-share arrange-
24 ments described in subsection (c); or

1 (2) with which the United States may enter
2 into agreements with respect to—

3 (A) the demonstration of advanced nuclear
4 reactors; or

5 (B) cooperative research facilities.

6 **SEC. 8. INTERNATIONAL NUCLEAR ENERGY COOPERATION.**

7 Section 959B of the Energy Policy Act of 2005 (42
8 U.S.C. 16279b) is amended—

9 (1) in the matter preceding paragraph (1), by
10 striking “The Secretary” and inserting the fol-
11 lowing:

12 “(a) IN GENERAL.—The Secretary”;

13 (2) in subsection (a) (as so designated)—

14 (A) in paragraph (1)—

15 (i) by striking “financing,”; and

16 (ii) by striking “and” after the semi-
17 colon at the end;

18 (B) in paragraph (2)—

19 (i) in subparagraph (A), by striking
20 “preparations for”; and

21 (ii) in subparagraph (C)(v), by strik-
22 ing the period at the end and inserting a
23 semicolon; and

24 (C) by adding at the end the following:

1 “(3) to support, in consultation with the Sec-
2 retary of State, the safe, secure, and peaceful use of
3 nuclear technology in countries developing nuclear
4 energy programs, with a focus on countries that
5 have increased civil nuclear cooperation with the
6 Russian Federation or the People’s Republic of
7 China; and

8 “(4) to promote the fullest utilization of United
9 States reactors, fuel, equipment, services, and tech-
10 nology in nuclear energy programs outside the
11 United States through—

12 “(A) bilateral and multilateral arrange-
13 ments that contain commitments for the utiliza-
14 tion of United States reactors, fuel, equipment,
15 services, and technology;

16 “(B) the designation of 1 or more U.S. nu-
17 clear energy companies (as defined in section 2
18 of the International Nuclear Energy Act of
19 2022) to implement an arrangement under sub-
20 paragraph (A) if the Secretary determines that
21 the designation is necessary and appropriate to
22 achieve the objectives of this section;

23 “(C) the waiver of any provision of law re-
24 lating to competition with respect to any activ-
25 ity related to an arrangement under subpara-

1 graph (A) if the Secretary, in consultation with
2 the Attorney General and the Secretary of
3 Commerce, determines that a waiver is nec-
4 essary and appropriate to achieve the objectives
5 of this section; and

6 “(D) the issuance of loans, loan guaran-
7 tees, other financial assistance, or assistance in
8 the form of an equity interest to carry out ac-
9 tivities related to an arrangement under sub-
10 paragraph (A), to the extent appropriated funds
11 are available.”; and

12 (3) by adding at the end the following:

13 “(b) REQUIREMENTS.—The program under sub-
14 section (a) shall—

15 “(1) with respect to the function described in
16 subsection (a)(3), be modeled after the International
17 Military Education and Training program of the De-
18 partment of State; and

19 “(2) be carried out—

20 “(A) to facilitate, to the maximum extent
21 practicable, workshops and expert-based ex-
22 changes to engage industry, stakeholders, and
23 foreign governments with respect to inter-
24 national civil nuclear issues, such as—

25 “(i) training;

1 “(ii) financing;
2 “(iii) safety;
3 “(iv) security;
4 “(v) safeguards;
5 “(vi) liability;
6 “(vii) advanced fuels;
7 “(viii) operations; and
8 “(ix) options for multinational co-
9 operation with respect to the disposal of
10 spent nuclear fuel (as defined in section 2
11 of the Nuclear Waste Policy Act of 1982
12 (42 U.S.C. 10101)); and
13 “(B) in coordination with—
14 “(i) the National Security Council;
15 “(ii) the Secretary of State;
16 “(iii) the Secretary of Commerce; and
17 “(iv) the Nuclear Regulatory Commis-
18 sion.

19 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
20 is authorized to be appropriated to the Secretary to carry
21 out subsection (a)(3) \$15,500,000 for each of fiscal years
22 2022 through 2026.”.

1 **SEC. 9. INTERNATIONAL CIVIL NUCLEAR PROGRAM SUP-**
2 **PORT.**

3 (a) IN GENERAL.—Not later than 120 days after the
4 date of enactment of this Act, the Secretary of State, in
5 coordination with the Secretary and the Assistant, shall
6 launch an international initiative (referred to in this sec-
7 tion as the “initiative”) to provide grants, in accordance
8 with this section—

9 (1) to embarking civil nuclear energy nations
10 for activities relating to the development of civil nu-
11 clear programs; and

12 (2) to ally or partner nations for the construc-
13 tion of nuclear reactors and advanced nuclear reac-
14 tors.

15 (b) GRANTS.—

16 (1) IN GENERAL.—In carrying out the initia-
17 tive, the Secretary of State, in coordination with the
18 Secretary and the Assistant, may award not more
19 than 1 grant to each country, including each em-
20 barking civil nuclear energy nation, each fiscal year.

21 (2) AMOUNT.—The amount of a grant awarded
22 under the initiative shall be not more than
23 \$5,500,000.

