

Suspend the Rules and Pass the Bill, S. 870, with Amendments

(The amendments strike all after the enacting clause and insert a new text and a new title)

118TH CONGRESS
2D SESSION

S. 870

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.

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

3 **DIVISION A—FIRE GRANTS AND**
4 **SAFETY**

5 **SECTION 1. SHORT TITLE.**

6 This division may be cited as the “Fire Grants and
7 Safety Act of 2023”.

8 **SEC. 2. REAUTHORIZATION OF THE UNITED STATES FIRE**
9 **ADMINISTRATION.**

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

12 (1) in subparagraph (L), by striking “and”
13 after the semicolon;

1 (2) in subparagraph (M)—

2 (A) by striking “for for” and inserting
3 “for”; and

4 (B) by striking the period and inserting “;
5 and”; and

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

8 “(N) \$95,000,000 for each of fiscal years
9 2024 through 2028, of which \$3,420,000 for
10 each such fiscal year shall be used to carry out
11 section 8(f).”.

12 **SEC. 3. REAUTHORIZATION OF ASSISTANCE TO FIRE-**
13 **FIGHTERS GRANTS PROGRAM AND THE FIRE**
14 **PREVENTION AND SAFETY GRANTS PRO-**
15 **GRAM.**

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

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

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 nonelectric applications.
- Sec. 204. Enabling preparations for the demonstration of advanced nuclear reactors 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
4 “accident tolerant fuel” has the meaning given the
5 term in section 107(a) of the Nuclear Energy Inno-
6 vation and Modernization Act (Public Law 115–439;
7 132 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
12 “advanced 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
4 the term in section 3 of the Nuclear Energy Innova-
5 tion and Modernization Act (42 U.S.C. 2215 note;
6 Public Law 115–439).

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

12 (6) APPROPRIATE COMMITTEES OF
13 CONGRESS.—The term “appropriate committees of
14 Congress” 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
23 meaning given the term in section 101(a) of the
24 Higher 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
3 in section 2 of the Energy Policy Act of 2005 (42
4 U.S.C. 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 re-
18 actors and radioactive materials, including
19 with countries that are members of—

20 (I) the Organisation for Eco-
21 nomic Co-operation and Development;
22 or

23 (II) the Nuclear Energy Agency;
24 and

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

3 (i) the consideration of international
4 technical standards to establish the licens-
5 ing and regulatory basis to assist the de-
6 sign, construction, and operation of nu-
7 clear reactors and use of radioactive mate-
8 rials;

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

14 (iii) exchange programs and training
15 provided, in coordination with the Sec-
16 retary of State, to foreign countries relat-
17 ing to civil nuclear licensing and oversight
18 to improve the regulation of nuclear reac-
19 tors and radioactive materials, in accord-
20 ance with paragraph (2).

21 (2) EXCHANGE PROGRAMS AND TRAINING.—

22 With respect to the exchange programs and training
23 described in paragraph (1)(B)(iii), the Commission
24 shall coordinate, as applicable, with—

25 (A) the Secretary of Energy;

- 1 (B) the Secretary of State;
- 2 (C) the National Laboratories;
- 3 (D) the private sector; and
- 4 (E) institutions of higher education.

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

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

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

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

20 “(4) **INTERNATIONAL NUCLEAR EXPORT AND**
21 **INNOVATION ACTIVITIES.**—The Commission shall
22 identify in the annual budget justification inter-
23 national nuclear export and innovation activities de-
24 scribed in section 101(a) of the **ADVANCE Act of**
25 **2024.**”; and

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

3 “(iv) Costs for international nuclear
4 export and innovation activities described
5 in section 101(a) of the ADVANCE Act of
6 2024.”.

7 (2) EFFECTIVE DATE.—The amendments made
8 by paragraph (1) shall take effect on October 1,
9 2025.

10 (d) INTERAGENCY COORDINATION.—The Commis-
11 sion shall coordinate all international activities under this
12 section with the Secretary of State, the Secretary of En-
13 ergy, and other applicable agencies, as appropriate.

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

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

19 (a) DEFINITION OF COVERED FUEL.—In this sec-
20 tion, the term “covered fuel” means enriched uranium
21 that is fabricated outside the United States into fuel as-
22 semblies for commercial nuclear power reactors by an enti-
23 ty that—

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

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

7 (b) PROHIBITION ON UNLICENSED POSSESSION OR
8 OWNERSHIP OF COVERED FUEL.—Unless specifically au-
9 thorized by the Commission in a license issued under sec-
10 tion 53 of the Atomic Energy Act of 1954 (42 U.S.C.
11 2073) and part 70 of title 10, Code of Federal Regulations
12 (or successor regulations), no person subject to the juris-
13 diction of the Commission may possess or own covered
14 fuel.

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

17 (1) CONSULTATION REQUIRED PRIOR TO
18 ISSUANCE.—The Commission shall not issue a li-
19 cense to possess or own covered fuel under section
20 53 of the Atomic Energy Act of 1954 (42 U.S.C.
21 2073) and part 70 of title 10, Code of Federal Reg-
22 ulations (or successor regulations), unless the Com-
23 mission has first consulted with the Secretary of En-
24 ergy and the Secretary of State before issuing the li-
25 cense.

1 (2) PROHIBITION ON ISSUANCE OF LICENSE.—

2 (A) IN GENERAL.—Subject to subpara-
3 graph (C), a license to possess or own covered
4 fuel shall not be issued if the Secretary of En-
5 ergy and the Secretary of State make the deter-
6 mination described in subparagraph (B)(i)(I).

7 (B) DETERMINATION.—

8 (i) IN GENERAL.—The determination
9 referred to in subparagraph (A) is a deter-
10 mination that possession or ownership, as
11 applicable, of covered fuel—

12 (I) poses a threat to the national
13 security of the United States, includ-
14 ing because of an adverse impact on
15 the physical and economic security of
16 the United States; or

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

19 (ii) JOINT DETERMINATION.—A deter-
20 mination described in clause (i) shall be
21 jointly made by the Secretary of Energy
22 and the Secretary of State.

23 (iii) TIMELINE.—

24 (I) NOTICE OF APPLICATION.—
25 Not later than 30 days after the date

1 on which the Commission receives an
2 application for a license to possess or
3 own covered fuel, the Commission
4 shall notify the Secretary of Energy
5 and the Secretary of State of the ap-
6 plication.

7 (II) DETERMINATION.—The Sec-
8 retary of Energy and the Secretary of
9 State shall have a period of 180 days,
10 beginning on the date on which the
11 Commission notifies the Secretary of
12 Energy and the Secretary of State
13 under subclause (I) of an application
14 for a license to possess or own covered
15 fuel, in which to make the determina-
16 tion described in clause (i).

17 (III) COMMISSION NOTIFICA-
18 TION.—On making the determination
19 described in clause (i), the Secretary
20 of Energy and the Secretary of State
21 shall immediately notify the Commis-
22 sion.

23 (IV) CONGRESSIONAL NOTIFICA-
24 TION.—Not later than 30 days after
25 the date on which the Secretary of

1 Energy and the Secretary of State no-
2 tify the Commission under subclause
3 (III), the Commission shall notify the
4 appropriate committees of Congress,
5 the Committee on Foreign Relations
6 of the Senate, the Committee on En-
7 ergy and Natural Resources of the
8 Senate, and the Committee on For-
9 eign Affairs of the House of Rep-
10 resentatives of the determination.

