

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:

1 ***DIVISION A—FIRE GRANTS AND***
2 ***SAFETY***

3 ***SECTION 1. SHORT TITLE.***

4 *This division may be cited as the “Fire Grants and*
5 *Safety Act of 2023”.*

6 ***SEC. 2. REAUTHORIZATION OF THE UNITED STATES FIRE***
7 ***ADMINISTRATION.***

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

10 *(1) in subparagraph (L), by striking “and” after*
11 *the semicolon;*

12 *(2) in subparagraph (M)—*

13 *(A) by striking “for for” and inserting*

14 *“for”; and*

1 (B) by striking the period and inserting “;
2 and”;

3 (3) by adding at the end the following new
4 subparagraph:

5 “(N) \$95,000,000 for each of fiscal years
6 2024 through 2028, of which \$3,420,000 for each
7 such fiscal year shall be used to carry out section
8 8(f).”.

9 **SEC. 3. REAUTHORIZATION OF ASSISTANCE TO FIRE-**
10 **FIGHTERS GRANTS PROGRAM AND THE FIRE**
11 **PREVENTION AND SAFETY GRANTS PRO-**
12 **GRAM.**

13 (a) *SUNSET*.—Section 33(r) of the Federal Fire Pre-
14 vention and Control Act of 1974 (15 U.S.C. 2229(r)) is
15 amended by striking “2024” and inserting “2030”.

16 (b) *AUTHORIZATION OF APPROPRIATIONS*.—Section
17 33(q)(1) of the Federal Fire Prevention and Control Act of
18 1974 (15 U.S.C. 2229(q)(1)) is amended by striking “to
19 carry out this section—” and all that follows through “the
20 fiscal year described in clause (i)” and inserting “to carry
21 out this section \$750,000,000 for each of fiscal years 2024
22 through 2028”.

1 **SEC. 4. REAUTHORIZATION OF STAFFING FOR ADEQUATE**
2 **FIRE AND EMERGENCY RESPONSE GRANT**
3 **PROGRAM.**

4 (a) *SUNSET.*—Section 34(k) of the Federal Fire Pre-
5 vention and Control Act of 1974 (15 U.S.C. 2229a(k)) is
6 amended by striking “2024” and inserting “2030”.

7 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
8 34(j)(1) of the Federal Fire Prevention and Control Act of
9 1974 (15 U.S.C. 2229a(j)(1)(I)) is amended—

10 (1) in subparagraph (G), by inserting “and”
11 after the semicolon;

12 (2) in subparagraph (H), by striking “fiscal
13 year 2013; and” and inserting “each of fiscal years
14 2024 through 2028.”; and

15 (3) by striking subparagraph (I).

16 **SEC. 5. GAO AUDIT AND REPORT.**

17 Not later than three years after the date of the enact-
18 ment of this Act, the Comptroller General of the United
19 States shall conduct an audit of and issue a publicly avail-
20 able report on—

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

23 (2) the United States Fire Administration.

1 ***DIVISION B—ACCELERATING DE-***
 2 ***PLOYMENT OF VERSATILE,***
 3 ***ADVANCED NUCLEAR FOR***
 4 ***CLEAN ENERGY***

5 ***SEC. 1. SHORT TITLE; TABLE OF CONTENTS.***

6 (a) *SHORT TITLE.*—*This division may be cited as the*
 7 *“Accelerating Deployment of Versatile, Advanced Nuclear*
 8 *for Clean Energy Act of 2024” or the “ADVANCE Act of*
 9 *2024”.*

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—AMERICAN NUCLEAR LEADERSHIP

Sec. 101. International nuclear export and innovation activities.

Sec. 102. Denial of certain domestic licenses for national security purposes.

Sec. 103. Export license notification.

Sec. 104. Global nuclear energy assessment.

Sec. 105. Process for review and amendment of part 810 generally authorized des-
tinations.

TITLE II—DEVELOPING AND DEPLOYING NEW NUCLEAR
TECHNOLOGIES

Sec. 201. Fees for advanced nuclear reactor application review.

Sec. 202. Advanced nuclear reactor prizes.

Sec. 203. Licensing considerations relating to use of nuclear energy for nonelec-
tric applications.

Sec. 204. Enabling preparations for the demonstration of advanced nuclear reac-
tors on Department of Energy sites or critical national security
infrastructure sites.

Sec. 205. Fusion energy regulation.

Sec. 206. Regulatory issues for nuclear facilities at brownfield sites.

Sec. 207. Combined license review procedure.

Sec. 208. Regulatory requirements for micro-reactors.

TITLE III—PRESERVING EXISTING NUCLEAR ENERGY GENERATION

Sec. 301. Foreign ownership.

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

- Sec. 401. Report on advanced methods of manufacturing and construction for nuclear energy projects.*
- Sec. 402. Nuclear energy traineeship.*
- Sec. 403. Biennial report on the spent nuclear fuel and high-level radioactive waste inventory in the United States.*
- Sec. 404. Development, qualification, and licensing of advanced nuclear fuel concepts.*

TITLE V—IMPROVING COMMISSION EFFICIENCY

- Sec. 501. Mission alignment.*
- Sec. 502. Strengthening the NRC workforce.*
- Sec. 503. Commission corporate support funding.*
- Sec. 504. Performance metrics and milestones.*
- Sec. 505. Nuclear licensing efficiency.*
- Sec. 506. Modernization of nuclear reactor environmental reviews.*
- Sec. 507. Improving oversight and inspection programs.*

TITLE VI—MISCELLANEOUS

- Sec. 601. Technical correction.*
- Sec. 602. Report on engagement with the Government of Canada with respect to nuclear waste issues in the Great Lakes Basin.*
- Sec. 603. Savings clause.*

1 SEC. 2. DEFINITIONS.

2 *In this division:*

3 (1) *ACCIDENT TOLERANT FUEL.*—*The term “ac-*
4 *cident tolerant fuel” has the meaning given the term*
5 *in section 107(a) of the Nuclear Energy Innovation*
6 *and Modernization Act (Public Law 115–439; 132*
7 *Stat. 5577).*

8 (2) *ADMINISTRATOR.*—*The term “Adminis-*
9 *trator” means the Administrator of the Environ-*
10 *mental Protection Agency.*

11 (3) *ADVANCED NUCLEAR FUEL.*—*The term “ad-*
12 *vanced nuclear fuel” means—*

13 (A) *advanced nuclear reactor fuel; and*

1 (B) *accident tolerant fuel.*

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

7 (5) *ADVANCED NUCLEAR REACTOR FUEL.*—*The*
8 *term “advanced nuclear reactor fuel” has the meaning*
9 *given the term in section 3 of the Nuclear Energy In-*
10 *novation and Modernization Act (42 U.S.C. 2215*
11 *note; Public Law 115–439).*

12 (6) *APPROPRIATE COMMITTEES OF CONGRESS.*—
13 *The term “appropriate committees of Congress”*
14 *means—*

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

17 (B) *the Committee on Energy and Com-*
18 *merce of the House of Representatives.*

19 (7) *COMMISSION.*—*The term “Commission”*
20 *means the Nuclear Regulatory Commission.*

21 (8) *INSTITUTION OF HIGHER EDUCATION.*—*The*
22 *term “institution of higher education” has the mean-*
23 *ing given the term in section 101(a) of the Higher*
24 *Education Act of 1965 (20 U.S.C. 1001(a)).*

1 (9) *NATIONAL LABORATORY.*—*The term “Na-*
 2 *tional Laboratory” has the meaning given the term in*
 3 *section 2 of the Energy Policy Act of 2005 (42 U.S.C.*
 4 *15801).*

5 ***TITLE I—AMERICAN NUCLEAR***
 6 ***LEADERSHIP***

7 ***SEC. 101. INTERNATIONAL NUCLEAR EXPORT AND INNOVA-***
 8 ***TION ACTIVITIES.***

9 (a) *COMMISSION COORDINATION.*—

10 (1) *IN GENERAL.*—*The Commission shall—*

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

13 (i) *import and export licensing for nu-*
 14 *clear reactors and radioactive materials;*
 15 *and*

16 (ii) *international regulatory coopera-*
 17 *tion and assistance relating to nuclear reac-*
 18 *tors and radioactive materials, including*
 19 *with countries that are members of—*

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

22 (II) *the Nuclear Energy Agency;*
 23 *and*

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

1 (i) *the consideration of international*
2 *technical standards to establish the licensing*
3 *and regulatory basis to assist the design,*
4 *construction, and operation of nuclear reac-*
5 *tors and use of radioactive materials;*

6 (ii) *efforts to help build competent nu-*
7 *clear regulatory organizations and legal*
8 *frameworks in foreign countries that are*
9 *seeking to develop civil nuclear industries;*
10 *and*

11 (iii) *exchange programs and training*
12 *provided, in coordination with the Sec-*
13 *retary of State, to foreign countries relating*
14 *to civil nuclear licensing and oversight to*
15 *improve the regulation of nuclear reactors*
16 *and radioactive materials, in accordance*
17 *with paragraph (2).*

18 (2) *EXCHANGE PROGRAMS AND TRAINING.—With*
19 *respect to the exchange programs and training de-*
20 *scribed in paragraph (1)(B)(iii), the Commission*
21 *shall coordinate, as applicable, with—*

22 (A) *the Secretary of Energy;*

23 (B) *the Secretary of State;*

24 (C) *the National Laboratories;*

25 (D) *the private sector; and*

1 (E) institutions of higher education.

