In the House of Representatives, U. S.,

May 8, 2024.

Resolved, That the bill from the Senate (S. 870) entitled ''An Act to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs.'' , do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

DIVISION A—FIRE GRANTS AND SAFETY

SECTION 1. SHORT TITLE.

This division may be cited as the ''Fire Grants and Safety Act of 2023''.

SEC. 2. REAUTHORIZATION OF THE UNITED STATES FIRE ADMINISTRATION.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

(1) in subparagraph (L), by striking ''and'' after the semicolon;

(2) in subparagraph (M)—

(A) by striking ''for for'' and inserting ''for''; and

(B) by striking the period and inserting "; and"; and

(3) by adding at the end the following new subparagraraph:

"(N) $95,000,000 for each of fiscal years 2024 through 2028, of which $3,420,000 for each such fiscal year shall be used to carry out section 8(f).".

SEC. 3. REAUTHORIZATION OF ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM AND THE FIRE PREVENTION AND SAFETY GRANTS PROGRAM.

(a) SUNSET.—Section 33(r) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(r)) is amended by striking "2024" and inserting "2030".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 33(q)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(q)(1)) is amended by striking "to carry out this section—" and all that follows through "the fiscal year described in clause (i)" and inserting "to carry out this section $750,000,000 for each of fiscal years 2024 through 2028".

SEC. 4. REAUTHORIZATION OF STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT PROGRAM.

(a) SUNSET.—Section 34(k) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(k)) is amended by striking "2024" and inserting "2030".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 34(j)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(j)(1)(I)) is amended—

(1) in subparagraph (G), by inserting "and" after the semicolon;

(2) in subparagraph (H), by striking "fiscal year 2013; and" and inserting "each of fiscal years 2024 through 2028."; and

(3) by striking subparagraph (I).

SEC. 5. GAO AUDIT AND REPORT.

Not later than three years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit of and issue a publicly available report on—

(1) barriers that prevent fire departments from accessing Federal funds; and

(2) the United States Fire Administration.

DIVISION B—ACCELERATING DEPLOYMENT OF VERSATILE, ADVANCED NUCLEAR FOR CLEAN ENERGY

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the "Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024" or the "ADVANCE Act of 2024".

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

SEC. 2. DEFINITIONS.

In this division:

(1) ACCIDENT TOLERANT FUEL.—The term "accident tolerant fuel" has the meaning given the term in section 107(a) of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5577).

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(3) ADVANCED NUCLEAR FUEL.—The term "advanced nuclear fuel" means—

(A) advanced nuclear reactor fuel; and

(B) accident tolerant fuel.

(4) ADVANCED NUCLEAR REACTOR.—The term "advanced nuclear reactor" has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439).

(5) ADVANCED NUCLEAR REACTOR FUEL.—The term "advanced nuclear reactor fuel" has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439).

(6) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

(7) COMMISSION.—The term "Commission" means the Nuclear Regulatory Commission.

(8) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) NATIONAL LABORATORY.—The term "National Laboratory" has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

TITLE I—AMERICAN NUCLEAR LEADERSHIP

SEC. 101. INTERNATIONAL NUCLEAR EXPORT AND INNOVATION ACTIVITIES.

(a) COMMISSION COORDINATION.—

(1) IN GENERAL.—The Commission shall—

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

(i) import and export licensing for nuclear reactors and radioactive materials; and

(ii) international regulatory cooperation and assistance relating to nuclear reactors and radioactive materials, including with countries that are members of—

(I) the Organisation for Economic Co-operation and Development; or

(II) the Nuclear Energy Agency; and

(B) support interagency and international coordination with respect to—

(i) the consideration of international technical standards to establish the licensing and regulatory basis to assist the design, construction, and operation of nuclear reactors and use of radioactive materials;

(ii) efforts to help build competent nuclear regulatory organizations and legal frameworks in foreign countries that are seeking to develop civil nuclear industries; and

(iii) exchange programs and training provided, in coordination with the Secretary of State, to foreign countries relating to civil nuclear licensing and oversight to improve the regulation of nuclear reactors and radioactive materials, in accordance with paragraph (2).

(2) EXCHANGE PROGRAMS AND TRAINING.—With respect to the exchange programs and training described in paragraph (1)(B)(iii), the Commission shall coordinate, as applicable, with—

(A) the Secretary of Energy;

(B) the Secretary of State;

(C) the National Laboratories;

(D) the private sector; and

(E) institutions of higher education.

(b) AUTHORITY TO ESTABLISH BRANCH.—The Commission may establish within the Office of International Programs a branch, to be known as the "International Nuclear Export and Innovation Branch", to carry out the international nuclear export and innovation activities described in subsection (a) as the Commission determines to be appropriate and within the mission of the Commission.

(c) EXCLUSION OF INTERNATIONAL ACTIVITIES FROM THE FEE BASE.—

(1) IN GENERAL.—Section 102 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215) is amended—

(A) in subsection (a), by adding at the end the following:

"(4) INTERNATIONAL NUCLEAR EXPORT AND INNOVATION ACTIVITIES.—The Commission shall identify in the annual budget justification international nuclear export and innovation activities described in section 101(a) of the ADVANCE Act of 2024."; and

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

"(iv) Costs for international nuclear export and innovation activities described

in section 101(a) of the ADVANCE Act of 2024.".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2025.

(d) INTERAGENCY COORDINATION.—The Commission shall coordinate all international activities under this section with the Secretary of State, the Secretary of Energy, and other applicable agencies, as appropriate.

(e) SAVINGS CLAUSE.—Nothing in this section alters the authority of the Commission to license and regulate the civilian use of radioactive materials.

SEC. 102. DENIAL OF CERTAIN DOMESTIC LICENSES FOR NATIONAL SECURITY PURPOSES.

(a) DEFINITION OF COVERED FUEL.—In this section, the term "covered fuel" means enriched uranium that is fabricated outside the United States into fuel assemblies for commercial nuclear power reactors by an entity that—

(1) is owned or controlled by the Government of the Russian Federation or the Government of the People's Republic of China; or

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

(b) PROHIBITION ON UNLICENSED POSSESSION OR OWNERSHIP OF COVERED FUEL.—Unless specifically au-

thorized by the Commission in a license issued under section 53 of the Atomic Energy Act of 1954 (42 U.S.C. 2073) and part 70 of title 10, Code of Federal Regulations (or successor regulations), no person subject to the jurisdiction of the Commission may possess or own covered fuel.

(c) LICENSE TO POSSESS OR OWN COVERED FUEL.—

(1) CONSULTATION REQUIRED PRIOR TO ISSUANCE.—The Commission shall not issue a license to possess or own covered fuel under section 53 of the Atomic Energy Act of 1954 (42 U.S.C. 2073) and part 70 of title 10, Code of Federal Regulations (or successor regulations), unless the Commission has first consulted with the Secretary of Energy and the Secretary of State before issuing the license.

(2) PROHIBITION ON ISSUANCE OF LICENSE.—

(A) IN GENERAL.—Subject to subparagraph (C), a license to possess or own covered fuel shall not be issued if the Secretary of Energy and the Secretary of State make the determination described in subparagraph (B)(i)(I).

(B) DETERMINATION.—

(i) IN GENERAL.—The determination referred to in subparagraph (A) is a determination that possession or ownership, as applicable, of covered fuel—

(I) poses a threat to the national security of the United States, including because of an adverse impact on the physical and economic security of the United States; or

(II) does not pose a threat to the national security of the United States.

(ii) JOINT DETERMINATION.—A determination described in clause (i) shall be jointly made by the Secretary of Energy and the Secretary of State.

(iii) TIMELINE.—

(I) NOTICE OF APPLICATION.—Not later than 30 days after the date on which the Commission receives an application for a license to possess or own covered fuel, the Commission shall notify the Secretary of Energy and the Secretary of State of the application.

(II) DETERMINATION.—The Secretary of Energy and the Secretary of State shall have a period of 180 days, beginning on the date on which the Commission notifies the Secretary of Energy and the Secretary of State

under subclause (I) of an application for a license to possess or own covered fuel, in which to make the determination described in clause (i).

(III) COMMISSION NOTIFICATION.—On making the determination described in clause (i), the Secretary of Energy and the Secretary of State shall immediately notify the Commission.

(IV) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after the date on which the Secretary of Energy and the Secretary of State notify the Commission under subclause (III), the Commission shall notify the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives of the determination.