24 (3) LIMITATION.—The Secretary of State, in
25 coordination with the Secretary and the Assistant,
26 may award not more than a total of 5 grants under

1 the initiative to a single country, including each em-
2 barking civil nuclear energy nation.

3 (c) SENIOR ADVISORS.—

4 (1) IN GENERAL.—In carrying out the initia-
5 tive, the Secretary of State, in coordination with the
6 Secretary and the Assistant, shall provide a grant to
7 an embarking civil nuclear energy nation with the
8 option for a U.S. nuclear energy company to hire 1
9 or more senior advisors to assist the embarking civil
10 nuclear energy nation in establishing a civil nuclear
11 program.

12 (2) REQUIREMENT.—A senior advisor described
13 in paragraph (1) shall seek to advise the embarking
14 civil nuclear energy nation on, and facilitate on be-
15 half of the embarking civil nuclear energy nation, 1
16 or more of the following:

17 (A) The development of financing relation-
18 ships.

19 (B) The development of a standardized fi-
20 nancing and project management framework for
21 the construction of nuclear power plants.

22 (C) The development of a standardized li-
23 censing framework for—

24 (i) light water civil nuclear tech-
25 nologies; and

1 (ii) non-light water civil nuclear tech-
2 nologies and advanced nuclear reactors.

3 (D) The identification of qualified organi-
4 zations and service providers.

5 (E) The identification of funds to support
6 payment for services required to develop a civil
7 nuclear program.

8 (F) Market analysis.

9 (G) The identification of the safety, secu-
10 rity, safeguards, and nuclear governance re-
11 quired for a civil nuclear program.

12 (H) Risk allocation, risk management, and
13 nuclear liability.

14 (I) Technical assessments of nuclear reac-
15 tors and technologies.

16 (J) The identification of actions necessary
17 to participate in a global nuclear liability re-
18 gime based on the Convention on Supple-
19 mentary Compensation for Nuclear Damage,
20 with Annex, done at Vienna September 12,
21 1997 (TIAS 15-415).

22 (K) Stakeholder engagement.

23 (L) Management of spent nuclear fuel and
24 nuclear waste.

1 (M) Any other major activities to support
2 the establishment of a civil nuclear program,
3 such as the establishment of export, financing,
4 construction, training, operations, and edu-
5 cation requirements.

6 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to the Secretary of State
8 to carry out the initiative \$50,000,000 for each of fiscal
9 years 2023 through 2027.

10 **SEC. 10. BIENNIAL NUCLEAR SAFETY, SECURITY, SAFE-**
11 **GUARDS, AND SUSTAINABILITY SUMMIT.**

12 (a) IN GENERAL.—The Secretary, the Secretary of
13 State, the Secretary of Defense, the Secretary of Com-
14 merce, the Nuclear Regulatory Commission, and the As-
15 sistant shall hold a biennial nuclear safety, security, safe-
16 guards, and sustainability summit (referred to in this sec-
17 tion as a “summit”), the first of which shall be held on
18 the date that is 180 days after the date of enactment of
19 this Act.

20 (b) LOCATION.—Each summit shall be held in—

21 (1) Washington, DC; or

22 (2) a country described in any of subpara-
23 graphs (A) through (H) of section 2(2).

24 (c) REQUIREMENT.—Each summit shall—

1 (1) be a forum in which leaders of ally or part-
2 ner nations may engage with each other for the pur-
3 pose of reinforcing the commitment to nuclear safe-
4 ty, security, safeguards, and sustainability; and

5 (2) facilitate the development of—

6 (A) joint commitments and goals to im-
7 prove nuclear safety, security, safeguards, and
8 sustainability;

9 (B) stronger international institutions that
10 support nuclear safety, security, safeguards,
11 and sustainability; and

12 (C) a global nuclear liability regime.

13 (d) INPUT FROM INDUSTRY AND GOVERNMENT.—

14 Each summit shall include a meeting that convenes nu-
15 clear industry leaders and leaders of government agencies
16 with expertise relating to nuclear safety, security, safe-
17 guards, or sustainability to discuss best practices relating
18 to—

19 (1) the safe and secure use, storage, and trans-
20 port of nuclear and radiological materials;

21 (2) managing the evolving cyber threat to nu-
22 clear and radiological security; and

23 (3) the role that the nuclear industry should
24 play in nuclear and radiological safety, security, and
25 safeguards, including with respect to the safe and

1 secure use, storage, and transport of nuclear and ra-
2 diological materials, including spent nuclear fuel and
3 nuclear waste.

4 (e) REPORT.—

5 (1) IN GENERAL.—Not later than 120 days
6 after the end of each summit, the Secretary, the
7 Secretary of State, the Secretary of Defense, the
8 Secretary of Commerce, the Nuclear Regulatory
9 Commission, and the Assistant shall jointly submit
10 to Congress a report highlighting—

11 (A) any commitments made by the United
12 States or international partners of the United
13 States, including an ally or partner nation, with
14 respect to nuclear safety, security, safeguards,
15 or sustainability; and

16 (B) the objectives that the parties to those
17 commitments agreed to meet.