2 (b) *AUTHORITY TO ESTABLISH BRANCH.*—*The Com-*
 3 *mission may establish within the Office of International*
 4 *Programs a branch, to be known as the “International Nu-*
 5 *clear Export and Innovation Branch”, to carry out the*
 6 *international nuclear export and innovation activities de-*
 7 *scribed in subsection (a) as the Commission determines to*
 8 *be appropriate and within the mission of the Commission.*

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

11 (1) *IN GENERAL.*—*Section 102 of the Nuclear*
 12 *Energy Innovation and Modernization Act (42 U.S.C.*
 13 *2215) is amended—*

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

16 “(4) *INTERNATIONAL NUCLEAR EXPORT AND IN-*
 17 *NOVATION ACTIVITIES.*—*The Commission shall iden-*
 18 *tify in the annual budget justification international*
 19 *nuclear export and innovation activities described in*
 20 *section 101(a) of the ADVANCE Act of 2024.”; and*

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

23 “(iv) *Costs for international nuclear*
 24 *export and innovation activities described*

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

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

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

15 (2) *PROHIBITION ON ISSUANCE OF LICENSE.—*

16 (A) *IN GENERAL.—Subject to subparagraph*
17 *(C), a license to possess or own covered fuel shall*
18 *not be issued if the Secretary of Energy and the*
19 *Secretary of State make the determination de-*
20 *scribed in subparagraph (B)(i)(I).*

21 (B) *DETERMINATION.—*

22 (i) *IN GENERAL.—The determination*
23 *referred to in subparagraph (A) is a deter-*
24 *mination that possession or ownership, as*
25 *applicable, of covered fuel—*

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

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

8 (i) *JOINT DETERMINATION.*—A deter-
9 mination described in clause (i) shall be
10 jointly made by the Secretary of Energy
11 and the Secretary of State.

12 (iii) *TIMELINE.*—

13 (I) *NOTICE OF APPLICATION.*—Not
14 later than 30 days after the date on
15 which the Commission receives an ap-
16 plication for a license to possess or
17 own covered fuel, the Commission shall
18 notify the Secretary of Energy and the
19 Secretary of State of the application.

20 (II) *DETERMINATION.*—The Sec-
21 retary of Energy and the Secretary of
22 State shall have a period of 180 days,
23 beginning on the date on which the
24 Commission notifies the Secretary of
25 Energy and the Secretary of State

1 *under subclause (I) of an application*
2 *for a license to possess or own covered*
3 *fuel, in which to make the determina-*
4 *tion described in clause (i).*

5 (III) *COMMISSION NOTIFICA-*
6 *TION.—On making the determination*
7 *described in clause (i), the Secretary of*
8 *Energy and the Secretary of State*
9 *shall immediately notify the Commis-*
10 *sion.*

11 (IV) *CONGRESSIONAL NOTIFICA-*
12 *TION.—Not later than 30 days after*
13 *the date on which the Secretary of En-*
14 *ergy and the Secretary of State notify*
15 *the Commission under subclause (III),*
16 *the Commission shall notify the appro-*
17 *priate committees of Congress, the*
18 *Committee on Foreign Relations of the*
19 *Senate, the Committee on Energy and*
20 *Natural Resources of the Senate, and*
21 *the Committee on Foreign Affairs of*
22 *the House of Representatives of the de-*
23 *termination.*

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

1 *the Commission notifies Congress*
2 *under subclause (IV) of a determina-*
3 *tion made under clause (i), the Com-*
4 *mission shall make that determination*
5 *publicly available.*

6 (C) *EFFECT OF NO DETERMINATION.—The*
7 *Commission shall not issue a license if the Sec-*
8 *retary of Energy and the Secretary of State have*
9 *not made a determination described in subpara-*
10 *graph (B).*

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

15 **SEC. 103. EXPORT LICENSE NOTIFICATION.**

16 (a) *DEFINITION OF LOW-ENRICHED URANIUM.—In*
17 *this section, the term “low-enriched uranium” means ura-*
18 *nium enriched to less than 20 percent of the uranium-235*
19 *isotope.*

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

1 *tions of the Senate, the Committee on Energy and Natural*
2 *Resources of the Senate, and the Committee on Foreign Af-*
3 *airs of the House of Representatives.*

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

6 (1) *has not concluded and ratified an Additional*
7 *Protocol to its safeguards agreement with the Inter-*
8 *national Atomic Energy Agency; or*

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

17 (d) *ITEMS DESCRIBED.*—*An item referred to in sub-*
18 *section (b) includes—*

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

23 (2) *a nuclear reactor that uses nuclear fuel de-*
24 *scribed in paragraph (1); and*

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

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

6 (B) the separation of plutonium; or

7 (C) the separation of the uranium-233 iso-
8 tope.

9 **SEC. 104. GLOBAL NUCLEAR ENERGY ASSESSMENT.**

10 (a) *STUDY REQUIRED.*—Not later than 1 year after
11 the date of enactment of this Act, the Secretary of Energy,
12 in consultation with the Secretary of State, the Secretary
13 of Commerce, the Administrator of the Environmental Pro-
14 tection Agency, and the Commission, shall conduct a study
15 on the global status of—

16 (1) the civilian nuclear energy industry; and

17 (2) the supply chains of the civilian nuclear en-
18 ergy industry.

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

21 (1) information on the status of the civilian nu-
22 clear energy industry, the long-term risks to that in-
23 dustry, and the bases for those risks;

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

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

3 *(3) information on the role the United States ci-*
4 *vilian nuclear energy industry plays in United States*
5 *foreign policy;*

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

9 *(5) information on how the United States may*
10 *collaborate with those countries in developing, deploy-*
11 *ing, and investing in nuclear technology;*

12 *(6) information on how foreign countries use nu-*
13 *clear energy when crafting and implementing their*
14 *own foreign policy, including such use by foreign*
15 *countries that are strategic competitors;*

16 *(7) an evaluation of how nuclear nonprolifera-*
17 *tion and security efforts and nuclear energy safety*
18 *are affected by the involvement of the United States*
19 *in—*

20 *(A) international markets; and*

21 *(B) setting civilian nuclear energy industry*
22 *standards;*

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

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

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

7 *(A) financial challenges;*

8 *(B) nuclear liability issues;*

9 *(C) foreign strategic competition; and*

10 *(D) risks to continued operation; and*

11 *(10) recommendations for how the United States*
12 *may—*

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

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

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

22 *(D) modernize regulatory requirements to*
23 *strengthen the United States civilian nuclear en-*
24 *ergy supply chain.*

1 (c) *REPORT TO CONGRESS.*—Not later than 180 days
 2 after the study under subsection (a) is completed, the Sec-
 3 retary of Energy shall submit to the appropriate committees
 4 of Congress the study, including a classified annex, if nec-
 5 essary.

6 **SEC. 105. PROCESS FOR REVIEW AND AMENDMENT OF PART**
 7 **810 GENERALLY AUTHORIZED DESTINATIONS.**

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

19 (b) *PROCESS UPDATE.*—The Secretary of Energy shall
 20 review and, as appropriate, update the Department of En-
 21 ergy's process for determining a country's generally author-
 22 ized destination status under part 810 of title 10, Code of
 23 Federal Regulations, and for listing such country as a gen-
 24 erally authorized destination in Appendix A to part 810
 25 of title 10, Code of Federal Regulations, taking into consid-

1 *eration and, as appropriate, incorporating factors identi-*
 2 *fied and evaluated under subsection (a).*

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

9 **TITLE II—DEVELOPING AND DE-**
 10 **PLOYING NEW NUCLEAR**
 11 **TECHNOLOGIES**

12 **SEC. 201. FEES FOR ADVANCED NUCLEAR REACTOR APPLI-**
 13 **CATION REVIEW.**

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

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

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

22 *“(2) ADVANCED NUCLEAR REACTOR APPLI-*
 23 *CANT.—The term ‘advanced nuclear reactor appli-*
 24 *cant’ means an entity that has submitted to the Com-*
 25 *mission an application for a license for an advanced*

1 *nuclear reactor under the Atomic Energy Act of 1954*
2 *(42 U.S.C. 2011 et seq.).”;*

3 *(3) by inserting after paragraph (3) (as so reded-*
4 *ignated) the following:*

5 *“(4) ADVANCED NUCLEAR REACTOR PRE-APPLI-*
6 *CANT.—The term ‘advanced nuclear reactor pre-appli-*
7 *cant’ means an entity that has submitted to the Com-*
8 *mission a licensing project plan for the purposes of*
9 *submitting a future application for a license for an*
10 *advanced nuclear reactor under the Atomic Energy*
11 *Act of 1954 (42 U.S.C. 2011 et seq.).*

12 *“(5) AGENCY SUPPORT.—The term ‘agency sup-*
13 *port’ has the meaning given the term ‘agency support*
14 *(corporate support and the IG)’ in section 170.3 of*
15 *title 10, Code of Federal Regulations (or any suc-*
16 *cessor regulation).”;*

17 *(4) by inserting after paragraph (10) (as so re-*
18 *designated) the following:*

19 *“(11) HOURLY RATE FOR MISSION-DIRECT PRO-*
20 *GRAM SALARIES AND BENEFITS.—The term ‘hourly*
21 *rate for mission-direct program salaries and benefits’*
22 *means the quotient obtained by dividing—*

23 *“(A) the full-time equivalent rate (within*
24 *the meaning of the document of the Commission*
25 *entitled ‘FY 2023 Final Fee Rule Work Papers’*

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

4 “(B) the productive hours assumption for
5 that fiscal year, determined in accordance with
6 the formula established in the document referred
7 to in subparagraph (A) (or a successor docu-
8 ment).”; and

9 (5) by inserting after paragraph (12) (as so re-
10 designated) the following:

11 “(13) MISSION-DIRECT PROGRAM SALARIES AND
12 BENEFITS.—The term ‘mission-direct program sala-
13 ries and benefits’ means the resources of the Commis-
14 sion that are allocated to the Nuclear Reactor Safety
15 Program (as determined by the Commission) to per-
16 form core work activities committed to fulfilling the
17 mission of the Commission, as described in the docu-
18 ment of the Commission entitled ‘FY 2023 Final Fee
19 Rule Work Papers’ (or a successor document).