(V) PUBLIC NOTICE.—Not later than 15 days after the date on which

the Commission notifies Congress under subclause (IV) of a determination made under clause (i), the Commission shall make that determination publicly available.

(C) EFFECT OF NO DETERMINATION.—The Commission shall not issue a license if the Secretary of Energy and the Secretary of State have not made a determination described in subparagraph (B).

(d) SAVINGS CLAUSE.—Nothing in this section alters any treaty or international agreement in effect on the date of enactment of this Act or that enters into force after the date of enactment of this Act.

SEC. 103. EXPORT LICENSE NOTIFICATION.

(a) DEFINITION OF LOW-ENRICHED URANIUM.—In this section, the term "low-enriched uranium" means uranium enriched to less than 20 percent of the uranium-235 isotope.

(b) NOTIFICATION.—If the Commission, after consultation with the Secretary of State and any other relevant agencies, issues an export license for the transfer of any item described in subsection (d) to a country described in subsection (c), the Commission shall notify the appropriate committees of Congress, the Committee on Foreign Rela-

tions of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives.

(c) COUNTRIES DESCRIBED.—A country referred to in subsection (b) is a country that—

(1) has not concluded and ratified an Additional Protocol to its safeguards agreement with the International Atomic Energy Agency; or

(2) has not ratified or acceded to the amendment to the Convention on the Physical Protection of Nuclear Material, adopted at Vienna October 26, 1979, and opened for signature at New York March 3, 1980 (TIAS 11080), described in the information circular of the International Atomic Energy Agency numbered INFCIRC/274/Rev.1/Mod.1 and dated May 9, 2016 (TIAS 16–508).

(d) ITEMS DESCRIBED.—An item referred to in subsection (b) includes—

(1) unirradiated nuclear fuel containing special nuclear material (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)), excluding low-enriched uranium;

(2) a nuclear reactor that uses nuclear fuel described in paragraph (1); and

(3) any plant or component listed in Appendix I to part 110 of title 10, Code of Federal Regulations (or successor regulations), that is involved in—

(A) the reprocessing of irradiated nuclear reactor fuel elements;

(B) the separation of plutonium; or

(C) the separation of the uranium-233 isotope.

SEC. 104. GLOBAL NUCLEAR ENERGY ASSESSMENT.

(a) STUDY REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of State, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, and the Commission, shall conduct a study on the global status of—

(1) the civilian nuclear energy industry; and

(2) the supply chains of the civilian nuclear energy industry.

(b) CONTENTS.—The study conducted under subsection (a) shall include—

(1) information on the status of the civilian nuclear energy industry, the long-term risks to that industry, and the bases for those risks;

(2) information on how the use of the civilian nuclear energy industry, relative to other types of en-

ergy industries, can reduce the emission of criteria pollutants and carbon dioxide;

(3) information on the role the United States civilian nuclear energy industry plays in United States foreign policy;

(4) information on the importance of the United States civilian nuclear energy industry to countries that are allied to the United States;

(5) information on how the United States may collaborate with those countries in developing, deploying, and investing in nuclear technology;

(6) information on how foreign countries use nuclear energy when crafting and implementing their own foreign policy, including such use by foreign countries that are strategic competitors;

(7) an evaluation of how nuclear nonproliferation and security efforts and nuclear energy safety are affected by the involvement of the United States in—

(A) international markets; and

(B) setting civilian nuclear energy industry standards;

(8) an evaluation of how industries in the United States, other than the civilian nuclear energy

industry, benefit from the generation of electricity by nuclear power plants;

(9) information on utilities and companies in the United States that are involved in the civilian nuclear energy supply chain, including, with respect to those utilities and companies—

(A) financial challenges;

(B) nuclear liability issues;

(C) foreign strategic competition; and

(D) risks to continued operation; and

(10) recommendations for how the United States may—

(A) develop a national strategy to increase the role that nuclear energy plays in diplomacy and strategic energy policy;

(B) develop a strategy to mitigate foreign competitor's utilization of their civilian nuclear energy industries in diplomacy;

(C) align the nuclear energy policy of the United States with national security objectives; and

(D) modernize regulatory requirements to strengthen the United States civilian nuclear energy supply chain.

(c) REPORT TO CONGRESS.—Not later than 180 days after the study under subsection (a) is completed, the Secretary of Energy shall submit to the appropriate committees of Congress the study, including a classified annex, if necessary.

SEC. 105. PROCESS FOR REVIEW AND AMENDMENT OF PART 810 GENERALLY AUTHORIZED DESTINATIONS.

(a) IDENTIFICATION AND EVALUATION OF FACTORS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Energy, with the concurrence of the Secretary of State, shall identify and evaluate factors, other than agreements for cooperation entered into in accordance with section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), that may be used to determine a country's generally authorized destination status under part 810 of title 10, Code of Federal Regulations, and to list such country as a generally authorized destination in Appendix A to part 810 of title 10, Code of Federal Regulations.

(b) PROCESS UPDATE.—The Secretary of Energy shall review and, as appropriate, update the Department of Energy's process for determining a country's generally authorized destination status under part 810 of title 10, Code of Federal Regulations, and for listing such country as a generally authorized destination in Appendix A to part 810 of title 10, Code of Federal Regulations, taking into consid-

eration and, as appropriate, incorporating factors identified and evaluated under subsection (a).

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

TITLE II—DEVELOPING AND DEPLOYING NEW NUCLEAR TECHNOLOGIES

SEC. 201. FEES FOR ADVANCED NUCLEAR REACTOR APPLICATION REVIEW.

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

(1) by redesignating paragraphs (2) through (15) as paragraphs (3), (6), (7), (8), (9), (10), (12), (15), (16), (17), (18), (19), (20), and (21), respectively;

(2) by inserting after paragraph (1) the following:

"(2) ADVANCED NUCLEAR REACTOR APPLICANT.—The term 'advanced nuclear reactor applicant' means an entity that has submitted to the Commission an application for a license for an advanced

nuclear reactor under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).";

(3) by inserting after paragraph (3) (as so redesignated) the following:

"(4) ADVANCED NUCLEAR REACTOR PRE-APPLICANT.—The term 'advanced nuclear reactor pre-applicant' means an entity that has submitted to the Commission a licensing project plan for the purposes of submitting a future application for a license for an advanced nuclear reactor under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

"(5) AGENCY SUPPORT.—The term 'agency support' has the meaning given the term 'agency support (corporate support and the IG)' in section 170.3 of title 10, Code of Federal Regulations (or any successor regulation).";

(4) by inserting after paragraph (10) (as so redesignated) the following:

"(11) HOURLY RATE FOR MISSION-DIRECT PROGRAM SALARIES AND BENEFITS.—The term 'hourly rate for mission-direct program salaries and benefits' means the quotient obtained by dividing—

"(A) the full-time equivalent rate (within the meaning of the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers'

(or a successor document)) for mission-direct program salaries and benefits for a fiscal year; by

"(B) the productive hours assumption for that fiscal year, determined in accordance with the formula established in the document referred to in subparagraph (A) (or a successor document)."; ***and***

(5) by inserting after paragraph (12) (as so redesignated) the following:

"(13) MISSION-DIRECT PROGRAM SALARIES AND BENEFITS.—The term 'mission-direct program salaries and benefits' means the resources of the Commission that are allocated to the Nuclear Reactor Safety Program (as determined by the Commission) to perform core work activities committed to fulfilling the mission of the Commission, as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).

"(14) MISSION-INDIRECT PROGRAM SUPPORT.—The term 'mission-indirect program support' has the meaning given the term in section 170.3 of title 10, Code of Federal Regulations (or any successor regulation).".

(b) EXCLUDED ACTIVITIES.—Section 102(b)(1)(B) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as amended by section 101(c)(1)(B)) is amended by adding at the end the following:

"(v) The total costs of mission-indirect program support and agency support that, under paragraph (2)(B), may not be included in the hourly rate charged for fees assessed and collected from advanced nuclear reactor applicants.

"(vi) The total costs of mission-indirect program support and agency support that, under paragraph (2)(C), may not be included in the hourly rate charged for fees assessed and collected from advanced nuclear reactor pre-applicants.".

(c) FEES FOR SERVICE OR THING OF VALUE.—Section 102(b) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)) is amended by striking paragraph (2) and inserting the following:

"(2) FEES FOR SERVICE OR THING OF VALUE.—

"(A) IN GENERAL.—In accordance with section 9701 of title 31, United States Code, the Commission shall assess and collect fees from any person who receives a service or thing of

value from the Commission to cover the costs to the Commission of providing the service or thing of value.