18 (2) REQUIREMENT.—The report under para-
19 graph (1) shall detail—

20 (A) any current and continuing nuclear se-
21 curity threat;

22 (B) any progress made toward advancing
23 nuclear security-related treaties;

24 (C) any steps taken or needed to be
25 taken—

1 (i) to fulfill any obligations of the
2 United States under existing nuclear secu-
3 rity and safeguard treaties;

4 (ii) to manage cyber threats; or

5 (iii) to prevent the theft, sabotage,
6 and illicit trafficking of nuclear materials,
7 facilities, and technology, as applicable;

8 (D) the role of the nuclear industry in pre-
9 venting nuclear proliferation; and

10 (E) any other topics discussed during the
11 summit that relate to nuclear safety, security,
12 safeguards, or sustainability.

13 **SEC. 11. ADVANCED REACTOR COORDINATION AND RE-**
14 **SOURCE CENTER.**

15 The Secretary, in coordination with the Secretary of
16 State, the Secretary of Commerce, the Chairman of the
17 Nuclear Regulatory Commission, the President of the Ex-
18 port-Import Bank of the United States, and the Chief Ex-
19 ecutive Officer of the United States International Develop-
20 ment Finance Corporation, shall establish a center, to be
21 known as the “Advanced Reactor Coordination and Re-
22 source Center”, for the purposes of—

23 (1) identifying qualified organizations and serv-
24 ice providers—

1 (A) for embarking civil nuclear energy na-
2 tions;

3 (B) to develop and assemble documents,
4 contracts, and related items required to estab-
5 lish a civil nuclear program; and

6 (C) to develop a standardized model for
7 the establishment of a civil nuclear program
8 that can be used by the International Atomic
9 Energy Agency;

10 (2) coordinating with countries participating in
11 the Center and with the Nuclear Exports Working
12 Group established under section 3(b)—

13 (A) to identify funds to support payment
14 for services required to develop a civil nuclear
15 program;

16 (B) to provide market analysis; and

17 (C) to create—

18 (i) project structure models;

19 (ii) models for electricity market anal-
20 ysis;

21 (iii) models for nonelectric applica-
22 tions market analysis; and

23 (iv) financial models;

1 (3) identifying and developing the safety, secu-
2 rity, safeguards, and nuclear governance required
3 for a civil nuclear program;

4 (4) supporting multinational regulatory stand-
5 ards to be developed by countries with civil nuclear
6 programs and experience;

7 (5) developing and strengthening communica-
8 tions, engagement, and consensus-building;

9 (6) carrying out any other major activities to
10 support export, financing, education, construction,
11 training, and education requirements relating to the
12 establishment of a civil nuclear program;

13 (7) developing mechanisms for how to fund and
14 staff the Center; and

15 (8) determining mechanisms for the selection of
16 the location or locations of the Center.

17 **SEC. 12. BIENNIAL CIVIL NUCLEAR VENDOR SUMMIT.**

18 (a) IN GENERAL.—The Secretary, the Secretary of
19 State, the Secretary of Commerce, the President of the
20 Export-Import Bank of the United States, the Chief Exec-
21 utive Officer of the United States International Develop-
22 ment Finance Corporation, and the Assistant shall hold
23 a biennial civil nuclear vendor summit (referred to in this
24 section as a “summit”), the first of which shall be held

1 on the date that is 180 days after the date of enactment
2 of this Act.

3 (b) LOCATION.—Each summit shall be held in—

4 (1) Washington, DC; or

5 (2) a country described in any of subpara-
6 graphs (A) through (H) of section 2(2).

7 (c) REQUIREMENT.—Each summit shall—

8 (1) be a forum in which leaders of ally or part-
9 ner nations may engage with each other for the pur-
10 pose of promoting the peaceful, responsible, and safe
11 use of civil nuclear technologies; and

12 (2) facilitate—

13 (A) the development of—

14 (i) cooperative financing relationships
15 to promote competitive alternatives to Chi-
16 nese and Russian financing;

17 (ii) a standardized financing and
18 project management framework for the
19 construction of nuclear power plants;

20 (iii) a standardized licensing frame-
21 work for civil nuclear technologies;

22 (iv) a strategy to change internal poli-
23 cies of multinational development banks,
24 such as the World Bank, to support the fi-
25 nancing of civil nuclear projects;

1 (v) a document containing any lessons
2 learned from countries that have partnered
3 with the Russian Federation or the Peo-
4 ple's Republic of China with respect to nu-
5 clear power, including any detrimental out-
6 comes resulting from that partnership; and

7 (vi) a global nuclear liability regime;

8 (B) cooperation for enhancing the overall
9 aspects of civil nuclear power, such as—

10 (i) nuclear safety, security, and safe-
11 guards;

12 (ii) nuclear laws (including regula-
13 tions);

14 (iii) waste management;

15 (iv) quality management systems;

16 (v) technology transfer;

17 (vi) human resources development;

18 (vii) localization;

19 (viii) reactor operations;

20 (ix) nuclear liability; and

21 (x) decommissioning; and

22 (C) the development and determination of
23 the mechanisms described in paragraphs (7)
24 and (8) of section 11.