11 (V) PUBLIC NOTICE.—Not later
12 than 15 days after the date on which
13 the Commission notifies Congress
14 under subclause (IV) of a determina-
15 tion made under clause (i), the Com-
16 mission shall make that determination
17 publicly available.

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

23 (d) SAVINGS CLAUSE.—Nothing in this section alters
24 any treaty or international agreement in effect on the date

1 of enactment of this Act or that enters into force after
2 the date of enactment of this Act.

3 **SEC. 103. EXPORT LICENSE NOTIFICATION.**

4 (a) DEFINITION OF LOW-ENRICHED URANIUM.—In
5 this section, the term “low-enriched uranium” means ura-
6 nium enriched to less than 20 percent of the uranium-
7 235 isotope.

8 (b) NOTIFICATION.—If the Commission, after con-
9 sultation with the Secretary of State and any other rel-
10 evant agencies, issues an export license for the transfer
11 of any item described in subsection (d) to a country de-
12 scribed in subsection (c), the Commission shall notify the
13 appropriate committees of Congress, the Committee on
14 Foreign Relations of the Senate, the Committee on Energy
15 and Natural Resources of the Senate, and the Committee
16 on Foreign Affairs of the House of Representatives.

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

19 (1) has not concluded and ratified an Addi-
20 tional Protocol to its safeguards agreement with the
21 International Atomic Energy Agency; or

22 (2) has not ratified or acceded to the amend-
23 ment to the Convention on the Physical Protection
24 of Nuclear Material, adopted at Vienna October 26,
25 1979, and opened for signature at New York March

1 3, 1980 (TIAS 11080), described in the information
2 circular of the International Atomic Energy Agency
3 numbered INFCIRC/274/Rev.1/Mod.1 and dated
4 May 9, 2016 (TIAS 16–508).

5 (d) ITEMS DESCRIBED.—An item referred to in sub-
6 section (b) includes—

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

11 (2) a nuclear reactor that uses nuclear fuel de-
12 scribed in paragraph (1); and

13 (3) any plant or component listed in Appendix
14 I to part 110 of title 10, Code of Federal Regula-
15 tions (or successor regulations), that is involved in—

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

18 (B) the separation of plutonium; or

19 (C) the separation of the uranium-233 iso-
20 tope.

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

22 (a) STUDY REQUIRED.—Not later than 1 year after
23 the date of enactment of this Act, the Secretary of Energy,
24 in consultation with the Secretary of State, the Secretary
25 of Commerce, the Administrator of the Environmental

1 Protection Agency, and the Commission, shall conduct a
2 study on the global status of—

3 (1) the civilian nuclear energy industry; and

4 (2) the supply chains of the civilian nuclear en-
5 ergy industry.

6 (b) CONTENTS.—The study conducted under sub-
7 section (a) shall include—

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

11 (2) information on how the use of the civilian
12 nuclear energy industry, relative to other types of
13 energy industries, can reduce the emission of criteria
14 pollutants and carbon dioxide;

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

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

21 (5) information on how the United States may
22 collaborate with those countries in developing, de-
23 ploying, and investing in nuclear technology;

24 (6) information on how foreign countries use
25 nuclear energy when crafting and implementing

1 their own foreign policy, including such use by for-
2 foreign countries that are strategic competitors;

3 (7) an evaluation of how nuclear nonprolifera-
4 tion and security efforts and nuclear energy safety
5 are affected by the involvement of the United States
6 in—

7 (A) international markets; and

8 (B) setting civilian nuclear energy industry
9 standards;

10 (8) an evaluation of how industries in the
11 United States, other than the civilian nuclear energy
12 industry, benefit from the generation of electricity
13 by nuclear power plants;

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

18 (A) financial challenges;

19 (B) nuclear liability issues;

20 (C) foreign strategic competition; and

21 (D) risks to continued operation; and

22 (10) recommendations for how the United
23 States may—

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

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

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

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

13 (c) REPORT TO CONGRESS.—Not later than 180 days
14 after the study under subsection (a) is completed, the Sec-
15 retary of Energy shall submit to the appropriate commit-
16 tees of Congress the study, including a classified annex,
17 if necessary.

18 **SEC. 105. PROCESS FOR REVIEW AND AMENDMENT OF**
19 **PART 810 GENERALLY AUTHORIZED DESTINA-**
20 **TIONS.**

21 (a) IDENTIFICATION AND EVALUATION OF FAC-
22 TORS.—Not later than 90 days after the date of enact-
23 ment of this Act, the Secretary of Energy, with the con-
24 currence of the Secretary of State, shall identify and
25 evaluate factors, other than agreements for cooperation

1 entered into in accordance with section 123 of the Atomic
2 Energy Act of 1954 (42 U.S.C. 2153), that may be used
3 to determine a country's generally authorized destination
4 status under part 810 of title 10, Code of Federal Regula-
5 tions, and to list such country as a generally authorized
6 destination in Appendix A to part 810 of title 10, Code
7 of Federal Regulations.

8 (b) PROCESS UPDATE.—The Secretary of Energy
9 shall review and, as appropriate, update the Department
10 of Energy's process for determining a country's generally
11 authorized destination status under part 810 of title 10,
12 Code of Federal Regulations, and for listing such country
13 as a generally authorized destination in Appendix A to
14 part 810 of title 10, Code of Federal Regulations, taking
15 into consideration and, as appropriate, incorporating fac-
16 tors identified and evaluated under subsection (a).

17 (c) REVISIONS TO LIST.—Not later than one year
18 after the date of enactment of this Act, and at least once
19 every 5 years thereafter, the Secretary of Energy shall,
20 in accordance with any process updated pursuant to this
21 section, review the list in Appendix A to part 810 of title
22 10, Code of Federal Regulations, and amend such list as
23 appropriate.

1 **TITLE II—DEVELOPING AND DE-**
2 **PLOYING NEW NUCLEAR**
3 **TECHNOLOGIES**

4 **SEC. 201. FEES FOR ADVANCED NUCLEAR REACTOR APPLI-**
5 **CATION REVIEW.**

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

9 (1) by redesignating paragraphs (2) through
10 (15) as paragraphs (3), (6), (7), (8), (9), (10), (12),
11 (15), (16), (17), (18), (19), (20), and (21), respec-
12 tively;

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

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

21 (3) by inserting after paragraph (3) (as so re-
22 designated) the following:

23 “(4) ADVANCED NUCLEAR REACTOR PRE-APPLI-
24 CANT.—The term ‘advanced nuclear reactor pre-ap-
25 plicant’ means an entity that has submitted to the

1 Commission a licensing project plan for the purposes
2 of submitting a future application for a license for
3 an advanced nuclear reactor under the Atomic En-
4 ergy Act of 1954 (42 U.S.C. 2011 et seq.).