"(B) ADVANCED NUCLEAR REACTOR APPLICANTS.—The hourly rate charged for fees assessed and collected from an advanced nuclear reactor applicant under this paragraph relating to the review of a submitted application described in section 3(1) may not exceed the hourly rate for mission-direct program salaries and benefits.

"(C) ADVANCED NUCLEAR REACTOR PRE-APPLICANTS.—The hourly rate charged for fees assessed and collected from an advanced nuclear reactor pre-applicant under this paragraph relating to the review of submitted materials as described in the licensing project plan of an advanced nuclear reactor pre-applicant may not exceed the hourly rate for mission-direct program salaries and benefits.".

(d) SUNSET.—Section 102 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215) is amended by adding at the end the following:

"(g) CESSATION OF EFFECTIVENESS.—Paragraphs (1)(B)(vi) and (2)(C) of subsection (b) shall cease to be effective on September 30, 2030.".

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2025.

SEC. 202. ADVANCED NUCLEAR REACTOR PRIZES.

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

"(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LICENSING.—

"(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

"(A) a non-Federal entity; and

"(B) the Tennessee Valley Authority.

"(2) PRIZE FOR ADVANCED NUCLEAR REACTOR LICENSING.—

"(A) IN GENERAL.—Notwithstanding section 169 of the Atomic Energy Act of 1954 (42 U.S.C. 2209) and subject to the availability of appropriations, the Secretary is authorized to make, with respect to each award category described in subparagraph (C), an award in an amount described in subparagraph (B) to the first eligible entity—

"(i) to which the Commission issues an operating license for an advanced nuclear reactor under part 50 of title 10, Code of

Federal Regulations (or successor regulations), for which an application has not been approved by the Commission as of the date of enactment of this subsection; or

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

"(I) that is issued under subpart C of part 52 of that title (or successor regulations); and

"(II) for which an application has not been approved by the Commission as of the date of enactment of this subsection.

"(B) AMOUNT OF AWARD.—Subject to paragraph (3), an award under subparagraph (A) shall be in an amount equal to the total amount assessed by the Commission and collected under section 102(b)(2) from the eligible entity receiving the award for costs relating to the issuance of the license described in that subparagraph, including, as applicable, costs relating to the

issuance of an associated construction permit described in section 50.23 of title 10, Code of Federal Regulations (or successor regulations), or early site permit (as defined in section 52.1 of that title (or successor regulations)).

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

"(i) the first advanced nuclear reactor for which the Commission—

"(I) issues a license in accordance with clause (i) of subparagraph (A); or

"(II) makes a finding in accordance with clause (ii) of that subparagraph;

"(ii) an advanced nuclear reactor that—

"(I) uses isotopes derived from spent nuclear fuel (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101)) or depleted uranium as fuel for the advanced nuclear reactor; and

"(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

"(aa) issues a license in accordance with clause (i) of subparagraph (A); or

"(bb) makes a finding in accordance with clause (ii) of that subparagraph;

"(iii) an advanced nuclear reactor that—

"(I) is a nuclear integrated energy system—

"(aa) that is composed of 2 or more co-located or jointly operated subsystems of energy generation, energy storage, or other technologies;

"(bb) in which not fewer than 1 subsystem described in item (aa) is a nuclear energy system; and

"(cc) the purpose of which is—

"(AA) to reduce greenhouse gas emissions in both the power and nonpower sectors; and

"(BB) to maximize energy production and efficiency; and

"(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

"(aa) issues a license in accordance with clause (i) of subparagraph (A); or

"(bb) makes a finding in accordance with clause (ii) of that subparagraph;

"(iv) an advanced reactor that—

"(I) operates flexibly to generate electricity or high temperature process heat for nonelectric applications; and

"(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

"(aa) issues a license in accordance with clause (i) of subparagraph (A); or

"(bb) makes a finding in accordance with clause (ii) of that subparagraph; and

"(v) the first advanced nuclear reactor for which the Commission grants approval to load nuclear fuel pursuant to the technology-inclusive regulatory framework established under subsection (a)(4).

"(3) FEDERAL FUNDING LIMITATIONS.—

"(A) EXCLUSION OF TVA FUNDS.—In this paragraph, the term 'Federal funds' does not include funds received under the power program of the Tennessee Valley Authority established pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.).

"(B) LIMITATION ON AMOUNTS EXPENDED.—An award under this subsection shall not exceed the total amount expended (excluding any expenditures made with Federal funds received for the applicable project and an amount equal to the minimum cost-share required under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352)) by the eligible entity receiving the award for licensing costs relating to the project for which the award is made.

"(C) REPAYMENT AND DIVIDENDS NOT REQUIRED.—Notwithstanding section 9104(a)(4) of title 31, United States Code, or any other provi-

sion of law, an eligible entity that receives an award under this subsection shall not be required—

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

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

SEC. 203. LICENSING CONSIDERATIONS RELATING TO USE OF NUCLEAR ENERGY FOR NONELECTRIC APPLICATIONS.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report addressing any unique licensing issues or requirements relating to—

(1) the flexible operation of advanced nuclear reactors, such as ramping power output and switching between electricity generation and nonelectric applications;

(2) the use of advanced nuclear reactors exclusively for nonelectric applications; and

(3) the colocation of nuclear reactors with industrial plants or other facilities.

(b) STAKEHOLDER INPUT.—In developing the report under subsection (a), the Commission shall seek input from—

(1) the Secretary of Energy;

(2) the nuclear energy industry;

(3) technology developers;

(4) the industrial, chemical, and medical sectors;

(5) nongovernmental organizations; and

(6) other public stakeholders.

(c) CONTENTS.—

(1) IN GENERAL.—The report under subsection (a) shall describe—

(A) any unique licensing issues or requirements relating to the matters described in paragraphs (1) through (3) of subsection (a), including, with respect to the nonelectric applications referred to in paragraphs (1) and (2) of that subsection, any licensing issues or requirements relating to the use of nuclear energy—

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

(ii) for water desalination and wastewater treatment;

(iii) for heat used for industrial processes;

(iv) for district heating;

(v) in relation to energy storage;

(vi) for industrial or medical isotope production; and

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

(B) options for addressing those issues or requirements—

(i) within the existing regulatory framework;

(ii) as part of the technology-inclusive regulatory framework required under subsection (a)(4) of section 103 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439); or

(iii) through a new rulemaking; and

(C) the extent to which Commission action is needed to implement any matter described in the report.

(2) COST ESTIMATES, BUDGETS, AND TIMEFRAMES.—The report shall include cost estimates, proposed budgets, and proposed timeframes for implementing risk-informed and performance-based regu-

latory guidance in the licensing of nuclear reactors for nonelectric applications.

SEC. 204. ENABLING PREPARATIONS FOR THE DEMONSTRATION OF ADVANCED NUCLEAR REACTORS ON DEPARTMENT OF ENERGY SITES OR CRITICAL NATIONAL SECURITY INFRASTRUCTURE SITES.

(a) IN GENERAL.—Section 102(b)(1)(B) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as amended by section 201(b)) is amended by adding at the end the following:

"(vii) Costs for—

"(I) activities to review and approve or disapprove an application for an early site permit (as defined in section 52.1 of title 10, Code of Federal Regulations (or any successor regulation)) to demonstrate an advanced nuclear reactor on a Department of Energy site or critical national security infrastructure (as defined in section 327(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1722)) site; and

"(II) pre-application activities relating to an early site permit (as defined in section 52.1 of title 10, Code of Federal Regulations (or any successor regulation)) to demonstrate an advanced nuclear reactor on a Department of Energy site or critical national security infrastructure (as defined in section 327(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1722)) site.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2025.

SEC. 205. FUSION ENERGY REGULATION.