25 (d) REPORT.—

1 (1) IN GENERAL.—Not later than 120 days
2 after the end of each summit, the Secretary, the
3 Secretary of State, the Secretary of Commerce, the
4 President of the Export-Import Bank of the United
5 States, the Chief Executive Officer of the United
6 States International Development Finance Corpora-
7 tion, and the Assistant shall jointly submit to Con-
8 gress a report highlighting—

9 (A) any commitments made by the United
10 States or international partners of the United
11 States, including an ally or partner nation, with
12 respect to international civil nuclear export
13 practices; and

14 (B) the objectives that the parties to those
15 commitments agreed to meet.

16 (2) REQUIREMENT.—The report under para-
17 graph (1) shall detail—

18 (A) any steps taken to establish common
19 financing relationships;

20 (B) any progress made toward establishing
21 a standardized financing, project management,
22 and licensing framework;

23 (C) any changes to the internal policies of
24 multinational development banks, such as the
25 World Bank, to support civil nuclear projects;

1 (D) any steps taken or needed to be
2 taken—

3 (i) to rectify any obstacles that were
4 identified after the applicable civil nuclear
5 vendor summit but were unforeseen at the
6 time of, and not discussed at, that summit;

7 (ii) to enable early-stage day-to-day
8 support of embarking civil nuclear energy
9 nations;

10 (iii) to address any gaps in the whole-
11 of-government approach to international
12 civil nuclear cooperation, exports, and in-
13 vestment developed by the Assistant; or

14 (iv) to improve the role of the Assist-
15 ant in international outreach;

16 (E) the role of the nuclear industry in es-
17 tablishing cooperative relationships; and

18 (F) the competitiveness of available United
19 States financing packages for civil nuclear ex-
20 ports, relative to international competitors.

21 **SEC. 13. STRATEGIC INFRASTRUCTURE FUND WORKING**
22 **GROUP.**

23 (a) ESTABLISHMENT.—There is established a work-
24 ing group, to be known as the “Strategic Infrastructure

1 Fund Working Group” (referred to in this section as the
2 “working group”).

3 (b) COMPOSITION.—The working group shall be—

4 (1) led by the Assistant; and

5 (2) composed of—

6 (A) senior-level Federal officials, selected
7 by the head of the applicable Federal agency or
8 organization, from—

9 (i) the Department of State;

10 (ii) the Department of the Treasury;

11 (iii) the Department of Commerce;

12 (iv) the Department of Energy;

13 (v) the Export-Import Bank of the
14 United States;

15 (vi) the United States International
16 Development Finance Corporation; and

17 (vii) the Nuclear Regulatory Commis-
18 sion;

19 (B) other senior-level Federal officials, se-
20 lected by the head of the applicable Federal
21 agency or organization, from any other Federal
22 agency or organization that the Secretary deter-
23 mines to be appropriate; and

1 (C) any senior-level Federal official se-
2 lected by the Assistant from any Federal agen-
3 cy or organization.

4 (c) REPORTING.—The working group shall report to
5 the National Security Council.

6 (d) DUTIES.—The working group shall—

7 (1) provide direction and advice to the Assist-
8 ant with respect to the establishment of a Strategic
9 Infrastructure Fund (referred to in this subsection
10 as the “Fund”) to be used—

11 (A) to support those aspects of projects re-
12 lating to—

13 (i) civil nuclear technologies;

14 (ii) rare earth elements and critical
15 minerals (as defined in section 7002(a) of
16 the Energy Act of 2020 (30 U.S.C.
17 1606(a))); and

18 (iii) microprocessors; and

19 (B) for strategic investments identified by
20 the working group; and

21 (2) address critical areas in determining the ap-
22 propriate design for the Fund, including—

23 (A) transfer of assets to the Fund;

24 (B) transfer of assets from the Fund;

1 (C) how assets in the Fund should be in-
2 vested; and

3 (D) governance and implementation of the
4 Fund.

5 (e) REPORT REQUIRED.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of the enactment of this Act, the working
8 group shall submit to the committees described in
9 paragraph (2) a report on the findings of the work-
10 ing group that includes suggested legislative text for
11 how to establish and structure a Strategic Infra-
12 structure Fund.

13 (2) COMMITTEES DESCRIBED.—The committees
14 referred to in paragraph (1) are—

15 (A) the Committee on Foreign Relations,
16 the Committee on Commerce, Science, and
17 Transportation, the Committee on Armed Serv-
18 ices, the Committee on Energy and Natural Re-
19 sources, the Committee on Environment and
20 Public Works, and the Committee on Finance
21 of the Senate; and

22 (B) the Committee on Foreign Affairs, the
23 Committee on Energy and Commerce, the Com-
24 mittee on Armed Services, the Committee on
25 Science, Space, and Technology, and the Com-

1 mittee on Ways and Means of the House of
2 Representatives.

3 **SEC. 14. INVESTMENT BY ALLIES AND PARTNERS OF THE**
4 **UNITED STATES.**

5 (a) **COMMERCIAL LICENSES.**—Section 103 d. of the
6 Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) is
7 amended, in the second sentence—

8 (1) by inserting “for a production facility” after
9 “**No license**”; and

10 (2) by striking “any any” and inserting “any”.