5 “(5) AGENCY SUPPORT.—The term ‘agency
6 support’ has the meaning given the term ‘agency
7 support (corporate support and the IG)’ in section
8 170.3 of title 10, Code of Federal Regulations (or
9 any successor regulation).”;

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

12 “(11) HOURLY RATE FOR MISSION-DIRECT PRO-
13 GRAM SALARIES AND BENEFITS.—The term ‘hourly
14 rate for mission-direct program salaries and bene-
15 fits’ means the quotient obtained by dividing—

16 “(A) the full-time equivalent rate (within
17 the meaning of the document of the Commis-
18 sion entitled ‘FY 2023 Final Fee Rule Work
19 Papers’ (or a successor document)) for mission-
20 direct program salaries and benefits for a fiscal
21 year; by

22 “(B) the productive hours assumption for
23 that fiscal year, determined in accordance with
24 the formula established in the document re-

1 ferred to in subparagraph (A) (or a successor
2 document).”; and

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

5 “(13) MISSION-DIRECT PROGRAM SALARIES
6 AND BENEFITS.—The term ‘mission-direct program
7 salaries and benefits’ means the resources of the
8 Commission that are allocated to the Nuclear Reac-
9 tor Safety Program (as determined by the Commis-
10 sion) to perform core work activities committed to
11 fulfilling the mission of the Commission, as de-
12 scribed in the document of the Commission entitled
13 ‘FY 2023 Final Fee Rule Work Papers’ (or a suc-
14 cessor document).

15 “(14) MISSION-INDIRECT PROGRAM SUPPORT.—
16 The term ‘mission-indirect program support’ has the
17 meaning given the term in section 170.3 of title 10,
18 Code of Federal Regulations (or any successor regu-
19 lation).”.

20 (b) EXCLUDED ACTIVITIES.—Section 102(b)(1)(B)
21 of the Nuclear Energy Innovation and Modernization Act
22 (42 U.S.C. 2215(b)(1)(B)) (as amended by section
23 101(e)(1)(B)) is amended by adding at the end the fol-
24 lowing:

1 “(v) The total costs of mission-indi-
2 rect program support and agency support
3 that, under paragraph (2)(B), may not be
4 included in the hourly rate charged for fees
5 assessed and collected from advanced nu-
6 clear reactor applicants.

7 “(vi) The total costs of mission-indi-
8 rect program support and agency support
9 that, under paragraph (2)(C), may not be
10 included in the hourly rate charged for fees
11 assessed and collected from advanced nu-
12 clear reactor pre-applicants.”.

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

17 “(2) FEES FOR SERVICE OR THING OF
18 VALUE.—

19 “(A) IN GENERAL.—In accordance with
20 section 9701 of title 31, United States Code,
21 the Commission shall assess and collect fees
22 from any person who receives a service or thing
23 of value from the Commission to cover the costs
24 to the Commission of providing the service or
25 thing of value.

1 “(B) ADVANCED NUCLEAR REACTOR AP-
2 PLICANTS.—The hourly rate charged for fees
3 assessed and collected from an advanced nu-
4 clear reactor applicant under this paragraph re-
5 lating to the review of a submitted application
6 described in section 3(1) may not exceed the
7 hourly rate for mission-direct program salaries
8 and benefits.

9 “(C) ADVANCED NUCLEAR REACTOR PRE-
10 APPLICANTS.—The hourly rate charged for fees
11 assessed and collected from an advanced nu-
12 clear reactor pre-applicant under this para-
13 graph relating to the review of submitted mate-
14 rials as described in the licensing project plan
15 of an advanced nuclear reactor pre-applicant
16 may not exceed the hourly rate for mission-di-
17 rect program salaries and benefits.”.

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

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

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

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

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

5 “(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LI-
6 CENSING.—

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

9 “(A) a non-Federal entity; and

10 “(B) the Tennessee Valley Authority.

11 “(2) PRIZE FOR ADVANCED NUCLEAR REACTOR
12 LICENSING.—

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

21 “(i) to which the Commission issues
22 an operating license for an advanced nu-
23 clear reactor under part 50 of title 10,
24 Code of Federal Regulations (or successor
25 regulations), for which an application has
26 not been approved by the Commission as

1 of the date of enactment of this subsection;
2 or

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

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

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

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

1 10, Code of Federal Regulations (or successor
2 regulations), or early site permit (as defined in
3 section 52.1 of that title (or successor regula-
4 tions)).

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

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

9 “(I) issues a license in accord-
10 ance with clause (i) of subparagraph
11 (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
20 Act of 1982 (42 U.S.C. 10101)) or
21 depleted uranium as fuel for the ad-
22 vanced nuclear reactor; and

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

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

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

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

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

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

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

20 “(cc) the purpose of which
21 is—

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

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

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

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

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

13 “(iv) an advanced reactor that—

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

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

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

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

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

6 “(3) FEDERAL FUNDING LIMITATIONS.—

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

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

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

1 9104(a)(4) of title 31, United States Code, or
2 any other provision of law, an eligible entity
3 that receives an award under this subsection
4 shall not be required—

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

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

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

13 (a) IN GENERAL.—Not later than 270 days after the
14 date of enactment of this Act, the Commission shall sub-
15 mit to the appropriate committees of Congress a report
16 addressing any unique licensing issues or requirements re-
17 lating to—

18 (1) the flexible operation of advanced nuclear
19 reactors, such as ramping power output and switch-
20 ing between electricity generation and nonelectric
21 applications;

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

24 (3) the colocation of nuclear reactors with in-
25 dustrial 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 sec-
8 tors;
- 9 (5) nongovernmental organizations; and
- 10 (6) other public stakeholders.

11 (c) CONTENTS.—

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

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

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

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

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

1 plementing risk-informed and performance-based
2 regulatory guidance in the licensing of nuclear reac-
3 tors for nonelectric applications.

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

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

13 “(vii) Costs for—
14 “(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
24

1 Fiscal Year 2019 (Public Law 115–
2 232; 132 Stat. 1722)) site; and

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

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

18 **SEC. 205. FUSION ENERGY REGULATION.**

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

21 (1) in subsection e.—

22 (A) in paragraph (3)(B)—

23 (i) in clause (i), by inserting “, includ-
24 ing by use of a fusion machine” after
25 “particle accelerator”; and

1 (ii) in clause (ii), by inserting “if
2 made radioactive by use of a particle accel-
3 erator that is not a fusion machine,” be-
4 fore “is produced”;

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

8 (3) by redesignating subsections ee., ff., gg.,
9 hh., and jj. as subsections jj., gg., hh., ii., and ff.,
10 respectively, and moving the subsections so as to ap-
11 pear in alphabetical order;

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

14 “ee. HIGH-LEVEL RADIOACTIVE WASTE; SPENT NU-
15 CLEAR FUEL.—The”; and

16 (5) by inserting after subsection cc. the fol-
17 lowing:

18 “dd. FUSION MACHINE.—The term ‘fusion machine’
19 means a machine that is capable of—

20 “(1) transforming atomic nuclei, through fusion
21 processes, into different elements, isotopes, or other
22 particles; and

23 “(2) directly capturing and using the resultant
24 products, including particles, heat, or other electro-
25 magnetic radiation.”.

1 (b) TECHNICAL AND CONFORMING CHANGES.—

2 (1) IN GENERAL.—Section 103(a) of the Nu-
3 clear Energy Innovation and Modernization Act (42
4 U.S.C. 2133 note; Public Law 115–439) is amend-
5 ed—

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

8 (B) in paragraph (5)(B)(ii), by inserting
9 “(including fusion machine license applica-
10 tions)” after “commercial advanced nuclear re-
11 actor license applications”.