(a) DEFINITION.—Section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014) is amended—

(1) in subsection e.—

(A) in paragraph (3)(B)—

(i) in clause (i), by inserting ", including by use of a fusion machine" after "particle accelerator"; and

(ii) in clause (ii), by inserting "if made radioactive by use of a particle accel-

erator that is not a fusion machine," before "is produced";

(2) in each of subsections ee. through hh., by inserting a subsection heading, the text of which comprises the term defined in the subsection;

(3) by redesignating subsections ee., ff., gg., hh., and jj. as subsections jj., gg., hh., ii., and ff., respectively, and moving the subsections so as to appear in alphabetical order;

(4) in subsection dd., by striking "dd. The" and inserting the following:

"ee. HIGH-LEVEL RADIOACTIVE WASTE; SPENT NUCLEAR FUEL.—The"; and

(5) by inserting after subsection cc. the following:

"dd. FUSION MACHINE.—The term 'fusion machine' means a machine that is capable of—

"(1) transforming atomic nuclei, through fusion processes, into different elements, isotopes, or other particles; and

"(2) directly capturing and using the resultant products, including particles, heat, or other electromagnetic radiation.".

(b) TECHNICAL AND CONFORMING CHANGES.—

(1) IN GENERAL.—Section 103(a) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439) is amended—

(A) in paragraph (4), by striking "inclusive," and inserting "inclusive"; and

(B) in paragraph (5)(B)(ii), by inserting "(including fusion machine license applications)" after "commercial advanced nuclear reactor license applications".

(2) DEFINITIONS.—Section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439) (as amended by section 201(a)) is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking "or fusion reactor" and inserting "reactor or fusion machine";

(B) by redesignating paragraphs (11) through (21) as paragraphs (12) through (22), respectively; and

(C) by inserting after paragraph (10) the following:

"(11) FUSION MACHINE.—The term 'fusion machine' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).".

(c) REPORT.—

(1) DEFINITIONS.—In this subsection:

(A) AGREEMENT STATE.—The term "Agreement State" has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439).

(B) FUSION MACHINE.—The term "fusion machine" has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(2) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report on—

(A) the results of a study, conducted in consultation with Agreement States and the private fusion sector, on risk- and performance-based, design-specific licensing frameworks for mass-manufactured fusion machines, including an evaluation of the design, manufacturing, and operations certification process used by the Federal Aviation Administration for aircraft as a potential model for mass-manufactured fusion machine regulations; and

(B) the estimated timeline for the Commission to issue consolidated guidance or regulations for licensing mass-manufactured fusion machines, taking into account—

(i) the results of that study; and

(ii) the anticipated need for such guidance or regulations.

SEC. 206. REGULATORY ISSUES FOR NUCLEAR FACILITIES AT BROWNFIELD SITES.

(a) DEFINITIONS.—In this section:

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

(2) COVERED SITE.—The term "covered site" means a brownfield site, a retired fossil fuel site, or a site that is both a retired fossil fuel site and a brownfield site.

(3) PRODUCTION FACILITY.—The term "production facility" has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(4) RETIRED FOSSIL FUEL SITE.—The term "retired fossil fuel site" means the site of 1 or more fossil

fuel electric generation facilities that are retired or scheduled to retire, including multi-unit facilities that are partially shut down.

(5) UTILIZATION FACILITY.—The term "utilization facility" has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(b) IDENTIFICATION OF REGULATORY ISSUES.—

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

(2) REQUIREMENT.—In carrying out paragraph (1), the Commission shall consider how licensing reviews for production facilities or utilization facilities at covered sites may be expedited by considering matters relating to siting and operating a production facility or a utilization facility at or near a covered site to support—

(A) the reuse of existing site infrastructure, including—

(i) electric switchyard components and transmission infrastructure;

(ii) heat-sink components;

(iii) steam cycle components;

(iv) roads;

(v) railroad access; and

(vi) water availability;

(B) the use of early site permits;

(C) the utilization of plant parameter envelopes or similar standardized site parameters on a portion of a larger site; and

(D) the use of a standardized application for similar sites.

(3) REPORT.—Not later than 14 months after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing any regulations, guidance, and policies identified under paragraph (1).

(c) LICENSING.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Commission shall—

(A) develop and implement strategies to enable efficient, timely, and predictable licensing reviews for, and to support the oversight of, pro-

duction facilities or utilization facilities at covered sites; or

(B) initiate a rulemaking to enable efficient, timely, and predictable licensing reviews for, and to support the oversight of, production facilities or utilization facilities at covered sites.

(2) REQUIREMENTS.—In carrying out paragraph (1), consistent with the mission of the Commission, the Commission shall consider matters relating to—

(A) the use of existing site infrastructure;

(B) existing emergency preparedness organizations and planning;

(C) the availability of historical site-specific environmental data;

(D) previously completed environmental reviews required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(E) activities associated with the potential decommissioning of facilities or decontamination and remediation at covered sites; and

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

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

the appropriate committees of Congress a report describing the actions taken by the Commission under subsection (c)(1).

SEC. 207. COMBINED LICENSE REVIEW PROCEDURE.

(a) IN GENERAL.—In accordance with this section, the Commission shall establish and carry out an expedited procedure for issuing a combined license pursuant to section 185 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2235(b)).

(b) QUALIFICATIONS.—To qualify for the expedited procedure under subsection (a), an applicant—

(1) shall submit a combined license application for a new nuclear reactor that—

(A) references a design for which the Commission has issued a design certification (as defined in section 52.1 of title 10, Code of Federal Regulations (or any successor regulation)); or

(B) has a design that is substantially similar to a design of a nuclear reactor for which the Commission has issued a combined license, an operating license, or a manufacturing license under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

(2) shall propose to construct the new nuclear reactor on a site—

(A) on which a licensed commercial nuclear reactor operates or previously operated; or

(B) that is directly adjacent to a site on which a licensed commercial nuclear reactor operates or previously operated and has site characteristics that are substantially similar to that site; and

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

(c) EXPEDITED PROCEDURE.—With respect to a combined license for which the applicant has satisfied the requirements described in subsection (b), the Commission shall, to the maximum extent practicable—

(1) not later than 18 months after the date on which the application is accepted for docketing—

(A) complete the technical review process and issue a safety evaluation report; and

(B) issue a final environmental impact statement or environmental assessment, unless the Commission finds that the proposed agency action is excluded pursuant to a categorical exclusion in accordance with the National Envi-

ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) not later than 2 years after the date on which the application is accepted for docketing, complete any necessary public licensing hearings and related processes; and

(3) not later than 25 months after the date on which the application is accepted for docketing, make a final decision on whether to issue the combined license.

(d) PERFORMANCE AND REPORTING.—

(1) DELAYS IN ISSUANCE.—Not later than 30 days after the applicable deadline, the Executive Director for Operations of the Commission shall inform the Commission of any failure to meet a deadline under subsection (c).

(2) DELAYS IN ISSUANCE EXCEEDING 90 DAYS.—If any deadline under subsection (c) is not met by the date that is 90 days after the applicable date required under that subsection, the Commission shall submit to the appropriate committees of Congress a report describing the delay, including—

(A) a detailed explanation accounting for the delay; and

(B) a plan for completion of the applicable action.

SEC. 208. REGULATORY REQUIREMENTS FOR MICRO-REACTORS.

(a) MICRO-REACTOR LICENSING.—The Commission shall—

(1) not later than 18 months after the date of enactment of this Act, develop risk-informed and performance-based strategies and guidance to license and regulate micro-reactors pursuant to section 103 of the Atomic Energy Act of 1954 (42 U.S.C. 2133), including strategies and guidance for—

(A) staffing and operations;

(B) oversight and inspections;

(C) safeguards and security;

(D) emergency preparedness;

(E) risk analysis methods, including alternatives to probabilistic risk assessments;

(F) decommissioning funding assurance methods that permit the use of design- and site-specific cost estimates;

(G) the transportation of fueled micro-reactors; and

(H) siting, including in relation to—

(i) the population density criterion limit described in the policy issue paper on population-related siting considerations for advanced reactors dated May 8, 2020, and numbered SECY–20–0045;

(ii) licensing mobile deployment; and

(iii) environmental reviews; and

(2) not later than 3 years after the date of enactment of this Act, implement, as appropriate, the strategies and guidance developed under paragraph (1)—

(A) within the existing regulatory framework;

(B) through the technology-inclusive regulatory framework to be established under section 103(a)(4) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439); or

(C) through a pending or new rulemaking.

(b) CONSIDERATIONS.—In developing and implementing strategies and guidance under subsection (a), the Commission shall consider—

(1) the unique characteristics of micro-reactors, including characteristics relating to—

(A) physical size;

(B) design simplicity; and

(C) source term;

(2) opportunities to address redundancies and inefficiencies;

(3) opportunities to consolidate review phases and reduce transitions between review teams;

(4) opportunities to establish integrated review teams to ensure continuity throughout the review process; and

(5) other relevant considerations discussed in the policy issue paper on policy and licensing considerations related to micro-reactors dated October 6, 2020, and numbered SECY–20–0093.