11 (b) **MEDICAL THERAPY AND RESEARCH DEVELOP-**
12 **MENT LICENSES.**—Section 104 d. of the Atomic Energy
13 Act of 1954 (42 U.S.C. 2134(d)) is amended, in the sec-
14 ond sentence, by inserting “for a production facility” after
15 “**No license**”.

16 **SEC. 15. MODIFICATION OF POWERS AND FUNCTIONS OF**
17 **THE EXPORT-IMPORT BANK OF THE UNITED**
18 **STATES.**

19 (a) **MODIFICATION OF PROHIBITION ON FINANC-**
20 **ING.**—Section 2(b)(5) of the Export-Import Bank Act of
21 1945 (12 U.S.C. 635(b)(5)) is amended, in the first sen-
22 tence, by striking “any liquid metal fast breeder nuclear
23 reactor or”.

24 (b) **EXPANSION OF PROGRAM ON TRANS-**
25 **FORMATIONAL EXPORTS.**—

1 (1) IN GENERAL.—Section 2(l) of the Export-
2 Import Bank Act of 1945 (12 U.S.C. 635(l)) is
3 amended—

4 (A) in the subsection heading, by striking
5 “CHINA AND”;

6 (B) in paragraph (1)—

7 (i) in the matter preceding subpara-
8 graph (A)—

9 (I) by striking “The Bank shall
10 establish a Program on China and”
11 and inserting “Notwithstanding the
12 Arrangement, the Bank shall establish
13 a Program on”;

14 (II) by striking “conditions,” and
15 inserting “conditions that, in the
16 judgement of the Board of Directors
17 of the Bank, offer sufficient likelihood
18 of repayment to justify the loan, guar-
19 antee, or insurance, as applicable,”;
20 and

21 (III) by striking “by the People’s
22 Republic of China or”;

23 (ii) in subparagraph (A), by striking
24 “by the People’s Republic of China or”;
25 and

- 1 (iii) in subparagraph (B)—
- 2 (I) in the matter preceding clause
- 3 (i), by striking “the People’s Republic
- 4 of China” and inserting “covered
- 5 countries”;
- 6 (II) by redesignating clauses
- 7 (viii) through (xi) as clauses (ix)
- 8 through (xii), respectively; and
- 9 (III) by inserting after clause
- 10 (vii) the following:
- 11 “(viii) Civil nuclear facilities, material,
- 12 technologies, and related goods and serv-
- 13 ices that support the development of an ef-
- 14 fective nuclear energy sector.”;
- 15 (C) by striking paragraph (2);
- 16 (D) by redesignating paragraph (3) as
- 17 paragraph (2);
- 18 (E) in paragraph (2), as so redesignated—
- 19 (i) in subparagraph (A), by striking
- 20 “China and”;
- 21 (ii) in subparagraph (B)—
- 22 (I) in the matter preceding clause
- 23 (i), by striking “the People’s Republic
- 24 of China is” and inserting “the Peo-

- 1 ple’s Republic of China and the Rus-
2 sian Federation are”; and
- 3 (II) in clause (i), by striking “;
4 and” and inserting “; or”;
- 5 (iii) in subparagraph (C)—
- 6 (I) in the subparagraph heading,
7 by striking “SUNSET AND”;
- 8 (II) by striking the first sentence;
9 and
- 10 (III) by striking “4 years after
11 enactment of this subsection” and in-
12 serting “December 20, 2023”; and
- 13 (iv) in subparagraph (D), by striking
14 “China and”; and
- 15 (F) by adding at the end the following:
- 16 “(3) SUNSET.—The Program on Trans-
17 formational Exports shall expire on December 31,
18 2026.
- 19 “(4) DEFINITIONS.—In this subsection:
- 20 “(A) ARRANGEMENT.—The term ‘Arrange-
21 ment’ means the Arrangement on Officially
22 Supported Export Credits of the Organization
23 for Economic Cooperation and Development.
- 24 “(B) COVERED COUNTRY.—The term ‘cov-
25 ered country’ means—

1 “(i) the People’s Republic of China;

2 “(ii) the Russian Federation; or

3 “(iii) any country that—

4 “(I) the Secretary of the Treas-
5 ury designates as a covered country in
6 a report to the Committee on Bank-
7 ing, Housing, and Urban Development
8 of the Senate and the Committee on
9 Financial Services of the House of
10 Representatives;

11 “(II) is not a participant in the
12 Arrangement; and

13 “(III) is not in substantial com-
14 pliance with the financial terms and
15 conditions of the Arrangement.”.

16 (2) CONFORMING AMENDMENT.—Section 8(l) of
17 the Export-Import Bank Act of 1945 (12 U.S.C.
18 635g(l)) is amended—

19 (A) in the subsection heading, by striking
20 “UNDER THE” and all that follows through
21 “EXPORTS” and inserting “UNDER THE PRO-
22 GRAM ON TRANSFORMATIONAL EXPORTS”; and

23 (B) by striking “China and”.