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

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

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

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

1 “(11) FUSION MACHINE.—The term ‘fusion
2 machine’ has the meaning given the term in section
3 11 of the Atomic Energy Act of 1954 (42 U.S.C.
4 2014).”.

5 (c) REPORT.—

6 (1) DEFINITIONS.—In this subsection:

7 (A) AGREEMENT STATE.—The term
8 “Agreement State” has the meaning given the
9 term in section 3 of the Nuclear Energy Inno-
10 vation and Modernization Act (42 U.S.C. 2215
11 note; Public Law 115–439).

12 (B) FUSION MACHINE.—The term “fusion
13 machine” has the meaning given the term in
14 section 11 of the Atomic Energy Act of 1954
15 (42 U.S.C. 2014).

16 (2) REQUIREMENT.—Not later than 1 year
17 after the date of enactment of this Act, the Commis-
18 sion shall submit to the appropriate committees of
19 Congress a report on—

20 (A) the results of a study, conducted in
21 consultation with Agreement States and the pri-
22 vate fusion sector, on risk- and performance-
23 based, design-specific licensing frameworks for
24 mass-manufactured fusion machines, including
25 an evaluation of the design, manufacturing, and

1 operations certification process used by the
2 Federal Aviation Administration for aircraft as
3 a potential model for mass-manufactured fusion
4 machine regulations; and

5 (B) the estimated timeline for the Commis-
6 sion to issue consolidated guidance or regula-
7 tions for licensing mass-manufactured fusion
8 machines, taking into account—

9 (i) the results of that study; and

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

12 **SEC. 206. REGULATORY ISSUES FOR NUCLEAR FACILITIES**

13 **AT BROWNFIELD SITES.**

14 (a) DEFINITIONS.—In this section:

15 (1) BROWNFIELD SITE.—The term “brownfield
16 site” has the meaning given the term in section 101
17 of the Comprehensive Environmental Response,
18 Compensation, and Liability Act of 1980 (42 U.S.C.
19 9601).

20 (2) COVERED SITE.—The term “covered site”
21 means a brownfield site, a retired fossil fuel site, or
22 a site that is both a retired fossil fuel site and a
23 brownfield site.

24 (3) PRODUCTION FACILITY.—The term “pro-
25 duction facility” has the meaning given the term in

1 section 11 of the Atomic Energy Act of 1954 (42
2 U.S.C. 2014).

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

8 (5) UTILIZATION FACILITY.—The term “utiliza-
9 tion facility” 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 (b) IDENTIFICATION OF REGULATORY ISSUES.—

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

20 (2) REQUIREMENT.—In carrying out paragraph
21 (1), the Commission shall consider how licensing re-
22 views for production facilities or utilization facilities
23 at covered sites may be expedited by considering
24 matters relating to siting and operating a production

1 facility or a utilization facility at or near a covered
2 site to support—

3 (A) the reuse of existing site infrastruc-
4 ture, including—

5 (i) electric switchyard components and
6 transmission infrastructure;

7 (ii) heat-sink components;

8 (iii) steam cycle components;

9 (iv) roads;

10 (v) railroad access; and

11 (vi) water availability;

12 (B) the use of early site permits;

13 (C) the utilization of plant parameter enve-
14 lopes or similar standardized site parameters on
15 a portion of a larger site; and

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

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

23 (c) LICENSING.—

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

4 (A) develop and implement strategies to
5 enable efficient, timely, and predictable licens-
6 ing reviews for, and to support the oversight of,
7 production facilities or utilization facilities at
8 covered sites; or

9 (B) initiate a rulemaking to enable effi-
10 cient, timely, and predictable licensing reviews
11 for, and to support the oversight of, production
12 facilities or utilization facilities at covered sites.

13 (2) REQUIREMENTS.—In carrying out para-
14 graph (1), consistent with the mission of the Com-
15 mission, the Commission shall consider matters re-
16 lating to—

17 (A) the use of existing site infrastructure;

18 (B) existing emergency preparedness orga-
19 nizations and planning;

20 (C) the availability of historical site-spe-
21 cific environmental data;

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

1 (E) activities associated with the potential
2 decommissioning of facilities or decontamina-
3 tion and remediation at covered sites; and

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

6 (d) REPORT.—Not later than 3 years after the date
7 of enactment of this Act, the Commission shall submit to
8 the appropriate committees of Congress a report describ-
9 ing the actions taken by the Commission under subsection
10 (c)(1).

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

12 (a) IN GENERAL.—In accordance with this section,
13 the Commission shall establish and carry out an expedited
14 procedure for issuing a combined license pursuant to sec-
15 tion 185 b. of the Atomic Energy Act of 1954 (42 U.S.C.
16 2235(b)).

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

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

21 (A) references a design for which the Com-
22 mission has issued a design certification (as de-
23 fined in section 52.1 of title 10, Code of Fed-
24 eral Regulations (or any successor regulation));
25 or

1 (B) has a design that is substantially simi-
2 lar to a design of a nuclear reactor for which
3 the Commission has issued a combined license,
4 an operating license, or a manufacturing license
5 under the Atomic Energy Act of 1954 (42
6 U.S.C. 2011 et seq.);

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

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

11 (B) that is directly adjacent to a site on
12 which a licensed commercial nuclear reactor op-
13 erates or previously operated and has site char-
14 acteristics that are substantially similar to that
15 site; and

16 (3) may not be subject to an order of the Com-
17 mission to suspend or revoke a license under section
18 2.202 of title 10, Code of Federal Regulations (or
19 any successor regulation).

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

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

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

3 (B) issue a final environmental impact
4 statement or environmental assessment, unless
5 the Commission finds that the proposed agency
6 action is excluded pursuant to a categorical ex-
7 clusion in accordance with the National Envi-
8 ronmental Policy Act of 1969 (42 U.S.C. 4321
9 et seq.);

10 (2) not later than 2 years after the date on
11 which the application is accepted for docketing, com-
12 plete any necessary public licensing hearings and re-
13 lated processes; and

14 (3) not later than 25 months after the date on
15 which the application is accepted for docketing,
16 make a final decision on whether to issue the com-
17 bined license.

18 (d) PERFORMANCE AND REPORTING.—

19 (1) DELAYS IN ISSUANCE.—Not later than 30
20 days after the applicable deadline, the Executive Di-
21 rector for Operations of the Commission shall inform
22 the Commission of any failure to meet a deadline
23 under subsection (c).