20 “(14) MISSION-INDIRECT PROGRAM SUPPORT.—
21 The term ‘mission-indirect program support’ has the
22 meaning given the term in section 170.3 of title 10,
23 Code of Federal Regulations (or any successor regula-
24 tion).”.

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

5 “(v) *The total costs of mission-indirect*
 6 *program support and agency support that,*
 7 *under paragraph (2)(B), may not be in-*
 8 *cluded in the hourly rate charged for fees*
 9 *assessed and collected from advanced nu-*
 10 *clear reactor applicants.*

11 “(vi) *The total costs of mission-indirect*
 12 *program support and agency support that,*
 13 *under paragraph (2)(C), may not be in-*
 14 *cluded in the hourly rate charged for fees*
 15 *assessed and collected from advanced nu-*
 16 *clear reactor pre-applicants.”.*

17 (c) *FEES FOR SERVICE OR THING OF VALUE.*—Section
 18 *102(b) of the Nuclear Energy Innovation and Moderniza-*
 19 *tion Act (42 U.S.C. 2215(b)) is amended by striking para-*
 20 *graph (2) and inserting the following:*

21 “(2) *FEES FOR SERVICE OR THING OF VALUE.*—

22 “(A) *IN GENERAL.*—*In accordance with sec-*
 23 *tion 9701 of title 31, United States Code, the*
 24 *Commission shall assess and collect fees from*
 25 *any person who receives a service or thing of*

1 *value from the Commission to cover the costs to*
2 *the Commission of providing the service or thing*
3 *of value.*

4 “(B) *ADVANCED NUCLEAR REACTOR APPLI-*
5 *CANTS.—The hourly rate charged for fees assessed*
6 *and collected from an advanced nuclear reactor*
7 *applicant under this paragraph relating to the*
8 *review of a submitted application described in*
9 *section 3(1) may not exceed the hourly rate for*
10 *mission-direct program salaries and benefits.*

11 “(C) *ADVANCED NUCLEAR REACTOR PRE-AP-*
12 *PLICANTS.—The hourly rate charged for fees as-*
13 *essed and collected from an advanced nuclear*
14 *reactor pre-applicant under this paragraph re-*
15 *lating to the review of submitted materials as de-*
16 *scribed in the licensing project plan of an ad-*
17 *vanced nuclear reactor pre-applicant may not*
18 *exceed the hourly rate for mission-direct program*
19 *salaries and benefits.”.*

20 (d) *SUNSET.—Section 102 of the Nuclear Energy In-*
21 *novation and Modernization Act (42 U.S.C. 2215) is*
22 *amended by adding at the end the following:*

23 “(g) *CESSATION OF EFFECTIVENESS.—Paragraphs*
24 *(1)(B)(vi) and (2)(C) of subsection (b) shall cease to be effec-*
25 *tive on September 30, 2030.”.*

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

3 **SEC. 202. ADVANCED NUCLEAR REACTOR PRIZES.**

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

7 “(f) *PRIZES FOR ADVANCED NUCLEAR REACTOR LI-*
8 *CENSING.*—

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

11 “(A) *a non-Federal entity; and*

12 “(B) *the Tennessee Valley Authority.*

13 “(2) *PRIZE FOR ADVANCED NUCLEAR REACTOR*
14 *LICENSING.*—

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

23 “(i) *to which the Commission issues an*
24 *operating license for an advanced nuclear*
25 *reactor under part 50 of title 10, Code of*

1 *Federal Regulations (or successor regula-*
2 *tions), for which an application has not*
3 *been approved by the Commission as of the*
4 *date of enactment of this subsection; or*

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

11 *“(I) that is issued under subpart*
12 *C of part 52 of that title (or successor*
13 *regulations); and*

14 *“(II) for which an application*
15 *has not been approved by the Commis-*
16 *sion as of the date of enactment of this*
17 *subsection.*

18 *“(B) AMOUNT OF AWARD.—Subject to para-*
19 *graph (3), an award under subparagraph (A)*
20 *shall be in an amount equal to the total amount*
21 *assessed by the Commission and collected under*
22 *section 102(b)(2) from the eligible entity receiv-*
23 *ing the award for costs relating to the issuance*
24 *of the license described in that subparagraph, in-*
25 *cluding, as applicable, costs relating to the*

1 *issuance of an associated construction permit de-*
2 *scribed in section 50.23 of title 10, Code of Fed-*
3 *eral Regulations (or successor regulations), or*
4 *early site permit (as defined in section 52.1 of*
5 *that title (or successor regulations)).*

6 “(C) *AWARD CATEGORIES.*—*An award*
7 *under subparagraph (A) may be made for—*

8 “(i) *the first advanced nuclear reactor*
9 *for which the Commission—*

10 “(I) *issues a license in accordance*
11 *with clause (i) of subparagraph (A); or*

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

15 “(ii) *an advanced nuclear reactor*
16 *that—*

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

23 “(II) *is the first advanced nuclear*
24 *reactor described in subclause (I) for*
25 *which the Commission—*

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

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

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

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

11 “(aa) that is composed of 2
12 or more co-located or jointly oper-
13 ated subsystems of energy genera-
14 tion, energy storage, or other tech-
15 nologies;

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

20 “(cc) the purpose of which
21 is—

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

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

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

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

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

13 “(iv) an advanced reactor that—

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

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

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

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

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

6 “(3) *FEDERAL FUNDING LIMITATIONS.—*

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

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

23 “(C) *REPAYMENT AND DIVIDENDS NOT RE-*
24 *QUIRED.—Notwithstanding section 9104(a)(4) of*
25 *title 31, United States Code, or any other provi-*

1 *sion of law, an eligible entity that receives an*
2 *award under this subsection shall not be re-*
3 *quired—*

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

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

9 **SEC. 203. LICENSING CONSIDERATIONS RELATING TO USE**
10 **OF NUCLEAR ENERGY FOR NONELECTRIC AP-**
11 **PLICATIONS.**

12 *(a) IN GENERAL.—Not later than 270 days after the*
13 *date of enactment of this Act, the Commission shall submit*
14 *to the appropriate committees of Congress a report address-*
15 *ing any unique licensing issues or requirements relating*
16 *to—*

17 *(1) the flexible operation of advanced nuclear re-*
18 *actors, such as ramping power output and switching*
19 *between electricity generation and nonelectric appli-*
20 *cations;*

21 *(2) the use of advanced nuclear reactors exclu-*
22 *sively for nonelectric applications; and*

23 *(3) the colocation of nuclear reactors with indus-*
24 *trial plants or other facilities.*

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

- 4 (1) *the Secretary of Energy;*
5 (2) *the nuclear energy industry;*
6 (3) *technology developers;*
7 (4) *the industrial, chemical, and medical sectors;*
8 (5) *nongovernmental organizations; and*
9 (6) *other public stakeholders.*

10 (c) *CONTENTS.*—

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

13 (A) *any unique licensing issues or require-*
14 *ments relating to the matters described in para-*
15 *graphs (1) through (3) of subsection (a), includ-*
16 *ing, with respect to the nonelectric applications*
17 *referred to in paragraphs (1) and (2) of that*
18 *subsection, any licensing issues or requirements*
19 *relating to the use of nuclear energy—*

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

22 (ii) *for water desalination and waste-*
23 *water treatment;*

24 (iii) *for heat used for industrial proc-*
25 *esses;*

- 1 *(iv) for district heating;*
2 *(v) in relation to energy storage;*
3 *(vi) for industrial or medical isotope*
4 *production; and*
5 *(vii) for other applications, as identi-*
6 *fied by the Commission;*
7 *(B) options for addressing those issues or*
8 *requirements—*
9 *(i) within the existing regulatory*
10 *framework;*
11 *(ii) as part of the technology-inclusive*
12 *regulatory framework required under sub-*
13 *section (a)(4) of section 103 of the Nuclear*
14 *Energy Innovation and Modernization Act*
15 *(42 U.S.C. 2133 note; Public Law 115–*
16 *439); or*
17 *(iii) through a new rulemaking; and*
18 *(C) the extent to which Commission action*
19 *is needed to implement any matter described in*
20 *the report.*
21 (2) *COST ESTIMATES, BUDGETS, AND TIME-*
22 *FRAMES.—The report shall include cost estimates,*
23 *proposed budgets, and proposed timeframes for imple-*
24 *menting risk-informed and performance-based regu-*

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

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

8 *(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*
10 *by adding at the end the following:*

12 *“(vii) Costs for—*
13 *“(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*

1 “(II) pre-application activities re-
2 lating to an early site permit (as de-
3 fined in section 52.1 of title 10, Code
4 of Federal Regulations (or any suc-
5 cessor regulation)) to demonstrate an
6 advanced nuclear reactor on a Depart-
7 ment of Energy site or critical na-
8 tional security infrastructure (as de-
9 fined in section 327(d) of the John S.
10 McCain National Defense Authoriza-
11 tion Act for Fiscal Year 2019 (Public
12 Law 115–232; 132 Stat. 1722)) site.”.

13 (b) *EFFECTIVE DATE.*—The amendment made by sub-
14 section (a) shall take effect on October 1, 2025.

15 **SEC. 205. FUSION ENERGY REGULATION.**

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

18 (1) in subsection e.—

19 (A) in paragraph (3)(B)—

20 (i) in clause (i), by inserting “, includ-
21 ing by use of a fusion machine” after “par-
22 ticle accelerator”; and

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

1 erator that is not a fusion machine,” before
2 “is produced”;

3 (2) in each of subsections ee. through hh., by in-
4 serting a subsection heading, the text of which com-
5 prises the term defined in the subsection;

6 (3) by redesignating subsections ee., ff., gg., hh.,
7 and jj. as subsections jj., gg., hh., ii., and ff., respec-
8 tively, and moving the subsections so as to appear in
9 alphabetical order;

10 (4) in subsection dd., by striking “dd. The” and
11 inserting the following:

12 “ee. *HIGH-LEVEL RADIOACTIVE WASTE; SPENT NU-*
13 *CLEAR FUEL.—The*”; and

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

15 “dd. *FUSION MACHINE.—The term ‘fusion machine’*
16 *means a machine that is capable of—*

17 “(1) *transforming atomic nuclei, through fusion*
18 *processes, into different elements, isotopes, or other*
19 *particles; and*

20 “(2) *directly capturing and using the resultant*
21 *products, including particles, heat, or other electro-*
22 *magnetic radiation.*”.