(c) CONSULTATION.—In carrying out subsection (a), the Commission shall consult with—

(1) the Secretary of Energy;

(2) the heads of other Federal agencies, as appropriate;

(3) micro-reactor technology developers; and

(4) other stakeholders.

TITLE III—PRESERVING EXISTING NUCLEAR ENERGY GENERATION

SEC. 301. FOREIGN OWNERSHIP.

(a) IN GENERAL.—The prohibitions against issuing certain licenses for utilization facilities to certain aliens, corporations, and other entities described in the second sentence of section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) and the second sentence of section 104 d. of that Act (42 U.S.C. 2134(d)) shall not apply to an entity described in subsection (b) if the Commission determines that issuance of the applicable license to that entity is not inimical to—

(1) the common defense and security; or

(2) the health and safety of the public.

(b) ENTITIES DESCRIBED.—

(1) IN GENERAL.—An entity referred to in subsection (a) is an alien, corporation, or other entity that is owned, controlled, or dominated by—

(A) the government of—

(i) a country, other than a country described in paragraph (2), that is a member of the Organisation for Economic Co-operation and Development on the date of enactment of this Act; or

(ii) the Republic of India;

(B) a corporation that is incorporated in a country described in clause (i) or (ii) of subparagraph (A); or

(C) an alien who is a citizen or national of a country described in clause (i) or (ii) of subparagraph (A).

(2) EXCLUSION.—A country described in this paragraph is a country—

(A) any department, agency, or instrumentality of the government of which, on the date of enactment of this Act, is subject to sanctions under section 231 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525); or

(B) any citizen, national, or entity of which, as of the date of enactment of this Act, is included on the List of Specially Designated Nationals and Blocked Persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to sanctions imposed under section 231 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525).

(c) TECHNICAL AMENDMENT.—Section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) is amended, in the second sentence, by striking "any any" and inserting "any".

(d) SAVINGS CLAUSE.—Nothing in this section affects the requirements of section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565).

TITLE IV—NUCLEAR FUEL CYCLE, SUPPLY CHAIN, INFRASTRUCTURE, AND WORKFORCE

SEC. 401. REPORT ON ADVANCED METHODS OF MANUFACTURING AND CONSTRUCTION FOR NUCLEAR ENERGY PROJECTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report (referred to in this section as the "report") on manufacturing and construction for nuclear energy projects.

(b) STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from—

(1) the Secretary of Energy;

(2) the nuclear energy industry;

(3) National Laboratories;

(4) institutions of higher education;

(5) nuclear and manufacturing technology developers;

(6) the manufacturing and construction industries, including manufacturing and construction companies with operating facilities in the United States;

(7) standards development organizations;

(8) labor unions;

(9) nongovernmental organizations; and

(10) other public stakeholders.

(c) CONTENTS.—

(1) IN GENERAL.—The report shall—

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

(i) advanced manufacturing processes;

(ii) advanced construction techniques; and

(iii) rapid improvement or iterative innovation processes;

(B) examine—

(i) the requirements for nuclear-grade components in manufacturing and construction for nuclear energy projects;

(ii) opportunities to use standard materials, parts, or components in manufac-

turing and construction for nuclear energy projects;

(iii) opportunities to use standard materials that are in compliance with existing codes and standards to provide acceptable approaches to support or encapsulate new materials that do not yet have applicable codes and standards; and

(iv) requirements relating to the transport of a fueled advanced nuclear reactor core from a manufacturing licensee to a licensee that holds a license to construct and operate a facility at a particular site;

(C) identify safety aspects of advanced manufacturing processes and advanced construction techniques that are not addressed by existing codes and standards, so that generic guidance may be updated or created, as necessary;

(D) identify options for addressing the issues, requirements, and opportunities examined under subparagraphs (A) and (B)—

(i) within the existing regulatory framework; or

(ii) through a new rulemaking;

(E) identify how addressing the issues, requirements, and opportunities examined under subparagraphs (A) and (B) will impact opportunities for domestic nuclear manufacturing and construction developers; and

(F) describe the extent to which Commission action is needed to implement any matter described in the report.

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

SEC. 402. NUCLEAR ENERGY TRAINEESHIP.

Section 313 of division C of the Omnibus Appropriations Act, 2009 (42 U.S.C. 16274a), is amended—

(1) in subsection (a), by striking "Nuclear Regulatory";

(2) in subsection (b)(1), in the matter preceding subparagraph (A), by inserting "and subsection (c)" after "paragraph (2)";

(3) in subsection (c)—

(A) by redesignating paragraph (2) as paragraph (5); and

(B) by striking paragraph (1) and inserting the following:

"(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

"(2) COMMISSION.—The term 'Commission' means the Nuclear Regulatory Commission.

"(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

"(4) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).";

(4) in subsection (d)(2), by striking "Nuclear Regulatory";

(5) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(6) by inserting after subsection (b) the following:

"(c) NUCLEAR ENERGY TRAINEESHIP SUBPROGRAM.—

"(1) IN GENERAL.—The Commission shall establish, as a subprogram of the Program, a nuclear energy traineeship subprogram under which the Commission, in coordination with institutions of higher education and trade schools, shall competitively award traineeships that provide focused training to meet critical mission needs of the Commission and nuclear workforce needs, including needs relating to the nuclear tradecraft workforce.

"(2) REQUIREMENTS.—In carrying out the nuclear energy traineeship subprogram described in paragraph (1), the Commission shall—

"(A) coordinate with the Secretary of Energy to prioritize the funding of traineeships that focus on—

"(i) nuclear workforce needs; and

"(ii) critical mission needs of the Commission;

"(B) encourage appropriate partnerships among—

"(i) National Laboratories;

"(ii) institutions of higher education;

"(iii) trade schools;

"(iv) the nuclear energy industry; and

"(v) other entities, as the Commission determines to be appropriate; and

"(C) on an annual basis, evaluate nuclear workforce needs for the purpose of implementing traineeships in focused topical areas that—

"(i) address the workforce needs of the nuclear energy community; and

"(ii) support critical mission needs of the Commission.".

SEC. 403. BIENNIAL REPORT ON THE SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE INVENTORY IN THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) HIGH-LEVEL RADIOACTIVE WASTE.—The term "high-level radioactive waste" has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(2) SPENT NUCLEAR FUEL.—The term "spent nuclear fuel" has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(3) STANDARD CONTRACT.—The term "standard contract" has the meaning given the term "contract" in section 961.3 of title 10, Code of Federal Regulations (or any successor regulation).

(b) REPORT.—Not later than January 1, 2026, and biennially thereafter, the Secretary of Energy shall submit to Congress a report that describes—

(1) the annual and cumulative amount of payments made by the United States to the holder of a standard contract due to a partial breach of contract under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.) resulting in financial damages to the holder;

(2) the cumulative amount spent by the Department of Energy since fiscal year 2008 to reduce future payments projected to be made by the United States to any holder of a standard contract due to a partial breach of contract under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.);

(3) the cumulative amount spent by the Department of Energy to store, manage, and dispose of spent nuclear fuel and high-level radioactive waste in the United States as of the date of the report;

(4) the projected lifecycle costs to store, manage, transport, and dispose of the projected inventory of spent nuclear fuel and high-level radioactive waste in the United States, including spent nuclear fuel and high-level radioactive waste expected to be generated from existing reactors through 2050;

(5) any mechanisms for better accounting of liabilities for the lifecycle costs of the spent nuclear fuel and high-level radioactive waste inventory in the United States;

(6) any recommendations for improving the methods used by the Department of Energy for the accounting of spent nuclear fuel and high-level radioactive waste costs and liabilities;

(7) any actions taken in the previous fiscal year by the Department of Energy with respect to interim storage; and

(8) any activities taken in the previous fiscal year by the Department of Energy to develop and deploy nuclear technologies and fuels that enhance the safe transportation or storage of spent nuclear fuel or high-level radioactive waste, including technologies to protect against seismic, flooding, and other extreme weather events.

SEC. 404. DEVELOPMENT, QUALIFICATION, AND LICENSING OF ADVANCED NUCLEAR FUEL CONCEPTS.

(a) IN GENERAL.—The Commission shall establish an initiative to enhance preparedness and coordination with respect to the qualification and licensing of advanced nuclear fuel.