24 (2) DELAYS IN ISSUANCE EXCEEDING 90
25 DAYS.—If any deadline under subsection (c) is not

1 met by the date that is 90 days after the applicable
2 date required under that subsection, the Commission
3 shall submit to the appropriate committees of Con-
4 gress a report describing the delay, including—

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

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

9 **SEC. 208. REGULATORY REQUIREMENTS FOR MICRO-REAC-**
10 **TORS.**

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

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

19 (A) staffing and operations;

20 (B) oversight and inspections;

21 (C) safeguards and security;

22 (D) emergency preparedness;

23 (E) risk analysis methods, including alter-
24 natives to probabilistic risk assessments;

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

4 (G) the transportation of fueled micro-re-
5 actors; and

6 (H) siting, including in relation to—

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

12 (ii) licensing mobile deployment; and

13 (iii) environmental reviews; and

14 (2) not later than 3 years after the date of en-
15 actment of this Act, implement, as appropriate, the
16 strategies and guidance developed under paragraph
17 (1)—

18 (A) within the existing regulatory frame-
19 work;

20 (B) through the technology-inclusive regu-
21 latory framework to be established under sec-
22 tion 103(a)(4) of the Nuclear Energy Innova-
23 tion and Modernization Act (42 U.S.C. 2133
24 note; Public Law 115–439); or

25 (C) through a pending or new rulemaking.

1 (b) CONSIDERATIONS.—In developing and imple-
2 menting strategies and guidance under subsection (a), the
3 Commission shall consider—

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

6 (A) physical size;

7 (B) design simplicity; and

8 (C) source term;

9 (2) opportunities to address redundancies and
10 inefficiencies;

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

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

16 (5) other relevant considerations discussed in
17 the policy issue paper on policy and licensing consid-
18 erations related to micro-reactors dated October 6,
19 2020, and numbered SECY–20–0093.

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

22 (1) the Secretary of Energy;

23 (2) the heads of other Federal agencies, as ap-
24 propriate;

25 (3) micro-reactor technology developers; and

1 (4) other stakeholders.

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

5 **SEC. 301. FOREIGN OWNERSHIP.**

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

15 (1) the common defense and security; or

16 (2) the health and safety of the public.

17 (b) ENTITIES DESCRIBED.—

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

21 (A) the government of—

22 (i) a country, other than a country de-
23 scribed in paragraph (2), that is a member
24 of the Organisation for Economic Co-oper-

1 ation and Development on the date of en-
2 actment of this Act; or

3 (ii) the Republic of India;

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

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

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

12 (A) any department, agency, or instrumen-
13 tality of the government of which, on the date
14 of enactment of this Act, is subject to sanctions
15 under section 231 of the Countering America’s
16 Adversaries Through Sanctions Act (22 U.S.C.
17 9525); or

18 (B) any citizen, national, or entity of
19 which, as of the date of enactment of this Act,
20 is included on the List of Specially Designated
21 Nationals and Blocked Persons maintained by
22 the Office of Foreign Assets Control of the De-
23 partment of the Treasury pursuant to sanctions
24 imposed under section 231 of the Countering

1 America’s Adversaries Through Sanctions Act
2 (22 U.S.C. 9525).

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

7 (d) SAVINGS CLAUSE.—Nothing in this section af-
8 fects the requirements of section 721 of the Defense Pro-
9 duction Act of 1950 (50 U.S.C. 4565).

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

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

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of enactment of this Act, the Commission shall sub-
19 mit to the appropriate committees of Congress a report
20 (referred to in this section as the “report”) on manufac-
21 turing and construction for nuclear energy projects.

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

24 (1) the Secretary of Energy;

25 (2) the nuclear energy industry;

- 1 (3) National Laboratories;
- 2 (4) institutions of higher education;
- 3 (5) nuclear and manufacturing technology de-
- 4 velopers;
- 5 (6) the manufacturing and construction indus-
- 6 tries, including manufacturing and construction
- 7 companies with operating facilities in the United
- 8 States;
- 9 (7) standards development organizations;
- 10 (8) labor unions;
- 11 (9) nongovernmental organizations; and
- 12 (10) other public stakeholders.

13 (c) CONTENTS.—

14 (1) IN GENERAL.—The report shall—

15 (A) examine any unique licensing issues or
16 requirements relating to the use, for nuclear en-
17 ergy projects, of—

18 (i) advanced manufacturing processes;

19 (ii) advanced construction techniques;

20 and

21 (iii) rapid improvement or iterative in-
22 novation processes;

23 (B) examine—

1 (i) the requirements for nuclear-grade
2 components in manufacturing and con-
3 struction for nuclear energy projects;

4 (ii) opportunities to use standard ma-
5 terials, parts, or components in manufac-
6 turing and construction for nuclear energy
7 projects;

8 (iii) opportunities to use standard ma-
9 terials that are in compliance with existing
10 codes and standards to provide acceptable
11 approaches to support or encapsulate new
12 materials that do not yet have applicable
13 codes and standards; and

14 (iv) requirements relating to the
15 transport of a fueled advanced nuclear re-
16 actor core from a manufacturing licensee
17 to a licensee that holds a license to con-
18 struct and operate a facility at a particular
19 site;

20 (C) identify safety aspects of advanced
21 manufacturing processes and advanced con-
22 struction techniques that are not addressed by
23 existing codes and standards, so that generic
24 guidance may be updated or created, as nec-
25 essary;

1 (D) identify options for addressing the
2 issues, requirements, and opportunities exam-
3 ined under subparagraphs (A) and (B)—

4 (i) within the existing regulatory
5 framework; or

6 (ii) through a new rulemaking;

7 (E) identify how addressing the issues, re-
8 quirements, and opportunities examined under
9 subparagraphs (A) and (B) will impact oppor-
10 tunities for domestic nuclear manufacturing
11 and construction developers; and

12 (F) describe the extent to which Commis-
13 sion action is needed to implement any matter
14 described in the report.

15 (2) COST ESTIMATES, BUDGETS, AND TIME-
16 FRAMES.—The report shall include cost estimates,
17 proposed budgets, and proposed timeframes for im-
18 plementing risk-informed and performance-based
19 regulatory guidance for advanced manufacturing and
20 construction for nuclear energy projects.

21 **SEC. 402. NUCLEAR ENERGY TRAINEESHIP.**

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

24 (1) in subsection (a), by striking “Nuclear Reg-
25 ulatory”;

1 (2) in subsection (b)(1), in the matter pre-
2 ceding subparagraph (A), by inserting “and sub-
3 section (c)” after “paragraph (2)”;

4 (3) in subsection (c)—

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

7 (B) by striking paragraph (1) and insert-
8 ing the following:

9 “(1) **ADVANCED NUCLEAR REACTOR.**—The
10 term ‘advanced nuclear reactor’ has the meaning
11 given the term in section 951(b) of the Energy Pol-
12 icy Act of 2005 (42 U.S.C. 16271(b)).

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

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

19 “(4) **NATIONAL LABORATORY.**—The term ‘Na-
20 tional Laboratory’ has the meaning given the term
21 in section 951(b) of the Energy Policy Act of 2005
22 (42 U.S.C. 16271(b)).”;

23 (4) in subsection (d)(2), by striking “Nuclear
24 Regulatory”;

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

3 (6) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) NUCLEAR ENERGY TRAINEESHIP SUBPRO-
6 GRAM.—

7 “(1) IN GENERAL.—The Commission shall es-
8 tablish, as a subprogram of the Program, a nuclear
9 energy traineeship subprogram under which the
10 Commission, in coordination with institutions of
11 higher education and trade schools, shall competi-
12 tively award traineeships that provide focused train-
13 ing to meet critical mission needs of the Commission
14 and nuclear workforce needs, including needs relat-
15 ing to the nuclear tradeecraft workforce.