23 (b) *TECHNICAL AND CONFORMING CHANGES.—*

1 (1) *IN GENERAL.*—Section 103(a) of the Nuclear
2 *Energy Innovation and Modernization Act (42 U.S.C.*
3 *2133 note; Public Law 115–439) is amended—*

4 (A) *in paragraph (4), by striking “inclu-*
5 *sive,” and inserting “inclusive”; and*

6 (B) *in paragraph (5)(B)(ii), by inserting*
7 *“(including fusion machine license applica-*
8 *tions)” after “commercial advanced nuclear reac-*
9 *tor license applications”.*

10 (2) *DEFINITIONS.*—Section 3 of the Nuclear *En-*
11 *ergy Innovation and Modernization Act (42 U.S.C.*
12 *2215 note; Public Law 115–439) (as amended by sec-*
13 *tion 201(a)) is amended—*

14 (A) *in paragraph (1), in the matter pre-*
15 *ceding subparagraph (A), by striking “or fusion*
16 *reactor” and inserting “reactor or fusion ma-*
17 *chine”;*

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

21 (C) *by inserting after paragraph (10) the*
22 *following:*

23 “(11) *FUSION MACHINE.*—*The term ‘fusion ma-*
24 *chine’ has the meaning given the term in section 11*
25 *of the Atomic Energy Act of 1954 (42 U.S.C. 2014).”.*

1 (c) *REPORT.*—

2 (1) *DEFINITIONS.*—*In this subsection:*

3 (A) *AGREEMENT STATE.*—*The term “Agree-*
4 *ment State” has the meaning given the term in*
5 *section 3 of the Nuclear Energy Innovation and*
6 *Modernization Act (42 U.S.C. 2215 note; Public*
7 *Law 115–439).*

8 (B) *FUSION MACHINE.*—*The term “fusion*
9 *machine” has the meaning given the term in sec-*
10 *tion 11 of the Atomic Energy Act of 1954 (42*
11 *U.S.C. 2014).*

12 (2) *REQUIREMENT.*—*Not later than 1 year after*
13 *the date of enactment of this Act, the Commission*
14 *shall submit to the appropriate committees of Con-*
15 *gress a report on—*

16 (A) *the results of a study, conducted in con-*
17 *sultation with Agreement States and the private*
18 *fusion sector, on risk- and performance-based,*
19 *design-specific licensing frameworks for mass-*
20 *manufactured fusion machines, including an*
21 *evaluation of the design, manufacturing, and op-*
22 *erations certification process used by the Federal*
23 *Aviation Administration for aircraft as a poten-*
24 *tial model for mass-manufactured fusion ma-*
25 *chine regulations; and*

1 (B) *the estimated timeline for the Commis-*
 2 *sion to issue consolidated guidance or regulations*
 3 *for licensing mass-manufactured fusion ma-*
 4 *chines, taking into account—*

5 (i) *the results of that study; and*

6 (ii) *the anticipated need for such guid-*
 7 *ance or regulations.*

8 **SEC. 206. REGULATORY ISSUES FOR NUCLEAR FACILITIES**
 9 **AT BROWNFIELD SITES.**

10 (a) *DEFINITIONS.—In this section:*

11 (1) *BROWNFIELD SITE.—The term “brownfield*
 12 *site” has the meaning given the term in section 101*
 13 *of the Comprehensive Environmental Response, Com-*
 14 *ensation, and Liability Act of 1980 (42 U.S.C.*
 15 *9601).*

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

20 (3) *PRODUCTION FACILITY.—The term “produc-*
 21 *tion facility” has the meaning given the term in sec-*
 22 *tion 11 of the Atomic Energy Act of 1954 (42 U.S.C.*
 23 *2014).*

24 (4) *RETIRED FOSSIL FUEL SITE.—The term “re-*
 25 *tired fossil fuel site” means the site of 1 or more fossil*

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

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

8 (b) *IDENTIFICATION OF REGULATORY ISSUES.*—

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

16 (2) *REQUIREMENT.*—*In carrying out paragraph*
 17 *(1), the Commission shall consider how licensing re-*
 18 *views for production facilities or utilization facilities*
 19 *at covered sites may be expedited by considering mat-*
 20 *ters relating to siting and operating a production fa-*
 21 *cility or a utilization facility at or near a covered*
 22 *site to support—*

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

1 (i) electric switchyard components and
2 transmission infrastructure;

3 (ii) heat-sink components;

4 (iii) steam cycle components;

5 (iv) roads;

6 (v) railroad access; and

7 (vi) water availability;

8 (B) the use of early site permits;

9 (C) the utilization of plant parameter enve-
10 velopes or similar standardized site parameters on
11 a portion of a larger site; and

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

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

19 (c) *LICENSING.*—

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

23 (A) develop and implement strategies to en-
24 able efficient, timely, and predictable licensing
25 reviews for, and to support the oversight of, pro-

1 *duction facilities or utilization facilities at cov-*
2 *ered sites; or*

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

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

11 *(A) the use of existing site infrastructure;*

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

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

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

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

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

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

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

4 **SEC. 207. COMBINED LICENSE REVIEW PROCEDURE.**

5 *(a) IN GENERAL.—In accordance with this section, the*
 6 *Commission shall establish and carry out an expedited pro-*
 7 *cedure for issuing a combined license pursuant to section*
 8 *185 b. of the Atomic Energy Act of 1954 (42 U.S.C.*
 9 *2235(b)).*

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

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

14 *(A) references a design for which the Com-*
 15 *mission has issued a design certification (as de-*
 16 *fined in section 52.1 of title 10, Code of Federal*
 17 *Regulations (or any successor regulation)); or*

18 *(B) has a design that is substantially simi-*
 19 *lar to a design of a nuclear reactor for which the*
 20 *Commission has issued a combined license, an*
 21 *operating license, or a manufacturing license*
 22 *under the Atomic Energy Act of 1954 (42 U.S.C.*
 23 *2011 et seq.);*

24 *(2) shall propose to construct the new nuclear re-*
 25 *actor on a site—*

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

3 (B) that is directly adjacent to a site on
4 which a licensed commercial nuclear reactor op-
5 erates or previously operated and has site char-
6 acteristics that are substantially similar to that
7 site; and

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

12 (c) *EXPEDITED PROCEDURE.*—With respect to a com-
13 bined license for which the applicant has satisfied the re-
14 quirements described in subsection (b), the Commission
15 shall, to the maximum extent practicable—

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

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

20 (B) issue a final environmental impact
21 statement or environmental assessment, unless
22 the Commission finds that the proposed agency
23 action is excluded pursuant to a categorical ex-
24 clusion in accordance with the National Envi-

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

3 *(2) not later than 2 years after the date on*
4 *which the application is accepted for docketing, com-*
5 *plete any necessary public licensing hearings and re-*
6 *lated processes; and*

7 *(3) not later than 25 months after the date on*
8 *which the application is accepted for docketing, make*
9 *a final decision on whether to issue the combined li-*
10 *cence.*

11 *(d) PERFORMANCE AND REPORTING.—*

12 *(1) DELAYS IN ISSUANCE.—Not later than 30*
13 *days after the applicable deadline, the Executive Di-*
14 *rector for Operations of the Commission shall inform*
15 *the Commission of any failure to meet a deadline*
16 *under subsection (c).*

17 *(2) DELAYS IN ISSUANCE EXCEEDING 90 DAYS.—*
18 *If any deadline under subsection (c) is not met by the*
19 *date that is 90 days after the applicable date required*
20 *under that subsection, the Commission shall submit to*
21 *the appropriate committees of Congress a report de-*
22 *scribing the delay, including—*

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

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

3 **SEC. 208. REGULATORY REQUIREMENTS FOR MICRO-REAC-**
4 **TORS.**

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

7 (1) not later than 18 months after the date of en-
8 actment of this Act, develop risk-informed and per-
9 formance-based strategies and guidance to license and
10 regulate micro-reactors pursuant to section 103 of the
11 Atomic Energy Act of 1954 (42 U.S.C. 2133), includ-
12 ing strategies and guidance for—

13 (A) staffing and operations;

14 (B) oversight and inspections;

15 (C) safeguards and security;

16 (D) emergency preparedness;

17 (E) risk analysis methods, including alter-
18 natives to probabilistic risk assessments;

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

22 (G) the transportation of fueled micro-react-
23 tors; and

24 (H) siting, including in relation to—

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

6 (ii) licensing mobile deployment; and

7 (iii) environmental reviews; and

8 (2) not later than 3 years after the date of enact-
9 ment of this Act, implement, as appropriate, the
10 strategies and guidance developed under paragraph
11 (1)—

12 (A) within the existing regulatory frame-
13 work;

14 (B) through the technology-inclusive regu-
15 latory framework to be established under section
16 103(a)(4) of the Nuclear Energy Innovation and
17 Modernization Act (42 U.S.C. 2133 note; Public
18 Law 115-439); or

19 (C) through a pending or new rulemaking.