(b) AGENCY COORDINATION.—Not later than 180 days after the date of enactment of this Act, the Commission and the Secretary of Energy shall enter into a memorandum of understanding—

(1) to share technical expertise and knowledge through—

(A) enabling the testing and demonstration of accident tolerant fuels for existing commercial nuclear reactors and advanced nuclear reactor fuel concepts to be proposed and funded, in whole or in part, by the private sector;

(B) operating a database to store and share data and knowledge relevant to nuclear science and engineering between Federal agencies and the private sector;

(C) leveraging expertise with respect to safety analysis and research relating to advanced nuclear fuel; and

(D) enabling technical staff to actively observe and learn about technologies, with an emphasis on identification of additional information needed with respect to advanced nuclear fuel; and

(2) to ensure that—

(A) the Department of Energy has sufficient technical expertise to support the timely research, development, demonstration, and commercial application of advanced nuclear fuel;

(B) the Commission has sufficient technical expertise to support the evaluation of applications for licenses, permits, and design certifications and other requests for regulatory approval for advanced nuclear fuel;

(C)(i) the Department of Energy maintains and develops the facilities necessary to enable the timely research, development, demonstration, and commercial application by the civilian nuclear industry of advanced nuclear fuel; and

(ii) the Commission has access to the facilities described in clause (i), as needed; and

(D) the Commission consults, as appropriate, with the modeling and simulation experts at the Office of Nuclear Energy of the Department of Energy, at the National Laboratories, and within industry fuel vendor teams in cooperative agreements with the Department of Energy to leverage physics-based computer modeling and simulation capabilities.

(c) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing the efforts of the Commission under subsection (a), including—

(A) an assessment of the preparedness of the Commission to review and qualify for use—

(i) accident tolerant fuel;

(ii) ceramic cladding materials;

(iii) fuels containing silicon carbide;

(iv) high-assay, low-enriched uranium fuels;

(v) molten-salt based liquid fuels;

(vi) fuels derived from spent nuclear fuel or depleted uranium; and

(vii) other related fuel concepts, as determined by the Commission;

(B) activities planned or undertaken under the memorandum of understanding described in subsection (b);

(C) an accounting of the areas of research needed with respect to advanced nuclear fuel; and

(D) any other challenges or considerations identified by the Commission.

(2) CONSULTATION.—In developing the report under paragraph (1), the Commission shall seek input from—

(A) the Secretary of Energy;

(B) National Laboratories;

(C) the nuclear energy industry;

(D) technology developers;

(E) nongovernmental organizations; and

(F) other public stakeholders.

TITLE V—IMPROVING COMMISSION EFFICIENCY

SEC. 501. MISSION ALIGNMENT.

(a) UPDATE.—Not later than 1 year after the date of enactment of this Act, the Commission shall, while remaining consistent with the policies of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and the Energy Reorganization Act of 1974 (42 U.S.C. 5801 et seq.) (including to provide reasonable assurance of adequate protection of the public health and safety, to promote the common defense and security, and to protect the environment), update the mission statement of the Commission to include that licensing and regulation of the civilian use of radioactive materials and nuclear energy be conducted in a manner that is efficient and does not unnecessarily limit—

(1) the civilian use of radioactive materials and deployment of nuclear energy; or

(2) the benefits of civilian use of radioactive materials and nuclear energy technology to society.

(b) REPORT.—On completion of the update to the mission statement required under subsection (a), the Commission shall submit to the appropriate committees of Congress a report that describes—

(1) the updated mission statement; and

(2) the guidance that the Commission will provide to staff of the Commission to ensure effective performance of the mission of the Commission.

SEC. 502. STRENGTHENING THE NRC WORKFORCE.

(a) COMMISSION WORKFORCE.—

(1) GENERAL AUTHORITY.—The Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) is amended by inserting after section 161A the following:

"SEC. 161B. COMMISSION WORKFORCE.

"(a) DIRECT HIRE AUTHORITY.—

"(1) IN GENERAL.—Notwithstanding section 161 d. of this Act and any provision of Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), and without regard to any provision of title 5 (except section 3328), United States Code, governing appointments in the civil service, the Chairman of the Nu-

clear Regulatory Commission (in this section referred to as the 'Chairman') may, in order to carry out the Nuclear Regulatory Commission's (in this section referred to as the 'Commission') responsibilities and activities in a timely, efficient, and effective manner and subject to the limitations described in paragraphs (2), (3), and (4)—

"(A) recruit and directly appoint exceptionally well-qualified individuals into the excepted service for covered positions; and

"(B) establish in the excepted service term-limited covered positions and recruit and directly appoint exceptionally well-qualified individuals into such term-limited covered positions, which may not exceed a term of 4 years.

"(2) LIMITATIONS.—

"(A) NUMBER.—

"(i) IN GENERAL.—The number of exceptionally well-qualified individuals serving in covered positions pursuant to paragraph (1)(A) may not exceed 210 at any one time.

"(ii) TERM-LIMITED COVERED POSITIONS.—The Chairman may not appoint more than 20 exceptionally well-qualified

individuals into term-limited covered positions pursuant to paragraph (1)(B) during any fiscal year.

"(B) COMPENSATION.—

"(i) ANNUAL RATE.—The annual basic rate of pay for any individual appointed under paragraph (1)(A) or paragraph (1)(B) may not exceed the annual basic rate of pay for level III of the Executive Schedule under section 5314 of title 5, United States Code.

"(ii) EXPERIENCE AND QUALIFICATIONS.—Any individual recruited and directly appointed into a covered position or a term-limited covered position shall be compensated at a rate of pay that is commensurate with such individual's experience and qualifications.

"(C) SENIOR EXECUTIVE SERVICE POSITION.—The Chairman may not, under paragraph (1)(A) or paragraph (1)(B), appoint exceptionally well-qualified individuals to any Senior Executive Service position, as defined in section 3132 of title 5, United States Code.

"(3) LEVEL OF POSITIONS.—To the extent practicable, in carrying out paragraph (1) the Chairman shall recruit and directly appoint exceptionally well-qualified individuals into the excepted service to entry, mid, and senior level covered positions, including term-limited covered positions.

"(4) CONSIDERATION OF FUTURE WORKFORCE NEEDS.—When recruiting and directly appointing exceptionally well-qualified individuals to covered positions pursuant to paragraph (1)(A), to maintain sufficient flexibility under the limitations of paragraph (2)(A)(i), the Chairman shall consider the future workforce needs of the Commission to carry out its responsibilities and activities in a timely, efficient, and effective manner.

"(b) ADDRESSING INSUFFICIENT COMPENSATION OF EMPLOYEES AND OTHER PERSONNEL OF THE COMMISSION.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, the Chairman may fix the compensation for employees or other personnel serving in a covered position without regard to any provision of title 5, United States Code, governing General Schedule classification and pay rates.

"(2) APPLICABILITY.—The authority under this subsection to fix the compensation of employees or other personnel shall apply with respect to an employee or other personnel serving in a covered position regardless of when the employee or other personnel was hired.

"(3) LIMITATIONS ON COMPENSATION.—

"(A) ANNUAL RATE.—The Chairman may not use the authority under paragraph (1) to fix the compensation of employees or other personnel—

"(i) at an annual rate of basic pay higher than the annual basic rate of pay for level III of the Executive Schedule under section 5314 of title 5, United States Code; or

"(ii) at an annual rate of basic pay that is not commensurate with such an employee or other personnel's experience and qualifications.

"(B) SENIOR EXECUTIVE SERVICE POSITIONS.—The Chairman may not use the authority under paragraph (1) to fix the compensation of an employee serving in a Senior Executive

Service position, as defined in section 3132 of title 5, United States Code.

"(c) ADDITIONAL COMPENSATION AUTHORITY.—

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

"(2) FOR EXISTING EMPLOYEES.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), an employee or other personnel who the Chairman determines exhibited exceptional performance in a fiscal year may be paid a performance bonus in an amount not to exceed the least of—

"(i) $25,000; and

"(ii) the amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

"(B) EXCEPTIONAL PERFORMANCE.—Exceptional performance under subparagraph (A) includes—

"(i) leading a project team in a timely and efficient licensing review to enable the safe use of nuclear technology;

"(ii) making significant contributions to a timely and efficient licensing review to enable the safe use of nuclear technology;

"(iii) the resolution of novel or first-of-a-kind regulatory issues;

"(iv) developing or implementing licensing or regulatory oversight processes to improve the effectiveness of the Commission; and

"(v) other performance, as determined by the Chairman.