16 “(2) REQUIREMENTS.—In carrying out the nu-
17 clear energy traineeship subprogram described in
18 paragraph (1), the Commission shall—

19 “(A) coordinate with the Secretary of En-
20 ergy to prioritize the funding of traineeships
21 that focus on—

22 “(i) nuclear workforce needs; and

23 “(ii) critical mission needs of the
24 Commission;

1 “(B) encourage appropriate partnerships
2 among—

3 “(i) National Laboratories;

4 “(ii) institutions of higher education;

5 “(iii) trade schools;

6 “(iv) the nuclear energy industry; and

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

9 “(C) on an annual basis, evaluate nuclear
10 workforce needs for the purpose of imple-
11 menting traineeships in focused topical areas
12 that—

13 “(i) address the workforce needs of
14 the nuclear energy community; and

15 “(ii) support critical mission needs of
16 the Commission.”.

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

20 (a) DEFINITIONS.—In this section:

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

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

5 (3) STANDARD CONTRACT.—The term “stand-
6 ard contract” has the meaning given the term “con-
7 tract” in section 961.3 of title 10, Code of Federal
8 Regulations (or any successor regulation).

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

12 (1) the annual and cumulative amount of pay-
13 ments made by the United States to the holder of
14 a standard contract due to a partial breach of con-
15 tract under the Nuclear Waste Policy Act of 1982
16 (42 U.S.C. 10101 et seq.) resulting in financial
17 damages to the holder;

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

24 (3) the cumulative amount spent by the Depart-
25 ment of Energy to store, manage, and dispose of

1 spent nuclear fuel and high-level radioactive waste in
2 the United States as of the date of the report;

3 (4) the projected lifecycle costs to store, man-
4 age, transport, and dispose of the projected inven-
5 tory of spent nuclear fuel and high-level radioactive
6 waste in the United States, including spent nuclear
7 fuel and high-level radioactive waste expected to be
8 generated from existing reactors through 2050;

9 (5) any mechanisms for better accounting of li-
10 abilities for the lifecycle costs of the spent nuclear
11 fuel and high-level radioactive waste inventory in the
12 United States;

13 (6) any recommendations for improving the
14 methods used by the Department of Energy for the
15 accounting of spent nuclear fuel and high-level ra-
16 dioactive waste costs and liabilities;

17 (7) any actions taken in the previous fiscal year
18 by the Department of Energy with respect to in-
19 terim storage; and

20 (8) any activities taken in the previous fiscal
21 year by the Department of Energy to develop and
22 deploy nuclear technologies and fuels that enhance
23 the safe transportation or storage of spent nuclear
24 fuel or high-level radioactive waste, including tech-

1 nologies to protect against seismic, flooding, and
2 other extreme weather events.

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

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

9 (b) AGENCY COORDINATION.—Not later than 180
10 days after the date of enactment of this Act, the Commis-
11 sion and the Secretary of Energy shall enter into a memo-
12 randum of understanding—

13 (1) to share technical expertise and knowledge
14 through—

15 (A) enabling the testing and demonstration
16 of accident tolerant fuels for existing commer-
17 cial nuclear reactors and advanced nuclear reac-
18 tor fuel concepts to be proposed and funded, in
19 whole or in part, by the private sector;

20 (B) operating a database to store and
21 share data and knowledge relevant to nuclear
22 science and engineering between Federal agen-
23 cies and the private sector;

1 (C) leveraging expertise with respect to
2 safety analysis and research relating to ad-
3 vanced nuclear fuel; and

4 (D) enabling technical staff to actively ob-
5 serve and learn about technologies, with an em-
6 phasis on identification of additional informa-
7 tion needed with respect to advanced nuclear
8 fuel; and

9 (2) to ensure that—

10 (A) the Department of Energy has suffi-
11 cient technical expertise to support the timely
12 research, development, demonstration, and com-
13 mercial application of advanced nuclear fuel;

14 (B) the Commission has sufficient tech-
15 nical expertise to support the evaluation of ap-
16 plications for licenses, permits, and design cer-
17 tifications and other requests for regulatory ap-
18 proval for advanced nuclear fuel;

19 (C)(i) the Department of Energy main-
20 tains and develops the facilities necessary to en-
21 able the timely research, development, dem-
22 onstration, and commercial application by the
23 civilian nuclear industry of advanced nuclear
24 fuel; and

1 (ii) the Commission has access to the fa-
2 cilities described in clause (i), as needed; and

3 (D) the Commission consults, as appro-
4 priate, with the modeling and simulation ex-
5 perts at the Office of Nuclear Energy of the
6 Department of Energy, at the National Labora-
7 tories, and within industry fuel vendor teams in
8 cooperative agreements with the Department of
9 Energy to leverage physics-based computer
10 modeling and simulation capabilities.

11 (c) REPORT.—

12 (1) IN GENERAL.—Not later than 2 years after
13 the date of enactment of this Act, the Commission
14 shall submit to the appropriate committees of Con-
15 gress a report describing the efforts of the Commis-
16 sion under subsection (a), including—

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

19 (i) accident tolerant fuel;

20 (ii) ceramic cladding materials;

21 (iii) fuels containing silicon carbide;

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

24 (v) molten-salt based liquid fuels;

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

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

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

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

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

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

16 (A) the Secretary of Energy;

17 (B) National Laboratories;

18 (C) the nuclear energy industry;

19 (D) technology developers;

20 (E) nongovernmental organizations; and

21 (F) other public stakeholders.

1 **TITLE V—IMPROVING**
2 **COMMISSION EFFICIENCY**

3 **SEC. 501. MISSION ALIGNMENT.**

4 (a) **UPDATE.**—Not later than 1 year after the date
5 of enactment of this Act, the Commission shall, while re-
6 maining consistent with the policies of the Atomic Energy
7 Act of 1954 (42 U.S.C. 2011 et seq.) and the Energy Re-
8 organization Act of 1974 (42 U.S.C. 5801 et seq.) (includ-
9 ing to provide reasonable assurance of adequate protection
10 of the public health and safety, to promote the common
11 defense and security, and to protect the environment), up-
12 date the mission statement of the Commission to include
13 that licensing and regulation of the civilian use of radio-
14 active materials and nuclear energy be conducted in a
15 manner that is efficient and does not unnecessarily limit—

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

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

20 (b) **REPORT.**—On completion of the update to the
21 mission statement required under subsection (a), the Com-
22 mission shall submit to the appropriate committees of
23 Congress a report that describes—

24 (1) the updated mission statement; and

1 (2) the guidance that the Commission will pro-
2 vide to staff of the Commission to ensure effective
3 performance of the mission of the Commission.

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

5 (a) COMMISSION WORKFORCE.—

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

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

10 “(a) DIRECT HIRE AUTHORITY.—

11 “(1) IN GENERAL.—Notwithstanding section
12 161 d. of this Act and any provision of Reorganiza-
13 tion Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C.
14 app.), and without regard to any provision of title 5
15 (except section 3328), United States Code, gov-
16 erning appointments in the civil service, the Chair-
17 man of the Nuclear Regulatory Commission (in this
18 section referred to as the ‘Chairman’) may, in order
19 to carry out the Nuclear Regulatory Commission’s
20 (in this section referred to as the ‘Commission’) re-
21 sponsibilities and activities in a timely, efficient, and
22 effective manner and subject to the limitations de-
23 scribed in paragraphs (2), (3), and (4)—

1 “(A) recruit and directly appoint excep-
2 tionally well-qualified individuals into the ex-
3 cepted service for covered positions; and

4 “(B) establish in the excepted service
5 term-limited covered positions and recruit and
6 directly appoint exceptionally well-qualified indi-
7 viduals into such term-limited covered positions,
8 which may not exceed a term of 4 years.