24 (c) REPORTING ON FINANCING RELATED TO PEO-
25 PLE’S REPUBLIC OF CHINA AND RUSSIAN FEDERA-

1 TION.—Section 408 of title IV of division I of the Further
2 Consolidated Appropriations Act, 2020 (Public Law 116–
3 94; 12 U.S.C. 635 note) is amended—

4 (1) in the section heading, by striking “**CHINA**”
5 and inserting “**THE PEOPLE’S REPUBLIC OF**
6 **CHINA AND THE RUSSIAN FEDERATION**”;

7 (2) in subsection (a), in the matter preceding
8 paragraph (1), by striking “the government of
9 China” and inserting “the Government of the Peo-
10 ple’s Republic of China or the Government of the
11 Russian Federation”;

12 (3) in subsection (c)(1)(C), by striking “the
13 government of China” and inserting “the Govern-
14 ment of the People’s Republic of China or the Gov-
15 ernment of the Russian Federation”;

16 (4) by striking subsection (d) and inserting the
17 following:

18 “(d) DEFINITIONS.—In this section:

19 “(1) GOVERNMENT OF THE PEOPLE’S REPUB-
20 LIC OF CHINA.—The term ‘Government of the Peo-
21 ple’s Republic of China’ means any person that the
22 Bank has reason to believe is—

23 “(A) the state and the Government of the
24 People’s Republic of China, as well as any polit-

1 ical subdivision, agency, or instrumentality
2 thereof;

3 “(B) any entity controlled, directly or indi-
4 rectly, by any of the foregoing, including any
5 partnership, association, or other entity in
6 which any of the foregoing owns a 50 percent
7 or greater interest or a controlling interest, and
8 any entity which is otherwise controlled by any
9 of the foregoing;

10 “(C) any person that is or has been acting
11 or purporting to act, directly or indirectly, for
12 or on behalf of any of the foregoing; and

13 “(D) any other person which the Secretary
14 of the Treasury has notified the Bank is in-
15 cluded in any of the foregoing.

16 “(2) GOVERNMENT OF THE RUSSIAN FEDERA-
17 TION.—The term ‘Government of the Russian Fed-
18 eration’ means any person that the Bank has reason
19 to believe is—

20 “(A) the state and the Government of the
21 Russian Federation, as well as any political
22 subdivision, agency, or instrumentality thereof;

23 “(B) any entity controlled, directly or indi-
24 rectly, by any of the foregoing, including any
25 partnership, association, or other entity in

1 which any of the foregoing owns a 50 percent
2 or greater interest or a controlling interest, and
3 any entity which is otherwise controlled by any
4 of the foregoing;

5 “(C) any person that is or has been acting
6 or purporting to act, directly or indirectly, for
7 or on behalf of any of the foregoing; and

8 “(D) any other person which the Secretary
9 of the Treasury has notified the Bank is in-
10 cluded in any of the foregoing.”; and

11 (5) in subsection (e)(2), in the matter preceding
12 subparagraph (A), by striking “China is” and insert-
13 ing “the People’s Republic of China and the Russian
14 Federation are”.

15 **SEC. 16. U.S. NUCLEAR FUELS SECURITY INITIATIVE TO RE-**
16 **DUCE RELIANCE ON NUCLEAR FUELS FROM**
17 **RUSSIA AND CHINA.**

18 (a) OBJECTIVES.—The objectives of this section
19 are—

20 (1) to expeditiously increase domestic produc-
21 tion of low-enriched uranium (referred to in this sec-
22 tion as “LEU”) by an annual amount determined by
23 the Secretary to be appropriate to reduce the reli-
24 ance of the United States and ally or partner na-
25 tions on nuclear fuels from—

1 (A) the Russian Federation; and

2 (B) the People’s Republic of China;

3 (2) to expeditiously increase domestic produc-
4 tion of high-assay low-enriched uranium (referred to
5 in this section as “HALEU”) by an annual amount
6 determined by the Secretary to be sufficient to meet
7 the needs of the consortium established under sec-
8 tion 2001(a)(2)(F) of the Energy Policy Act of 2020
9 (42 U.S.C. 16281(a)(2)(F));

10 (3) to ensure the availability of domestically
11 produced and converted uranium in an amount de-
12 termined by the Secretary to be sufficient to address
13 a reasonably anticipated supply disruption;

14 (4) to promote the domestic production, conver-
15 sion, and enrichment of uranium; and

16 (5) to promote the deployment of United States
17 uranium enrichment technology.

18 (b) DEFINITION OF PROGRAMS.—In this section, the
19 term “Programs” means—

20 (1) the Nuclear Fuel Security Program estab-
21 lished under subsection (c)(1);

22 (2) the National Strategic Uranium Reserve
23 Program established under subsection (c)(2); and

24 (3) the American Assured Fuel Supply Pro-
25 gram of the Department of Energy.