"(C) LIMITATIONS.—

"(i) SUBSEQUENT BONUSES.—Any person who receives a performance bonus under subparagraph (A) may not receive another performance bonus under that subparagraph for a period of 5 years thereafter.

"(ii) HIRING BONUSES.—Any person who receives a 1-time hiring bonus under paragraph (1) may not receive a performance bonus under subparagraph (A) unless more than one year has elapsed since the payment of such 1-time hiring bonus.

"(iii) NO BONUS FOR SENIOR EXECUTIVE SERVICE POSITIONS.—No person serv-

ing in a Senior Executive Service position, as defined in section 3132 of title 5, United States Code, may receive a performance bonus under subparagraph (A).

"(d) IMPLEMENTATION PLAN AND REPORT.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Chairman shall develop and implement a plan to carry out this section. Before implementing such plan, the Chairman shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Office of Personnel Management a report on the details of the plan.

"(2) REPORT CONTENT.—The report submitted under paragraph (1) shall include—

"(A) evidence and supporting documentation justifying the plan; and

"(B) budgeting projections on costs and benefits resulting from the plan.

"(3) CONSULTATION.—The Chairman may consult with the Office of Personnel Management, the Office of Management and Budget, and the Comptroller General of the United States in developing the plan under paragraph (1).

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

"(f) INFORMATION ON HIRING, VACANCIES, AND COMPENSATION.—

"(1) IN GENERAL.—The Commission shall include in its budget materials submitted in support of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code), for fiscal year 2026 and each fiscal year thereafter, information relating to hiring, vacancies, and compensation at the Commission.

"(2) INCLUSIONS.—The information described in paragraph (1) shall include—

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

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

"(C) information that describes—

"(i) how the authority provided by subsection (a) is being used to address the hiring needs of the Commission;

"(ii) the total number of exceptionally well-qualified individuals serving in—

"(I) covered positions described in subsection (g)(1) pursuant to subsection (a)(1)(A);

"(II) covered positions described in subsection (g)(2) pursuant to subsection (a)(1)(A);

"(III) term-limited covered positions described in subsection (g)(1) pursuant to subsection (a)(1)(B); and

"(IV) term-limited covered positions described in subsection (g)(2) pursuant to subsection (a)(1)(B);

"(iii) how the authority provided by subsection (b) is being used to address the hiring or retention needs of the Commission;

"(iv) the total number of employees or other personnel serving in a covered position that have their compensation fixed pursuant to subsection (b); and

"(v) the attrition levels with respect to term-limited covered positions appointed under subsection (a)(1)(B), including the

number of individuals leaving a term-limited covered position before completion of the applicable term of service and the average length of service for such individuals as a percentage of the applicable term of service; and

"(D) an assessment of—

"(i) the current critical workforce needs of the Commission and any critical workforce needs that the Commission anticipates in the next five years; and

"(ii) additional skillsets that are or likely will be needed for the Commission to fulfill the licensing and oversight responsibilities of the Commission.

"(g) COVERED POSITION.—In this section, the term 'covered position' means—

"(1) a position in which an employee or other personnel is responsible for conducting work of a highly-specialized scientific, technical, engineering, mathematical, or otherwise skilled nature to address a critical licensing or regulatory oversight need for the Commission; or

"(2) a position that the Executive Director for Operations of the Commission determines is necessary

to fulfill the responsibilities of the Commission in a timely, efficient, and effective manner.

"(h) SUNSET.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the authorities provided by subsections (a) and (b) shall terminate on September 30, 2034.

"(2) CERTIFICATION.—If, no later than the date referenced in paragraph (1), the Commission issues a certification that the authorities provided by subsection (a), subsection (b), or both subsections are necessary for the Commission to carry out its responsibilities and activities in a timely, efficient, and effective manner, the authorities provided by the applicable subsection shall terminate on September 30, 2039.

"(3) COMPENSATION.—The termination of the authorities provided by subsections (a) and (b) shall not affect the compensation of an employee or other personnel serving in a covered position whose compensation was fixed by the Chairman in accordance with subsection (a) or (b).".

(2) TABLE OF CONTENTS.—The table of contents of the Atomic Energy Act of 1954 is amended by inserting after the item relating to section 161 the following:

"Sec. 161A. Use of firearms by security personnel.
"Sec. 161B. Commission workforce.".

(b) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than September 30, 2033, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce and the Committee on Oversight and Accountability of the House of Representatives and the Committee on Environment and Public Works and the Committee on Homeland Security and Governmental Affairs of the Senate a report that—

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

(2) describes the role in which the exceptionally well-qualified individuals recruited and directly appointed pursuant to section 161B(a) of the Atomic Energy Act of 1954 (as added by this Act) have been utilized to support the licensing of advanced nuclear reactors;

(3) assesses the effectiveness of the authorities provided under subsections (a), (b), and (c) of section 161B of the Atomic Energy Act of 1954 (as added by this Act) in helping the Commission fulfill its mission;

(4) makes recommendations to improve the Commission's strategic workforce management; and

(5) makes recommendations with respect to whether Congress should extend, enhance, modify, or discontinue the authorities provided under subsections (a), (b), and (c) of section 161B of the Atomic Energy Act of 1954 (as added by this Act).

(c) ANNUAL SOLICITATION FOR NUCLEAR REGULATOR APPRENTICESHIP NETWORK APPLICATIONS.—The Commission, on an annual basis, shall solicit applications for the Nuclear Regulator Apprenticeship Network.

SEC. 503. COMMISSION CORPORATE SUPPORT FUNDING.

(a) REPORT.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress and make publicly available a report that describes—

(1) the progress on the implementation of section 102(a)(3) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(a)(3)); and

(2) whether the Commission is meeting and is expected to meet the total budget authority caps required for corporate support under that section.

(b) LIMITATION ON CORPORATE SUPPORT COSTS.—Section 102(a)(3) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(a)(3)) is amended by

striking subparagraphs (B) and (C) and inserting the following:

"(B) 30 percent for fiscal year 2025 and each fiscal year thereafter.".

(c) CORPORATE SUPPORT COSTS CLARIFICATION.—Paragraph (10) of section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439) (as redesignated by section 201(a)(1)) is amended—

(1) by striking "The term" and inserting the following:

"(A) IN GENERAL.—The term"; and

(2) by adding at the end the following:

"(B) EXCLUSIONS.—The term 'corporate support costs' does not include—

"(i) costs for rent and utilities relating to any and all space in the Three White Flint North building that is not occupied by the Commission; or

"(ii) costs for salaries, travel, and other support for the Office of the Commission.".

SEC. 504. PERFORMANCE METRICS AND MILESTONES.

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

(1) in paragraph (3)—

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

(B) by striking "180" and inserting "90"; and

(2) by adding at the end the following:

"(4) PERIODIC UPDATES TO METRICS AND SCHEDULES.—

"(A) REVIEW AND ASSESSMENT.—Not less frequently than once every 3 years, the Commission shall review and assess, based on the licensing and regulatory activities of the Commission, the performance metrics and milestone schedules established under paragraph (1).

"(B) REVISIONS.—After each review and assessment under subparagraph (A), the Commission shall revise and improve, as appropriate, the performance metrics and milestone schedules described in that subparagraph to provide the most efficient metrics and schedules reasonably achievable.".

SEC. 505. NUCLEAR LICENSING EFFICIENCY.

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

(1) in subsection (a), by striking "(a) There" and inserting the following:

"(a) ESTABLISHMENT; APPOINTMENT OF DIRECTOR.—There";

(2) in subsection (b)—

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

(i) by striking "(b) Subject" and inserting the following:

"(b) FUNCTIONS OF DIRECTOR.—Subject"; and

(ii) by striking "delegate including:" and inserting "delegate, including the following:"; and

(B) in paragraph (3), by striking "for the discharge of the" and inserting "to fulfill the licensing and regulatory oversight";

(3) in subsection (c), by striking "(c) Nothing" and inserting the following:

"(d) RESPONSIBILITY FOR SAFE OPERATION OF FACILITIES.—Nothing"; and

(4) by inserting after subsection (b) the following:

"(c) LICENSING PROCESS.—In carrying out the principal licensing and regulation functions under subsection (b)(1), the Director of Nuclear Reactor Regulation shall—

"(1) establish techniques and guidance for evaluating applications for licenses for nuclear reactors to support efficient, timely, and predictable reviews of applications for those licenses to enable the safe and secure use of nuclear reactors;

"(2) maintain the techniques and guidance established under paragraph (1) by periodically assessing and, if necessary, modifying those techniques and guidance; and

"(3) obtain approval from the Commission if establishment or modification of the techniques and guidance under paragraph (1) or (2) involves policy formulation.".