9 “(2) LIMITATIONS.—

10 “(A) NUMBER.—

11 “(i) IN GENERAL.—The number of ex-
12 ceptionally well-qualified individuals serv-
13 ing in covered positions pursuant to para-
14 graph (1)(A) may not exceed 210 at any
15 one time.

16 “(ii) TERM-LIMITED COVERED POSI-
17 TIONS.—The Chairman may not appoint
18 more than 20 exceptionally well-qualified
19 individuals into term-limited covered posi-
20 tions pursuant to paragraph (1)(B) during
21 any fiscal year.

22 “(B) COMPENSATION.—

23 “(i) ANNUAL RATE.—The annual
24 basic rate of pay for any individual ap-
25 pointed under paragraph (1)(A) or para-

1 graph (1)(B) may not exceed the annual
2 basic rate of pay for level III of the Execu-
3 tive Schedule under section 5314 of title 5,
4 United States Code.

5 “(ii) EXPERIENCE AND QUALIFICA-
6 TIONS.—Any individual recruited and di-
7 rectly appointed into a covered position or
8 a term-limited covered position shall be
9 compensated at a rate of pay that is com-
10 mensurate with such individual’s experi-
11 ence and qualifications.

12 “(C) SENIOR EXECUTIVE SERVICE POSI-
13 TION.—The Chairman may not, under para-
14 graph (1)(A) or paragraph (1)(B), appoint ex-
15 ceptionally well-qualified individuals to any Sen-
16 ior Executive Service position, as defined in sec-
17 tion 3132 of title 5, United States Code.

18 “(3) LEVEL OF POSITIONS.—To the extent
19 practicable, in carrying out paragraph (1) the Chair-
20 man shall recruit and directly appoint exceptionally
21 well-qualified individuals into the excepted service to
22 entry, mid, and senior level covered positions, includ-
23 ing term-limited covered positions.

24 “(4) CONSIDERATION OF FUTURE WORKFORCE
25 NEEDS.—When recruiting and directly appointing

1 exceptionally well-qualified individuals to covered po-
2 sitions pursuant to paragraph (1)(A), to maintain
3 sufficient flexibility under the limitations of para-
4 graph (2)(A)(i), the Chairman shall consider the fu-
5 ture workforce needs of the Commission to carry out
6 its responsibilities and activities in a timely, effi-
7 cient, and effective manner.

8 “(b) ADDRESSING INSUFFICIENT COMPENSATION OF
9 EMPLOYEES AND OTHER PERSONNEL OF THE COMMIS-
10 SION.—

11 “(1) IN GENERAL.—Notwithstanding any other
12 provision of law, the Chairman may fix the com-
13 pensation for employees or other personnel serving
14 in a covered position without regard to any provision
15 of title 5, United States Code, governing General
16 Schedule classification and pay rates.

17 “(2) APPLICABILITY.—The authority under this
18 subsection to fix the compensation of employees or
19 other personnel shall apply with respect to an em-
20 ployee or other personnel serving in a covered posi-
21 tion regardless of when the employee or other per-
22 sonnel was hired.

23 “(3) LIMITATIONS ON COMPENSATION.—

24 “(A) ANNUAL RATE.—The Chairman may
25 not use the authority under paragraph (1) to

1 fix the compensation of employees or other per-
2 sonnel—

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

8 “(ii) at an annual rate of basic pay
9 that is not commensurate with such an
10 employee or other personnel’s experience
11 and qualifications.

12 “(B) SENIOR EXECUTIVE SERVICE POSI-
13 TIONS.—The Chairman may not use the au-
14 thority under paragraph (1) to fix the com-
15 pensation of an employee serving in a Senior
16 Executive Service position, as defined in section
17 3132 of title 5, United States Code.

18 “(c) ADDITIONAL COMPENSATION AUTHORITY.—

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

23 “(2) FOR EXISTING EMPLOYEES.—

24 “(A) IN GENERAL.—Subject to subpara-
25 graphs (B) and (C), an employee or other per-

1 sonnel who the Chairman determines exhibited
2 exceptional performance in a fiscal year may be
3 paid a performance bonus in an amount not to
4 exceed the least of—

5 “(i) \$25,000; and

6 “(ii) the amount of the limitation that
7 is applicable for a calendar year under sec-
8 tion 5307(a)(1) of title 5, United States
9 Code.

10 “(B) EXCEPTIONAL PERFORMANCE.—Ex-
11 ceptional performance under subparagraph (A)
12 includes—

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

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

19 “(iii) the resolution of novel or first-
20 of-a-kind regulatory issues;

21 “(iv) developing or implementing li-
22 censing or regulatory oversight processes
23 to improve the effectiveness of the Com-
24 mission; and

1 “(v) other performance, as determined
2 by the Chairman.

3 “(C) LIMITATIONS.—

4 “(i) SUBSEQUENT BONUSES.—Any
5 person who receives a performance bonus
6 under subparagraph (A) may not receive
7 another performance bonus under that
8 subparagraph for a period of 5 years there-
9 after.

10 “(ii) HIRING BONUSES.—Any person
11 who receives a 1-time hiring bonus under
12 paragraph (1) may not receive a perform-
13 ance bonus under subparagraph (A) unless
14 more than one year has elapsed since the
15 payment of such 1-time hiring bonus.

16 “(iii) NO BONUS FOR SENIOR EXECU-
17 TIVE SERVICE POSITIONS.—No person
18 serving in a Senior Executive Service posi-
19 tion, as defined in section 3132 of title 5,
20 United States Code, may receive a per-
21 formance bonus under subparagraph (A).

22 “(d) IMPLEMENTATION PLAN AND REPORT.—

23 “(1) IN GENERAL.—Not later than 180 days
24 after the date of enactment of this section, the
25 Chairman shall develop and implement a plan to

1 carry out this section. Before implementing such
2 plan, the Chairman shall submit to the Committee
3 on Energy and Commerce of the House of Rep-
4 resentatives, the Committee on Environment and
5 Public Works of the Senate, and the Office of Per-
6 sonnel Management a report on the details of the
7 plan.

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

10 “(A) evidence and supporting documenta-
11 tion justifying the plan; and

12 “(B) budgeting projections on costs and
13 benefits resulting from the plan.

14 “(3) CONSULTATION.—The Chairman may con-
15 sult with the Office of Personnel Management, the
16 Office of Management and Budget, and the Comp-
17 troller General of the United States in developing
18 the plan under paragraph (1).

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

23 “(f) INFORMATION ON HIRING, VACANCIES, AND
24 COMPENSATION.—

1 “(1) IN GENERAL.—The Commission shall in-
2 clude in its budget materials submitted in support of
3 the budget of the President (submitted to Congress
4 pursuant to section 1105 of title 31, United States
5 Code), for fiscal year 2026 and each fiscal year
6 thereafter, information relating to hiring, vacancies,
7 and compensation at the Commission.