1 (c) ESTABLISHMENT.—The Secretary, consistent
2 with the objectives described in subsection (a), shall estab-
3 lish—

4 (1) a program, to be known as the “Nuclear
5 Fuel Security Program”, to reduce the reliance of
6 the United States and ally or partner nations on nu-
7 clear fuels from the Russian Federation and the
8 People’s Republic of China by increasing the
9 amounts of LEU and HALEU produced by U.S. nu-
10 clear energy companies; and

11 (2) a program, to be known as the “National
12 Strategic Uranium Reserve Program”, to ensure the
13 availability of domestically produced and converted
14 uranium in the event of a supply disruption.

15 (d) NUCLEAR FUEL SECURITY PROGRAM.—In car-
16 rying out the Nuclear Fuel Security Program, the Sec-
17 retary shall—

18 (1) not later than 1 year after the date of en-
19 actment of this Act, select 1 or more U.S. nuclear
20 energy companies to produce LEU in amounts and
21 timeframes specified by the Secretary;

22 (2) not later than 1 year after the date of en-
23 actment of this Act, select 1 or more U.S. nuclear
24 energy companies to produce HALEU in amounts
25 and timeframes specified by the Secretary;

1 (3) utilize only uranium produced and con-
2 verted in the United States or a country described
3 in any of subparagraphs (A) through (H) of section
4 2(2);

5 (4) coordinate the operations of the Nuclear
6 Fuel Security Program and the National Strategic
7 Uranium Reserve Program as the Secretary deter-
8 mines to be appropriate; and

9 (5) take other actions that the Secretary deter-
10 mines to be necessary or appropriate to reduce the
11 reliance of the United States and ally or partner na-
12 tions on nuclear fuels from the Russian Federation
13 and the People’s Republic of China.

14 (e) NATIONAL STRATEGIC URANIUM RESERVE PRO-
15 GRAM.—

16 (1) IN GENERAL.—In carrying out the National
17 Strategic Uranium Reserve Program, the Secretary
18 shall—

19 (A) immediately on enactment of this Act,
20 use the funds reallocated by paragraph (2) to
21 initiate the establishment of a National Stra-
22 tegic Uranium Reserve;

23 (B) make the National Strategic Uranium
24 Reserve operational by acquiring uranium in

1 amounts and timeframes specified by the Sec-
2 retary;

3 (C) maintain, replenish, or increase the
4 amount of uranium in the National Strategic
5 Uranium Reserve in a manner determined by
6 the Secretary to be consistent with the objec-
7 tives described in subsection (a);

8 (D) utilize only uranium produced and
9 converted in the United States;

10 (E) make uranium available from the Na-
11 tional Strategic Uranium Reserve, subject to
12 terms and conditions determined by the Sec-
13 retary to be reasonable and appropriate;

14 (F) coordinate the operations of the Nu-
15 clear Fuel Security Program and the National
16 Strategic Uranium Reserve Program as the
17 Secretary determines to be appropriate; and

18 (G) take other actions that the Secretary
19 determines to be necessary or appropriate to
20 address a uranium supply disruption.

21 (2) REALLOCATION.—Notwithstanding any
22 other provision of law, amounts made available to
23 the National Nuclear Security Administration for
24 the Uranium Reserve Program by, and described in
25 the first proviso in, the matter under the heading

1 “WEAPONS ACTIVITIES” under the heading “NA-
2 TIONAL NUCLEAR SECURITY ADMINISTRA-
3 TION” under the heading “ATOMIC ENERGY
4 DEFENSE ACTIVITIES” in title III of division D
5 of the Consolidated Appropriations Act, 2021 (Pub-
6 lic Law 116–260; 134 Stat. 1369), that remain
7 available as of the date of enactment of this Act
8 shall be reallocated, as directed by the Secretary, for
9 the purpose of establishing and initiating operation
10 of the National Strategic Uranium Reserve by—

11 (A) continuing the activities initiated by
12 the National Nuclear Security Administration
13 using the amounts described in that proviso;

14 (B) carrying out other activities consistent
15 with the purposes for which those amounts were
16 made available under that Act; and

17 (C) carrying out activities in accordance
18 with the objectives described in subsection (a).

19 (f) CONTINUATION OF THE AMERICAN ASSURED
20 FUEL SUPPLY PROGRAM.—In carrying out the American
21 Assured Fuel Supply Program, the Secretary shall—

22 (1) maintain, replenish, or increase the amount
23 of uranium in the National Strategic Uranium Re-
24 serve in a manner determined by the Secretary to be

1 consistent with the purposes of that program and
2 the objectives described in subsection (a);

3 (2) make uranium available from the American
4 Assured Fuel Supply, subject to terms and condi-
5 tions determined by the Secretary to be reasonable
6 and appropriate;

7 (3) coordinate the operations of the National
8 Strategic Uranium Reserve Program and the Amer-
9 ican Assured Fuel Supply Program as the Secretary
10 determines to be appropriate;

11 (4) if determined by the Secretary to be appro-
12 priate and consistent with the objectives described in
13 subsection (a), merge the operations of the National
14 Strategic Uranium Reserve Program and the Amer-
15 ican Assured Fuel Supply Program; and

16 (5) take other actions that the Secretary deter-
17 mines to be necessary or appropriate to address the
18 purposes of the American Assured Fuel Supply Pro-
19 gram and the objectives described in subsection (a).