20 (b) CONSIDERATIONS.—In developing and imple-
21 menting strategies and guidance under subsection (a), the
22 Commission shall consider—

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

25 (A) physical size;

1 (B) *design simplicity; and*

2 (C) *source term;*

3 (2) *opportunities to address redundancies and*
4 *inefficiencies;*

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

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

10 (5) *other relevant considerations discussed in the*
11 *policy issue paper on policy and licensing consider-*
12 *ations related to micro-reactors dated October 6,*
13 *2020, and numbered SECY-20-0093.*

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

16 (1) *the Secretary of Energy;*

17 (2) *the heads of other Federal agencies, as appro-*
18 *priate;*

19 (3) *micro-reactor technology developers; and*

20 (4) *other stakeholders.*

1 **TITLE III—PRESERVING EXIST-**
 2 **ING NUCLEAR ENERGY GEN-**
 3 **ERATION**

4 **SEC. 301. FOREIGN OWNERSHIP.**

5 (a) *IN GENERAL.*—*The prohibitions against issuing*
 6 *certain licenses for utilization facilities to certain aliens,*
 7 *corporations, and other entities described in the second sen-*
 8 *tence of section 103 d. of the Atomic Energy Act of 1954*
 9 *(42 U.S.C. 2133(d)) and the second sentence of section 104*
 10 *d. of that Act (42 U.S.C. 2134(d)) shall not apply to an*
 11 *entity described in subsection (b) if the Commission deter-*
 12 *mines that issuance of the applicable license to that entity*
 13 *is not inimical to—*

14 (1) *the common defense and security; or*

15 (2) *the health and safety of the public.*

16 (b) *ENTITIES DESCRIBED.*—

17 (1) *IN GENERAL.*—*An entity referred to in sub-*
 18 *section (a) is an alien, corporation, or other entity*
 19 *that is owned, controlled, or dominated by—*

20 (A) *the government of—*

21 (i) *a country, other than a country de-*
 22 *scribed in paragraph (2), that is a member*
 23 *of the Organisation for Economic Co-oper-*
 24 *ation and Development on the date of enact-*
 25 *ment of this Act; or*

1 (ii) the Republic of India;

2 (B) a corporation that is incorporated in a
3 country described in clause (i) or (ii) of sub-
4 paragraph (A); or

5 (C) an alien who is a citizen or national of
6 a country described in clause (i) or (ii) of sub-
7 paragraph (A).

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

10 (A) any department, agency, or instrumen-
11 tality of the government of which, on the date of
12 enactment of this Act, is subject to sanctions
13 under section 231 of the Countering America’s
14 Adversaries Through Sanctions Act (22 U.S.C.
15 9525); or

16 (B) any citizen, national, or entity of
17 which, as of the date of enactment of this Act, is
18 included on the List of Specially Designated Na-
19 tionals and Blocked Persons maintained by the
20 Office of Foreign Assets Control of the Depart-
21 ment of the Treasury pursuant to sanctions im-
22 posed under section 231 of the Countering Amer-
23 ica’s Adversaries Through Sanctions Act (22
24 U.S.C. 9525).

1 (c) *TECHNICAL AMENDMENT.*—Section 103 d. of the
 2 *Atomic Energy Act of 1954 (42 U.S.C. 2133(d))* is amend-
 3 *ed, in the second sentence, by striking “any any” and in-*
 4 *serting “any”.*

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

8 **TITLE IV—NUCLEAR FUEL**
 9 **CYCLE, SUPPLY CHAIN, IN-**
 10 **FRASTRUCTURE, AND WORK-**
 11 **FORCE**

12 **SEC. 401. REPORT ON ADVANCED METHODS OF MANUFAC-**
 13 **TURING AND CONSTRUCTION FOR NUCLEAR**
 14 **ENERGY PROJECTS.**

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

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

- 22 (1) *the Secretary of Energy;*
 23 (2) *the nuclear energy industry;*
 24 (3) *National Laboratories;*
 25 (4) *institutions of higher education;*

1 (5) *nuclear and manufacturing technology devel-*
2 *opers;*

3 (6) *the manufacturing and construction indus-*
4 *tries, including manufacturing and construction com-*
5 *panies with operating facilities in the United States;*

6 (7) *standards development organizations;*

7 (8) *labor unions;*

8 (9) *nongovernmental organizations; and*

9 (10) *other public stakeholders.*

10 (c) *CONTENTS.—*

11 (1) *IN GENERAL.—The report shall—*

12 (A) *examine any unique licensing issues or*
13 *requirements relating to the use, for nuclear en-*
14 *ergy projects, of—*

15 (i) *advanced manufacturing processes;*

16 (ii) *advanced construction techniques;*

17 *and*

18 (iii) *rapid improvement or iterative*
19 *innovation processes;*

20 (B) *examine—*

21 (i) *the requirements for nuclear-grade*
22 *components in manufacturing and construc-*
23 *tion for nuclear energy projects;*

24 (ii) *opportunities to use standard ma-*
25 *terials, parts, or components in manufac-*

1 *turing and construction for nuclear energy*
2 *projects;*

3 *(iii) opportunities to use standard ma-*
4 *terials that are in compliance with existing*
5 *codes and standards to provide acceptable*
6 *approaches to support or encapsulate new*
7 *materials that do not yet have applicable*
8 *codes and standards; and*

9 *(iv) requirements relating to the trans-*
10 *port of a fueled advanced nuclear reactor*
11 *core from a manufacturing licensee to a li-*
12 *censee that holds a license to construct and*
13 *operate a facility at a particular site;*

14 *(C) identify safety aspects of advanced*
15 *manufacturing processes and advanced construc-*
16 *tion techniques that are not addressed by exist-*
17 *ing codes and standards, so that generic guid-*
18 *ance may be updated or created, as necessary;*

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

22 *(i) within the existing regulatory*
23 *framework; or*

24 *(ii) through a new rulemaking;*

1 (E) identify how addressing the issues, re-
 2 quirements, and opportunities examined under
 3 subparagraphs (A) and (B) will impact opportu-
 4 nities for domestic nuclear manufacturing and
 5 construction developers; and

6 (F) describe the extent to which Commission
 7 action is needed to implement any matter de-
 8 scribed in the report.

9 (2) *COST ESTIMATES, BUDGETS, AND TIME-*
 10 *FRAMES.*—The report shall include cost estimates,
 11 proposed budgets, and proposed timeframes for imple-
 12 menting risk-informed and performance-based regu-
 13 latory guidance for advanced manufacturing and con-
 14 struction for nuclear energy projects.

15 **SEC. 402. NUCLEAR ENERGY TRAINEESHIP.**

16 Section 313 of division C of the Omnibus Appropria-
 17 tions Act, 2009 (42 U.S.C. 16274a), is amended—

18 (1) in subsection (a), by striking “Nuclear Regu-
 19 latory”;

20 (2) in subsection (b)(1), in the matter preceding
 21 subparagraph (A), by inserting “and subsection (c)”
 22 after “paragraph (2)”;

23 (3) in subsection (c)—

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

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

3 “(1) *ADVANCED NUCLEAR REACTOR*.—The term
4 ‘advanced nuclear reactor’ has the meaning given the
5 term in section 951(b) of the Energy Policy Act of
6 2005 (42 U.S.C. 16271(b)).

7 “(2) *COMMISSION*.—The term ‘Commission’
8 means the Nuclear Regulatory Commission.

9 “(3) *INSTITUTION OF HIGHER EDUCATION*.—The
10 term ‘institution of higher education’ has the meaning
11 given the term in section 2 of the Energy Policy Act
12 of 2005 (42 U.S.C. 15801).

13 “(4) *NATIONAL LABORATORY*.—The term ‘Na-
14 tional Laboratory’ has the meaning given the term in
15 section 951(b) of the Energy Policy Act of 2005 (42
16 U.S.C. 16271(b)).”;

17 (4) in subsection (d)(2), by striking “Nuclear
18 Regulatory”;

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

21 (6) by inserting after subsection (b) the fol-
22 lowing:

23 “(c) *NUCLEAR ENERGY TRAINEESHIP SUBPRO-*
24 *GRAM*.—

1 “(1) *IN GENERAL.*—*The Commission shall estab-*
2 *lish, as a subprogram of the Program, a nuclear en-*
3 *ergy traineeship subprogram under which the Com-*
4 *mission, in coordination with institutions of higher*
5 *education and trade schools, shall competitively*
6 *award traineeships that provide focused training to*
7 *meet critical mission needs of the Commission and*
8 *nuclear workforce needs, including needs relating to*
9 *the nuclear tradecraft workforce.*

10 “(2) *REQUIREMENTS.*—*In carrying out the nu-*
11 *clear energy traineeship subprogram described in*
12 *paragraph (1), the Commission shall—*

13 “(A) *coordinate with the Secretary of En-*
14 *ergy to prioritize the funding of traineeships that*
15 *focus on—*

16 “(i) *nuclear workforce needs; and*

17 “(ii) *critical mission needs of the Com-*
18 *mission;*

19 “(B) *encourage appropriate partnerships*
20 *among—*

21 “(i) *National Laboratories;*

22 “(ii) *institutions of higher education;*

23 “(iii) *trade schools;*

24 “(iv) *the nuclear energy industry; and*

1 “(v) other entities, as the Commission
2 determines to be appropriate; and

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

6 “(i) address the workforce needs of the
7 nuclear energy community; and

8 “(ii) support critical mission needs of
9 the Commission.”.