(b) EFFICIENT LICENSING REVIEWS.—

(1) GENERAL.—Section 181 of the Atomic Energy Act of 1954 (42 U.S.C. 2231) is amended—

(A) by striking "The provisions of" and inserting the following:

"(a) IN GENERAL.—The provisions of"; and

(B) by adding at the end the following:

"(b) EFFICIENT LICENSING REVIEWS.—The Commission shall provide for efficient and timely reviews and proceedings for the granting, suspending, revoking, or amending of any—

"(1) license or construction permit; or

"(2) application to transfer control.".

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

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

SEC. 506. MODERNIZATION OF NUCLEAR REACTOR ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report on the efforts of the Commission to facilitate efficient, timely, and predictable environmental reviews of nuclear reactor applications for a license under section 103 of the Atomic Energy Act of 1954 (42 U.S.C. 2133), including through expanded

use of categorical exclusions, environmental assessments, and generic environmental impact statements.

(b) REPORT.—In completing the report under subsection (a), the Commission shall—

(1) describe the actions the Commission will take to implement the amendments to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) made by section 321 of the Fiscal Responsibility Act of 2023 (Public Law 118–5; 137 Stat. 38);

(2) consider—

(A) using, through adoption, incorporation by reference, or other appropriate means, categorical exclusions, environmental assessments, and environmental impact statements prepared by other Federal agencies to streamline environmental reviews of applications described in subsection (a) by the Commission;

(B) using categorical exclusions, environmental assessments, and environmental impact statements prepared by the Commission to streamline environmental reviews of applications described in subsection (a) by the Commission;

(C) using mitigated findings of no significant impact in environmental reviews of applications described in subsection (a) by the Com-

mission to reduce the impact of a proposed action to a level that is not significant;

(D) the extent to which the Commission may rely on prior studies or analyses prepared by Federal, State, and local governmental permitting agencies to streamline environmental reviews of applications described in subsection (a) by the Commission;

(E) opportunities to coordinate the development of environmental assessments and environmental impact statements with other Federal agencies to avoid duplicative environmental reviews and to streamline environmental reviews of applications described in subsection (a) by the Commission;

(F) opportunities to streamline formal and informal consultations and coordination with other Federal, State, and local governmental permitting agencies during environmental reviews of applications described in subsection (a) by the Commission;

(G) opportunities to streamline the Commission's analyses of alternatives, including the Commission's analysis of alternative sites, in en-

vironmental reviews of applications described in subsection (a) by the Commission;

(H) establishing new categorical exclusions that could be applied to actions relating to new applications described in subsection (a);

(I) amending section 51.20(b) of title 10, Code of Federal Regulations, to allow the Commission to determine, on a case-specific basis, whether an environmental assessment (rather than an environmental impact statement or supplemental environmental impact statement) is appropriate for a particular application described in subsection (a), including in proceedings in which the Commission relies on a generic environmental impact statement for advanced nuclear reactors;

(J) authorizing the use of an applicant's environmental impact statement as the Commission's draft environmental impact statement, consistent with section 107(f) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(f));

(K) opportunities to adopt online and digital technologies, including technologies that would allow applicants and cooperating agencies

to upload documents and coordinate with the Commission to edit documents in real time, that would streamline communications between—

(i) the Commission and applicants; and

(ii) the Commission and other relevant cooperating agencies; and

(L) in addition to implementing measures under paragraph (3), potential revisions to part 51 of title 10, Code of Federal Regulations, and relevant Commission guidance documents—

(i) to facilitate efficient, timely, and predictable environmental reviews of applications described in subsection (a);

(ii) to assist decision making about relevant environmental issues;

(iii) to maintain openness with the public;

(iv) to meet obligations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(v) to reduce burdens on licensees, applicants, and the Commission; and

(3) include a schedule for promulgating a rule for any measures considered by the Commission

under subparagraphs (A) through (K) of paragraph (2) that require a rulemaking.

SEC. 507. IMPROVING OVERSIGHT AND INSPECTION PROGRAMS.

(a) DEFINITION OF LICENSEE.—In this section, the term "licensee" means a person that holds a license issued under section 103 or 104 of the Atomic Energy Act of 1954 (42 U.S.C. 2133, 2134).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall develop and submit to the appropriate committees of Congress a report that identifies specific improvements to the nuclear reactor and materials oversight and inspection programs carried out pursuant to the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) that the Commission may implement to maximize the efficiency of such programs through, where appropriate, the use of risk-informed, performance-based procedures, expanded incorporation of information technologies, and staff training.

(c) STAKEHOLDER INPUT.—In developing the report under subsection (b), the Commission shall, as appropriate, seek input from—

(1) other Federal regulatory agencies that conduct oversight and inspections;

(2) the nuclear energy industry;

(3) nongovernmental organizations; and

(4) other public stakeholders.

(d) CONTENTS.—The report submitted under subsection (b) shall—

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

(A) use of travel resources;

(B) planning and preparation for inspections, including entrance and exit meetings with licensees;

(C) document collection and preparation, including consideration of whether nuclear reactor data are accessible prior to onsite visits or requests to the licensee and that document requests are timely and within the scope of inspections; and

(D) the cross-cutting issues program;

(2) identify and assess measures to improve oversight and inspections, including—

(A) elimination of areas of duplicative or otherwise unnecessary activities;

(B) increased use of templates in documenting inspection results; and

(C) periodic training of Commission staff and leadership on the application of risk-informed criteria for—

(i) inspection planning and assessments;

(ii) agency decision-making processes on the application of regulations and guidance; and

(iii) the application of the Commission's standard of reasonable assurance of adequate protection;

(3) assess measures to advance risk-informed procedures, including—

(A) increased use of inspection approaches that balance the level of resources commensurate with safety significance;

(B) increased review of the use of inspection program resources based on licensee performance;

(C) expansion of modern information technology, including artificial intelligence and machine learning, to risk-inform oversight and inspection decisions; and

(D) updating the Differing Professional Views or Opinions process to ensure any impacts on agency decisions and schedules are commensurate with the safety significance of the differing opinion;

(4) assess the ability of the Commission, consistent with the mission of the Commission, to enable licensee innovations that may advance nuclear reactor operational efficiency and safety, including the criteria of the Commission for timely acceptance of licensee adoption of advanced technologies, including digital technologies;

(5) identify recommendations resulting from the assessments described in paragraphs (1) through (4);

(6) identify specific actions that the Commission may take to incorporate into the training, inspection, oversight, and licensing activities, and regulations, of the Commission, without compromising the mission of the Commission, the recommendations identified under paragraph (5); and

(7) describe when the actions identified under paragraph (6) may be implemented.

TITLE VI—MISCELLANEOUS

SEC. 601. TECHNICAL CORRECTION.

Section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amended—

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

"(3) LIMITATION ON UTILIZATION FACILITIES.—The Commission may issue a license under this section for a utilization facility useful in the conduct of research and development activities of the types specified in section 31 if—

"(A) not more than 75 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale, other than for research and development or education and training, of—

"(i) nonenergy services;

"(ii) energy; or

"(iii) a combination of nonenergy services and energy; and

"(B) not more than 50 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale of energy.";

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

"(2) REGULATION.—The Commission"; and

(3) by striking "c. The Commission" and inserting the following:

"c. RESEARCH AND DEVELOPMENT ACTIVITIES.—

"(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Commission".

SEC. 602. REPORT ON ENGAGEMENT WITH THE GOVERNMENT OF CANADA WITH RESPECT TO NUCLEAR WASTE ISSUES IN THE GREAT LAKES BASIN.

Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report describing any engagement between the Commission and the Government of Canada with respect to nuclear waste issues in the Great Lakes Basin.

SEC. 603. SAVINGS CLAUSE.

Nothing in this Act affects authorities of the Department of State.

Amend the title so as to read: ''A bill to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs, to advance the benefits of nuclear energy, and for other purposes.''.

Attest:

Clerk.

118TH CONGRESS
2D SESSION

S. 870

AMENDMENTS