20 (g) AUTHORITY.—

21 (1) IN GENERAL.—In carrying out the Pro-
22 grams, the Secretary, in coordination with the Sec-
23 retary of State, may—

24 (A) in addition to exercising the authority
25 granted to the Secretary under any other provi-

1 sion of law, enter into transactions (other than
2 contracts, cooperative agreements, financial as-
3 sistance agreements, or the provision of any
4 other financial assistance) with an ally or part-
5 ner nation, a U.S. energy company, or any
6 other domestic or foreign entity for any activity
7 to carry out the Programs, including the acqui-
8 sition or provision of uranium, conversion serv-
9 ices, enrichment services, LEU, HALEU, and
10 related goods and services, in the same manner
11 as the Secretary of Defense under section 4021
12 of title 10, United States Code (other than sub-
13 sections (b) and (f) of that section);

14 (B) make acquisitions for the Programs
15 through the use of competitive selection proc-
16 esses that the Secretary determines to be ap-
17 propriate to achieve the objectives described in
18 subsection (a) in an expeditious manner;

19 (C)(i) establish milestones for achieving
20 specified objectives, including the production of
21 LEU and HALEU in amounts and timeframes
22 specified by the Secretary; and

23 (ii) provide awards and other forms of in-
24 centives for meeting those milestones;

1 (D) provide loan guarantees, other finan-
2 cial assistance, or assistance in the form of rev-
3 enue guarantees or similar mechanisms;

4 (E) charge an amount for the provision of
5 uranium, conversion services, enrichment serv-
6 ices, LEU, HALEU, and other goods and serv-
7 ices that, in the opinion of the Secretary, pro-
8 vides reasonable compensation, taking into ac-
9 count fair market value and the objectives de-
10 scribed in subsection (a); and

11 (F) notwithstanding section 3302 of title
12 31, United States Code—

13 (i) receive and retain revenues from
14 the sale or transfer of uranium, LEU, or
15 HALEU and from other activities related
16 to the Programs; and

17 (ii) expend those revenues for pur-
18 poses related to the program from which
19 the revenues are derived.

20 (2) AVAILABILITY OF FUNDS.—The revenues
21 described in paragraph (1)(F) shall remain available
22 until expended.

23 (h) DOMESTIC SOURCING CONSIDERATIONS.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), the Secretary may only carry out an ac-

1 tivity in connection with 1 or more of the Programs
2 if—

3 (A) the activity promotes manufacturing in
4 the United States; or

5 (B) the activity relies on resources, mate-
6 rials, or equipment developed or produced—

7 (i) in the United States; or

8 (ii) in a country described in any of
9 subparagraphs (A) through (H) of section
10 2(2) by—

11 (I) a U.S. nuclear energy com-
12 pany;

13 (II) an ally or partner nation; or

14 (III) an associated entity.

15 (2) WAIVER.—The Secretary may waive the re-
16 quirements of paragraph (1) with respect to an ac-
17 tivity if the Secretary determines a waiver to be nec-
18 essary to achieve 1 or more of the objectives de-
19 scribed in subsection (a).

20 (i) EXCLUSIONS.—The Secretary may not carry out
21 an activity in connection with the Programs with an entity
22 that is—

23 (1) owned or controlled by the Government of
24 the Russian Federation or the Government of the
25 People’s Republic of China; or

1 (2) organized under the laws of, or otherwise
2 subject to the jurisdiction of, the Russian Federation
3 or the People’s Republic of China.

4 (j) NUCLEAR REGULATORY COMMISSION.—The Nu-
5 clear Regulatory Commission shall prioritize and expedite
6 consideration of any action related to the Programs to the
7 extent permitted under the Atomic Energy Act of 1954
8 (42 U.S.C. 2011 et seq.) and related statutes.

9 (k) USEC PRIVATIZATION ACT.—

10 (1) IN GENERAL.—The requirements of section
11 3112 of the USEC Privatization Act (42 U.S.C.
12 2297h–10) shall not apply to activities related to the
13 Programs.

14 (2) AMENDMENT.—Section 3112A(c)(2)(A) of
15 the USEC Privatization Act (42 U.S.C. 2297h–
16 10a(c)(2)(A)) is amended—

17 (A) in clause (xii), by inserting “and” after
18 the semicolon at the end;

19 (B) by striking clauses (xiii) through
20 (xxxvii); and

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

22 “(xiii) in calendar year 2026 and each
23 calendar year thereafter, 0 kilograms.”.

1 (1) AUTHORIZATION OF APPROPRIATIONS.—In addi-
2 tion to amounts otherwise available, there are authorized
3 to be appropriated to the Secretary—

4 (1) for the Nuclear Fuel Security Program,
5 \$3,500,000,000 for fiscal year 2023, to remain
6 available until September 30, 2031; and

7 (2) for the National Strategic Uranium Reserve
8 Program and the American Assured Fuel Supply
9 Program, such sums as are necessary for the period
10 of fiscal years 2023 through 2030, to remain avail-
11 able until September 30, 2031.

○