10 **SEC. 403. BIENNIAL REPORT ON THE SPENT NUCLEAR FUEL**
11 **AND HIGH-LEVEL RADIOACTIVE WASTE IN-**
12 **VENTORY IN THE UNITED STATES.**

13 (a) *DEFINITIONS.—In this section:*

14 (1) *HIGH-LEVEL RADIOACTIVE WASTE.—The*
15 *term “high-level radioactive waste” has the meaning*
16 *given the term in section 2 of the Nuclear Waste Pol-*
17 *icy Act of 1982 (42 U.S.C. 10101).*

18 (2) *SPENT NUCLEAR FUEL.—The term “spent*
19 *nuclear fuel” has the meaning given the term in sec-*
20 *tion 2 of the Nuclear Waste Policy Act of 1982 (42*
21 *U.S.C. 10101).*

22 (3) *STANDARD CONTRACT.—The term “standard*
23 *contract” has the meaning given the term “contract”*
24 *in section 961.3 of title 10, Code of Federal Regula-*
25 *tions (or any successor regulation).*

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

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

10 (2) the cumulative amount spent by the Depart-
11 ment of Energy since fiscal year 2008 to reduce fu-
12 ture payments projected to be made by the United
13 States to any holder of a standard contract due to a
14 partial breach of contract under the Nuclear Waste
15 Policy Act of 1982 (42 U.S.C. 10101 et seq.);

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

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

1 (5) *any mechanisms for better accounting of li-*
2 *abilities for the lifecycle costs of the spent nuclear fuel*
3 *and high-level radioactive waste inventory in the*
4 *United States;*

5 (6) *any recommendations for improving the*
6 *methods used by the Department of Energy for the ac-*
7 *counting of spent nuclear fuel and high-level radio-*
8 *active waste costs and liabilities;*

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

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

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

21 (a) *IN GENERAL.*—*The Commission shall establish an*
22 *initiative to enhance preparedness and coordination with*
23 *respect to the qualification and licensing of advanced nu-*
24 *clear fuel.*

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

5 **(1) to share technical expertise and knowledge**
6 **through—**

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

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

16 **(C) leveraging expertise with respect to safe-**
17 **ty analysis and research relating to advanced**
18 **nuclear fuel; and**

19 **(D) enabling technical staff to actively ob-**
20 **serve and learn about technologies, with an em-**
21 **phasis on identification of additional informa-**
22 **tion needed with respect to advanced nuclear**
23 **fuel; and**

24 **(2) to ensure that—**

1 (A) *the Department of Energy has sufficient*
2 *technical expertise to support the timely re-*
3 *search, development, demonstration, and com-*
4 *mmercial application of advanced nuclear fuel;*

5 (B) *the Commission has sufficient technical*
6 *expertise to support the evaluation of applica-*
7 *tions for licenses, permits, and design certifi-*
8 *cations and other requests for regulatory ap-*
9 *proval for advanced nuclear fuel;*

10 (C)(i) *the Department of Energy maintains*
11 *and develops the facilities necessary to enable the*
12 *timely research, development, demonstration,*
13 *and commercial application by the civilian nu-*
14 *clear industry of advanced nuclear fuel; and*

15 (ii) *the Commission has access to the facili-*
16 *ties described in clause (i), as needed; and*

17 (D) *the Commission consults, as appro-*
18 *priate, with the modeling and simulation experts*
19 *at the Office of Nuclear Energy of the Depart-*
20 *ment of Energy, at the National Laboratories,*
21 *and within industry fuel vendor teams in coop-*
22 *erative agreements with the Department of En-*
23 *ergy to leverage physics-based computer modeling*
24 *and simulation capabilities.*

25 (c) *REPORT.—*

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

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

8 (i) accident tolerant fuel;

9 (ii) ceramic cladding materials;

10 (iii) fuels containing silicon carbide;

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

13 (v) molten-salt based liquid fuels;

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

16 (vii) other related fuel concepts, as de-
17 termined by the Commission;

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

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

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

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

4 (A) *the Secretary of Energy;*

5 (B) *National Laboratories;*

6 (C) *the nuclear energy industry;*

7 (D) *technology developers;*

8 (E) *nongovernmental organizations; and*

9 (F) *other public stakeholders.*

10 **TITLE V—IMPROVING**
11 **COMMISSION EFFICIENCY**

12 **SEC. 501. MISSION ALIGNMENT.**

13 (a) *UPDATE.*—*Not later than 1 year after the date of*
14 *enactment of this Act, the Commission shall, while remain-*
15 *ing consistent with the policies of the Atomic Energy Act*
16 *of 1954 (42 U.S.C. 2011 et seq.) and the Energy Reorga-*
17 *nization Act of 1974 (42 U.S.C. 5801 et seq.) (including*
18 *to provide reasonable assurance of adequate protection of*
19 *the public health and safety, to promote the common defense*
20 *and security, and to protect the environment), update the*
21 *mission statement of the Commission to include that licens-*
22 *ing and regulation of the civilian use of radioactive mate-*
23 *rials and nuclear energy be conducted in a manner that*
24 *is efficient and does not unnecessarily limit—*

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

3 (2) *the benefits of civilian use of radioactive ma-*
4 *terials and nuclear energy technology to society.*

5 (b) *REPORT.*—*On completion of the update to the mis-*
6 *sion statement required under subsection (a), the Commis-*
7 *sion shall submit to the appropriate committees of Congress*
8 *a report that describes—*

9 (1) *the updated mission statement; and*

10 (2) *the guidance that the Commission will pro-*
11 *vide to staff of the Commission to ensure effective per-*
12 *formance of the mission of the Commission.*

13 **SEC. 502. STRENGTHENING THE NRC WORKFORCE.**

14 (a) *COMMISSION WORKFORCE.*—

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

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

19 “(a) *DIRECT HIRE AUTHORITY.*—

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

1 *clear Regulatory Commission (in this section referred*
2 *to as the ‘Chairman’) may, in order to carry out the*
3 *Nuclear Regulatory Commission’s (in this section re-*
4 *ferred to as the ‘Commission’) responsibilities and ac-*
5 *tivities in a timely, efficient, and effective manner*
6 *and subject to the limitations described in paragraphs*
7 *(2), (3), and (4)—*

8 *“(A) recruit and directly appoint exception-*
9 *ally well-qualified individuals into the excepted*
10 *service for covered positions; and*

11 *“(B) establish in the excepted service term-*
12 *limited covered positions and recruit and di-*
13 *rectly appoint exceptionally well-qualified indi-*
14 *viduals into such term-limited covered positions,*
15 *which may not exceed a term of 4 years.*

16 *“(2) LIMITATIONS.—*

17 *“(A) NUMBER.—*

18 *“(i) IN GENERAL.—The number of ex-*
19 *ceptionally well-qualified individuals serv-*
20 *ing in covered positions pursuant to para-*
21 *graph (1)(A) may not exceed 210 at any*
22 *one time.*

23 *“(ii) TERM-LIMITED COVERED POSI-*
24 *TIONS.—The Chairman may not appoint*
25 *more than 20 exceptionally well-qualified*

1 *individuals into term-limited covered posi-*
2 *tions pursuant to paragraph (1)(B) during*
3 *any fiscal year.*

4 “(B) *COMPENSATION.*—

5 “(i) *ANNUAL RATE.*—*The annual basic*
6 *rate of pay for any individual appointed*
7 *under paragraph (1)(A) or paragraph*
8 *(1)(B) may not exceed the annual basic rate*
9 *of pay for level III of the Executive Sched-*
10 *ule under section 5314 of title 5, United*
11 *States Code.*

12 “(ii) *EXPERIENCE AND QUALIFICA-*
13 *TIONS.*—*Any individual recruited and di-*
14 *rectly appointed into a covered position or*
15 *a term-limited covered position shall be*
16 *compensated at a rate of pay that is com-*
17 *mensurate with such individual’s experience*
18 *and qualifications.*

19 “(C) *SENIOR EXECUTIVE SERVICE POSI-*
20 *TION.*—*The Chairman may not, under para-*
21 *graph (1)(A) or paragraph (1)(B), appoint ex-*
22 *ceptionally well-qualified individuals to any*
23 *Senior Executive Service position, as defined in*
24 *section 3132 of title 5, United States Code.*

1 “(3) *LEVEL OF POSITIONS.*—*To the extent prac-*
2 *ticable, in carrying out paragraph (1) the Chairman*
3 *shall recruit and directly appoint exceptionally well-*
4 *qualified individuals into the excepted service to*
5 *entry, mid, and senior level covered positions, includ-*
6 *ing term-limited covered positions.*

7 “(4) *CONSIDERATION OF FUTURE WORKFORCE*
8 *NEEDS.*—*When recruiting and directly appointing ex-*
9 *ceptionally well-qualified individuals to covered posi-*
10 *tions pursuant to paragraph (1)(A), to maintain suf-*
11 *ficient flexibility under the limitations of paragraph*
12 *(2)(A)(i), the Chairman shall consider the future*
13 *workforce needs of the Commission to carry out its re-*
14 *sponsibilities and activities in a timely, efficient, and*
15 *effective manner.*

16 “(b) *ADDRESSING INSUFFICIENT COMPENSATION OF*
17 *EMPLOYEES AND OTHER PERSONNEL OF THE COMMIS-*
18 *SION.*—

19 “(1) *IN GENERAL.*—*Notwithstanding any other*
20 *provision of law, the Chairman may fix the com-*
21 *pensation for employees or other personnel serving in*
22 *a covered position without regard to any provision of*
23 *title 5, United States Code, governing General Sched-*
24 *ule classification and pay rates.*

1 “(2) *APPLICABILITY.*—*The authority under this*
2 *subsection to fix the compensation of employees or*
3 *other personnel shall apply with respect to an em-*
4 *ployee or other personnel serving in a covered position*
5 *regardless of when the employee or other personnel*
6 *was hired.*

7 “(3) *LIMITATIONS ON COMPENSATION.*—

8 “(A) *ANNUAL RATE.*—*The Chairman may*
9 *not use the authority under paragraph (1) to fix*
10 *the compensation of employees or other per-*
11 *sonnel—*

12 “(i) *at an annual rate of basic pay*
13 *higher than the annual basic rate of pay for*
14 *level III of the Executive Schedule under*
15 *section 5314 of title 5, United States Code;*
16 *or*

17 “(ii) *at an annual rate of basic pay*
18 *that is not commensurate with such an em-*
19 *ployee or other personnel’s experience and*
20 *qualifications.*

21 “(B) *SENIOR EXECUTIVE SERVICE POSI-*
22 *TIONS.*—*The Chairman may not use the author-*
23 *ity under paragraph (1) to fix the compensation*
24 *of an employee serving in a Senior Executive*

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

3 “(c) *ADDITIONAL COMPENSATION AUTHORITY.*—

4 “(1) *FOR NEW EMPLOYEES.*—*The Chairman*
5 *may pay an individual recruited and directly ap-*
6 *pointed under subsection (a) a 1-time hiring bonus in*
7 *an amount not to exceed \$25,000.*

8 “(2) *FOR EXISTING EMPLOYEES.*—

9 “(A) *IN GENERAL.*—*Subject to subpara-*
10 *graphs (B) and (C), an employee or other per-*
11 *sonnel who the Chairman determines exhibited*
12 *exceptional performance in a fiscal year may be*
13 *paid a performance bonus in an amount not to*
14 *exceed the least of—*

15 “(i) \$25,000; and

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

20 “(B) *EXCEPTIONAL PERFORMANCE.*—*Excep-*
21 *tional performance under subparagraph (A) in-*
22 *cludes—*

23 “(i) *leading a project team in a timely*
24 *and efficient licensing review to enable the*
25 *safe use of nuclear technology;*

1 “(ii) *making significant contributions*
2 *to a timely and efficient licensing review to*
3 *enable the safe use of nuclear technology;*

4 “(iii) *the resolution of novel or first-of-*
5 *a-kind regulatory issues;*

6 “(iv) *developing or implementing li-*
7 *censing or regulatory oversight processes to*
8 *improve the effectiveness of the Commission;*
9 *and*

10 “(v) *other performance, as determined*
11 *by the Chairman.*

12 “(C) *LIMITATIONS.—*

13 “(i) *SUBSEQUENT BONUSES.—Any*
14 *person who receives a performance bonus*
15 *under subparagraph (A) may not receive*
16 *another performance bonus under that sub-*
17 *paragraph for a period of 5 years thereafter.*

18 “(ii) *HIRING BONUSES.—Any person*
19 *who receives a 1-time hiring bonus under*
20 *paragraph (1) may not receive a perform-*
21 *ance bonus under subparagraph (A) unless*
22 *more than one year has elapsed since the*
23 *payment of such 1-time hiring bonus.*

24 “(iii) *NO BONUS FOR SENIOR EXECU-*
25 *TIVE SERVICE POSITIONS.—No person serv-*

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

5 *“(d) IMPLEMENTATION PLAN AND REPORT.—*

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

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

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

19 *“(B) budgeting projections on costs and ben-*
20 *efits resulting from the plan.*

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

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

5 “(f) *INFORMATION ON HIRING, VACANCIES, AND COM-*
6 *PENSATION.*—

7 “(1) *IN GENERAL.*—*The Commission shall in-*
8 *clude in its budget materials submitted in support of*
9 *the budget of the President (submitted to Congress*
10 *pursuant to section 1105 of title 31, United States*
11 *Code), for fiscal year 2026 and each fiscal year there-*
12 *after, information relating to hiring, vacancies, and*
13 *compensation at the Commission.*

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

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

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

22 “(C) *information that describes—*

23 “(i) *how the authority provided by*
24 *subsection (a) is being used to address the*
25 *hiring needs of the Commission;*

1 “(ii) the total number of exceptionally
2 well-qualified individuals serving in—

3 “(I) covered positions described in
4 subsection (g)(1) pursuant to sub-
5 section (a)(1)(A);

6 “(II) covered positions described
7 in subsection (g)(2) pursuant to sub-
8 section (a)(1)(A);

9 “(III) term-limited covered posi-
10 tions described in subsection (g)(1)
11 pursuant to subsection (a)(1)(B); and

12 “(IV) term-limited covered posi-
13 tions described in subsection (g)(2)
14 pursuant to subsection (a)(1)(B);

15 “(iii) how the authority provided by
16 subsection (b) is being used to address the
17 hiring or retention needs of the Commis-
18 sion;

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

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

1 *number of individuals leaving a term-lim-*
2 *ited covered position before completion of*
3 *the applicable term of service and the aver-*
4 *age length of service for such individuals as*
5 *a percentage of the applicable term of serv-*
6 *ice; and*

7 “(D) an assessment of—

8 “(i) the current critical workforce
9 needs of the Commission and any critical
10 workforce needs that the Commission antici-
11 pates in the next five years; and

12 “(ii) additional skillsets that are or
13 likely will be needed for the Commission to
14 fulfill the licensing and oversight respon-
15 sibilities of the Commission.

16 “(g) COVERED POSITION.—In this section, the term
17 ‘covered position’ means—

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

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

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

3 “(h) SUNSET.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2), the authorities provided by subsections (a)
6 and (b) shall terminate on September 30, 2034.

7 “(2) CERTIFICATION.—If, no later than the date
8 referenced in paragraph (1), the Commission issues a
9 certification that the authorities provided by sub-
10 section (a), subsection (b), or both subsections are nec-
11 essary for the Commission to carry out its respon-
12 sibilities and activities in a timely, efficient, and ef-
13 fective manner, the authorities provided by the appli-
14 cable subsection shall terminate on September 30,
15 2039.

16 “(3) COMPENSATION.—The termination of the
17 authorities provided by subsections (a) and (b) shall
18 not affect the compensation of an employee or other
19 personnel serving in a covered position whose com-
20 pensation was fixed by the Chairman in accordance
21 with subsection (a) or (b).”.

22 “(2) TABLE OF CONTENTS.—The table of contents
23 of the Atomic Energy Act of 1954 is amended by in-
24 serting after the item relating to section 161 the fol-
25 lowing:

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

“Sec. 161B. Commission workforce.”.

1 **(b) GOVERNMENT ACCOUNTABILITY OFFICE RE-**
2 *PORT.—Not later than September 30, 2033, the Comptroller*
3 *General of the United States shall submit to the Committee*
4 *on Energy and Commerce and the Committee on Oversight*
5 *and Accountability of the House of Representatives and the*
6 *Committee on Environment and Public Works and the*
7 *Committee on Homeland Security and Governmental Af-*
8 *airs of the Senate a report that—*

9 (1) *evaluates the extent to which the authorities*
10 *provided under subsections (a), (b), and (c) of section*
11 *161B of the Atomic Energy Act of 1954 (as added by*
12 *this Act) have been utilized;*

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

19 (3) *assesses the effectiveness of the authorities*
20 *provided under subsections (a), (b), and (c) of section*
21 *161B of the Atomic Energy Act of 1954 (as added by*
22 *this Act) in helping the Commission fulfill its mis-*
23 *sion;*

1 (4) *makes recommendations to improve the Com-*
2 *mission’s strategic workforce management; and*

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

8 (c) *ANNUAL SOLICITATION FOR NUCLEAR REGULATOR*
9 *APPRENTICESHIP NETWORK APPLICATIONS.—The Commis-*
10 *sion, on an annual basis, shall solicit applications for the*
11 *Nuclear Regulator Apprenticeship Network.*

12 **SEC. 503. COMMISSION CORPORATE SUPPORT FUNDING.**

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

17 (1) *the progress on the implementation of section*
18 *102(a)(3) of the Nuclear Energy Innovation and Mod-*
19 *ernization Act (42 U.S.C. 2215(a)(3)); and*

20 (2) *whether the Commission is meeting and is*
21 *expected to meet the total budget authority caps re-*
22 *quired for corporate support under that section.*

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

1 *striking subparagraphs (B) and (C) and inserting the fol-*
 2 *lowing:*

3 “(B) 30 percent for fiscal year 2025 and
 4 each fiscal year thereafter.”.

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

10 (1) *by striking “The term” and inserting the fol-*
 11 *lowing:*

12 “(A) *IN GENERAL.*—*The term*”; and

13 (2) *by adding at the end the following:*

14 “(B) *EXCLUSIONS.*—*The term ‘corporate*
 15 *support costs’ does not include—*

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

20 “(ii) *costs for salaries, travel, and*
 21 *other support for the Office of the Commis-*
 22 *sion.*”.

23 **SEC. 504. PERFORMANCE METRICS AND MILESTONES.**

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

1 (1) *in paragraph (3)—*

2 (A) *in the paragraph heading, by striking*
3 *“180” and inserting “90”; and*

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

6 (2) *by adding at the end the following:*

7 “(4) *PERIODIC UPDATES TO METRICS AND*
8 *SCHEDULES.—*

9 “(A) *REVIEW AND ASSESSMENT.—Not less*
10 *frequently than once every 3 years, the Commis-*
11 *sion shall review and assess, based on the licens-*
12 *ing and regulatory activities of the Commission,*
13 *the performance metrics and milestone schedules*
14 *established under paragraph (1).*

15 “(B) *REVISIONS.—After each review and*
16 *assessment under subparagraph (A), the Com-*
17 *mission shall revise and improve, as appro-*
18 *priate, the performance metrics and milestone*
19 *schedules described in that subparagraph to pro-*
20 *vide the most efficient metrics and schedules rea-*
21 *sonably achievable.”.*

22 **SEC. 505. NUCLEAR LICENSING EFFICIENCY.**

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

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

3 “(a) *ESTABLISHMENT; APPOINTMENT OF DIRECTOR.—*
 4 *There*”;

5 (2) *in subsection (b)—*

6 (A) *in the matter preceding paragraph*

7 (1)—

8 (i) *by striking “(b) Subject” and in-*
 9 *serting the following:*

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

11 (ii) *by striking “delegate including:”*

12 *and inserting “delegate, including the fol-*
 13 *lowing:”;* *and*

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

17 (3) *in subsection (c), by striking “(c) Nothing”*
 18 *and inserting the following:*

19 “(d) *RESPONSIBILITY FOR SAFE OPERATION OF FA-*
 20 *CILITIES.—Nothing*”; *and*

21 (4) *by inserting after subsection (b) the fol-*
 22 *lowing:*

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

1 “(1) *establish techniques and guidance for evalu-*
 2 *ating applications for licenses for nuclear reactors to*
 3 *support efficient, timely, and predictable reviews of*
 4 *applications for those licenses to enable the safe and*
 5 *secure use of nuclear reactors;*

6 “(2) *maintain the techniques and guidance es-*
 7 *tablished under paragraph (1) by periodically assess-*
 8 *ing and, if necessary, modifying those techniques and*
 9 *guidance; and*

10 “(3) *obtain approval from the Commission if es-*
 11 *tablishment or modification of the techniques and*
 12 *guidance under paragraph (1) or (2) involves policy*
 13 *formulation.*”.

14 **(b) EFFICIENT LICENSING REVIEWS.—**

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

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

19 **“(a) IN GENERAL.—***The provisions of”;* **and**

20 **(B) by adding at the end the following:**

21 **“(b) EFFICIENT LICENSING REVIEWS.—***The Commis-*
 22 *sion shall provide for efficient and timely reviews and pro-*
 23 *ceedings for the granting, suspending, revoking, or amend-*
 24 *ing of any—*

25 **“(1) license or construction permit; or**

1 “(2) application to transfer control.”.

2 (c) *CONSTRUCTION PERMITS AND OPERATING LI-*
3 *CENSES.*—Section 185 of the Atomic Energy Act of 1954
4 (42 U.S.C. 2235) is amended by adding at the end the fol-
5 *lowing:*

6 “c. *APPLICATION REVIEWS FOR PRODUCTION AND UTI-*
7 *LIZATION FACILITIES OF AN EXISTING SITE.*—In reviewing
8 an application for an early site permit, construction per-
9 mit, operating license, or combined construction permit and
10 operating license for a production facility or utilization fa-
11 cility located at the site of a production facility or utiliza-
12 tion facility licensed by the Commission, the Commission
13 shall, to the extent practicable, use information that was
14 part of the licensing basis of the licensed production facility
15 or utilization facility.”.

16 **SEC. 506. MODERNIZATION OF NUCLEAR REACTOR ENVI-**
17 **RONMENTAL REVIEWS.**

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

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

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

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

10 (2) *consider—*

11 (A) *using, through adoption, incorporation*
12 *by reference, or other appropriate means, cat-*
13 *egorical exclusions, environmental assessments,*
14 *and environmental impact statements prepared*
15 *by other Federal agencies to streamline environ-*
16 *mental reviews of applications described in sub-*
17 *section (a) by the Commission;*

18 (B) *using categorical exclusions, environ-*
19 *mental assessments, and environmental impact*
20 *statements prepared by the Commission to*
21 *streamline environmental reviews of applications*
22 *described in subsection (a) by the Commission;*

23 (C) *using mitigated findings of no signifi-*
24 *cant impact in environmental reviews of appli-*
25 *cations described in subsection (a) by the Com-*

1 *mission to reduce the impact of a proposed ac-*
2 *tion to a level that is not significant;*

3 *(D) the extent to which the Commission*
4 *may rely on prior studies or analyses prepared*
5 *by Federal, State, and local governmental per-*
6 *mitting agencies to streamline environmental re-*
7 *views of applications described in subsection (a)*
8 *by the Commission;*

9 *(E) opportunities to coordinate the develop-*
10 *ment of environmental assessments and environ-*
11 *mental impact statements with other Federal*
12 *agencies to avoid duplicative environmental re-*
13 *views and to streamline environmental reviews*
14 *of applications described in subsection (a) by the*
15 *Commission;*

16 *(F) opportunities to streamline formal and*
17 *informal consultations and coordination with*
18 *other Federal, State, and local governmental per-*
19 *mitting agencies during environmental reviews*
20 *of applications described in subsection (a) by the*
21 *Commission;*

22 *(G) opportunities to streamline the Com-*
23 *mission's analyses of alternatives, including the*
24 *Commission's analysis of alternative sites, in en-*

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

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

6 *(I) amending section 51.20(b) of title 10,*
7 *Code of Federal Regulations, to allow the Com-*
8 *mission to determine, on a case-specific basis,*
9 *whether an environmental assessment (rather*
10 *than an environmental impact statement or sup-*
11 *plemental environmental impact statement) is*
12 *appropriate for a particular application de-*
13 *scribed in subsection (a), including in pro-*
14 *ceedings in which the Commission relies on a ge-*
15 *neric environmental impact statement for ad-*
16 *vanced nuclear reactors;*

17 *(J) authorizing the use of an applicant's en-*
18 *vironmental impact statement as the Commis-*
19 *sion's draft environmental impact statement,*
20 *consistent with section 107(f) of the National*
21 *Environmental Policy Act of 1969 (42 U.S.C.*
22 *4336a(f));*

23 *(K) opportunities to adopt online and dig-*
24 *ital technologies, including technologies that*
25 *would allow applicants and cooperating agencies*

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

4 (i) the Commission and applicants;

5 and

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

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

12 (i) to facilitate efficient, timely, and
13 predictable environmental reviews of appli-
14 cations described in subsection (a);

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

17 (iii) to maintain openness with the
18 public;

19 (iv) to meet obligations under the Na-
20 tional Environmental Policy Act of 1969
21 (42 U.S.C. 4321 et seq.); and

22 (v) to reduce burdens on licensees, ap-
23 plicants, and the Commission; and

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

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

3 **SEC. 507. IMPROVING OVERSIGHT AND INSPECTION PRO-**
4 **GRAMS.**

5 *(a) DEFINITION OF LICENSEE.—In this section, the*
6 *term “licensee” means a person that holds a license issued*
7 *under section 103 or 104 of the Atomic Energy Act of 1954*
8 *(42 U.S.C. 2133, 2134).*

9 *(b) REPORT.—Not later than 1 year after the date of*
10 *enactment of this Act, the Commission shall develop and*
11 *submit to the appropriate committees of Congress a report*
12 *that identifies specific improvements to the nuclear reactor*
13 *and materials oversight and inspection programs carried*
14 *out pursuant to the Atomic Energy Act of 1954 (42 U.S.C.*
15 *2011 et seq.) that the Commission may implement to maxi-*
16 *mize the efficiency of such programs through, where appro-*
17 *priate, the use of risk-informed, performance-based proce-*
18 *dures, expanded incorporation of information technologies,*
19 *and staff training.*

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

23 *(1) other Federal regulatory agencies that con-*
24 *duct oversight and inspections;*

25 *(2) the nuclear energy industry;*

1 (3) *nongovernmental organizations; and*

2 (4) *other public stakeholders.*

3 (d) *CONTENTS.—The report submitted under sub-*
4 *section (b) shall—*

5 (1) *assess specific elements of oversight and in-*
6 *spections that may be modified by the use of tech-*
7 *nology, improved planning, and continually updated*
8 *risk-informed, performance-based assessment, includ-*
9 *ing—*

10 (A) *use of travel resources;*

11 (B) *planning and preparation for inspec-*
12 *tions, including entrance and exit meetings with*
13 *licensees;*

14 (C) *document collection and preparation,*
15 *including consideration of whether nuclear reac-*
16 *tor data are accessible prior to onsite visits or*
17 *requests to the licensee and that document re-*
18 *quests are timely and within the scope of inspec-*
19 *tions; and*

20 (D) *the cross-cutting issues program;*

21 (2) *identify and assess measures to improve over-*
22 *sight and inspections, including—*

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

1 (B) increased use of templates in docu-
2 menting inspection results; and

3 (C) periodic training of Commission staff
4 and leadership on the application of risk-in-
5 formed criteria for—

6 (i) inspection planning and assess-
7 ments;

8 (ii) agency decision-making processes
9 on the application of regulations and guid-
10 ance; and

11 (iii) the application of the Commis-
12 sion's standard of reasonable assurance of
13 adequate protection;

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

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

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

21 (C) expansion of modern information tech-
22 nology, including artificial intelligence and ma-
23 chine learning, to risk-inform oversight and in-
24 spection decisions; and

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

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

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

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

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

1 **TITLE VI—MISCELLANEOUS**

2 **SEC. 601. TECHNICAL CORRECTION.**

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

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

7 “(3) *LIMITATION ON UTILIZATION FACILITIES.—*

8 *The Commission may issue a license under this sec-*
 9 *tion for a utilization facility useful in the conduct of*
 10 *research and development activities of the types speci-*
 11 *fied in section 31 if—*

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

17 “(i) *nonenergy services;*

18 “(ii) *energy; or*

19 “(iii) *a combination of nonenergy serv-*
 20 *ices and energy; and*

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

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

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

4 (3) *by striking “c. The Commission” and insert-*
5 *ing the following:*

6 “*c. RESEARCH AND DEVELOPMENT ACTIVITIES.—*

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

9 **SEC. 602. REPORT ON ENGAGEMENT WITH THE GOVERN-**
10 **MENT OF CANADA WITH RESPECT TO NU-**
11 **CLEAR WASTE ISSUES IN THE GREAT LAKES**
12 **BASIN.**

13 *Not later than 1 year after the date of enactment of*
14 *this Act, the Commission shall submit to the appropriate*
15 *committees of Congress, the Committee on Foreign Rela-*
16 *tions of the Senate, the Committee on Energy and Natural*
17 *Resources of the Senate, and the Committee on Foreign Af-*
18 *fairs of the House of Representatives a report describing*
19 *any engagement between the Commission and the Govern-*
20 *ment of Canada with respect to nuclear waste issues in the*
21 *Great Lakes Basin.*

22 **SEC. 603. SAVINGS CLAUSE.**

23 *Nothing in this Act affects authorities of the Depart-*
24 *ment 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
2^D SESSION

S. 870

AMENDMENTS