8 “(2) INCLUSIONS.—The information described
9 in paragraph (1) shall include—

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

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

16 “(C) information that describes—

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

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

22 “(I) covered positions described
23 in subsection (g)(1) pursuant to sub-
24 section (a)(1)(A);

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

4 “(III) term-limited covered posi-
5 tions described in subsection (g)(1)
6 pursuant to subsection (a)(1)(B); and

7 “(IV) term-limited covered posi-
8 tions described in subsection (g)(2)
9 pursuant to subsection (a)(1)(B);

10 “(iii) how the authority provided by
11 subsection (b) is being used to address the
12 hiring or retention needs of the Commis-
13 sion;

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

18 “(v) the attrition levels with respect to
19 term-limited covered positions appointed
20 under subsection (a)(1)(B), including the
21 number of individuals leaving a term-lim-
22 ited covered position before completion of
23 the applicable term of service and the aver-
24 age length of service for such individuals

1 as a percentage of the applicable term of
2 service; and

3 “(D) an assessment of—

4 “(i) the current critical workforce
5 needs of the Commission and any critical
6 workforce needs that the Commission an-
7 ticipates in the next five years; and

8 “(ii) additional skillsets that are or
9 likely will be needed for the Commission to
10 fulfill the licensing and oversight respon-
11 sibilities of the Commission.

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

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

20 “(2) a position that the Executive Director for
21 Operations of the Commission determines is nec-
22 essary to fulfill the responsibilities of the Commis-
23 sion in a timely, efficient, and effective manner.

24 “(h) SUNSET.—

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

4 “(2) CERTIFICATION.—If, no later than the
5 date referenced in paragraph (1), the Commission
6 issues a certification that the authorities provided by
7 subsection (a), subsection (b), or both subsections
8 are necessary for the Commission to carry out its re-
9 sponsibilities and activities in a timely, efficient, and
10 effective manner, the authorities provided by the ap-
11 plicable subsection shall terminate on September 30,
12 2039.

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

19 (2) TABLE OF CONTENTS.—The table of con-
20 tents of the Atomic Energy Act of 1954 is amended
21 by inserting after the item relating to section 161
22 the following:

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

“Sec. 161B. Commission workforce.”.

23 (b) GOVERNMENT ACCOUNTABILITY OFFICE RE-
24 PORT.—Not later than September 30, 2033, the Comp-

1 troller General of the United States shall submit to the
2 Committee on Energy and Commerce and the Committee
3 on Oversight and Accountability of the House of Rep-
4 resentatives and the Committee on Environment and Pub-
5 lic Works and the Committee on Homeland Security and
6 Governmental Affairs of the Senate a report that—

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

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

17 (3) assesses the effectiveness of the authorities
18 provided under subsections (a), (b), and (c) of sec-
19 tion 161B of the Atomic Energy Act of 1954 (as
20 added by this Act) in helping the Commission fulfill
21 its mission;

22 (4) makes recommendations to improve the
23 Commission’s strategic workforce management; and

24 (5) makes recommendations with respect to
25 whether Congress should extend, enhance, modify, or

1 discontinue the authorities provided under sub-
2 sections (a), (b), and (c) of section 161B of the
3 Atomic Energy Act of 1954 (as added by this Act).

4 (c) ANNUAL SOLICITATION FOR NUCLEAR REGU-
5 LATOR APPRENTICESHIP NETWORK APPLICATIONS.—The
6 Commission, on an annual basis, shall solicit applications
7 for the Nuclear Regulator Apprenticeship Network.

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

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

13 (1) the progress on the implementation of sec-
14 tion 102(a)(3) of the Nuclear Energy Innovation
15 and Modernization Act (42 U.S.C. 2215(a)(3)); and

16 (2) whether the Commission is meeting and is
17 expected to meet the total budget authority caps re-
18 quired for corporate support under that section.

19 (b) LIMITATION ON CORPORATE SUPPORT COSTS.—
20 Section 102(a)(3) of the Nuclear Energy Innovation and
21 Modernization Act (42 U.S.C. 2215(a)(3)) is amended by
22 striking subparagraphs (B) and (C) and inserting the fol-
23 lowing:

24 “(B) 30 percent for fiscal year 2025 and
25 each fiscal year thereafter.”.

1 (c) CORPORATE SUPPORT COSTS CLARIFICATION.—
2 Paragraph (10) of section 3 of the Nuclear Energy Inno-
3 vation and Modernization Act (42 U.S.C. 2215 note; Pub-
4 lic Law 115–439) (as redesignated by section 201(a)(1))
5 is amended—

6 (1) by striking “The term” and inserting the
7 following:

8 “(A) IN GENERAL.—The term”; and

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

10 “(B) EXCLUSIONS.—The term ‘corporate
11 support costs’ does not include—

12 “(i) costs for rent and utilities relat-
13 ing to any and all space in the Three
14 White Flint North building that is not oc-
15 cupied by the Commission; or

16 “(ii) costs for salaries, travel, and
17 other support for the Office of the Com-
18 mission.”.

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

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

22 (1) in paragraph (3)—

23 (A) in the paragraph heading, by striking
24 “180” and inserting “90”; and

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

2 and

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

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

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

12 “(B) REVISIONS.—After each review and
13 assessment under subparagraph (A), the Com-
14 mission shall revise and improve, as appro-
15 priate, the performance metrics and milestone
16 schedules described in that subparagraph to
17 provide the most efficient metrics and schedules
18 reasonably achievable.”.

19 **SEC. 505. NUCLEAR LICENSING EFFICIENCY.**

20 (a) OFFICE OF NUCLEAR REACTOR REGULATION.—

21 Section 203 of the Energy Reorganization Act of 1974

22 (42 U.S.C. 5843) is amended—

23 (1) in subsection (a), by striking “(a) There”

24 and inserting the following:

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

3 (2) in subsection (b)—

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (b) EFFICIENT LICENSING REVIEWS.—

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

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

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

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

19 “(b) EFFICIENT LICENSING REVIEWS.—The Com-
20 mission shall provide for efficient and timely reviews and
21 proceedings for the granting, suspending, revoking, or
22 amending of any—

23 “(1) license or construction permit; or

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

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

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

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

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

1 mental assessments, and generic environmental impact
2 statements.

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

5 (1) describe the actions the Commission will
6 take to implement the amendments to the National
7 Environmental Policy Act of 1969 (42 U.S.C. 4321
8 et seq.) made by section 321 of the Fiscal Responsi-
9 bility Act of 2023 (Public Law 118–5; 137 Stat.
10 38);

11 (2) consider—

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

19 (B) using categorical exclusions, environ-
20 mental assessments, and environmental impact
21 statements prepared by the Commission to
22 streamline environmental reviews of applica-
23 tions described in subsection (a) by the Com-
24 mission;

1 (C) using mitigated findings of no signifi-
2 cant impact in environmental reviews of appli-
3 cations described in subsection (a) by the Com-
4 mission to reduce the impact of a proposed ac-
5 tion to a level that is not significant;

6 (D) the extent to which the Commission
7 may rely on prior studies or analyses prepared
8 by Federal, State, and local governmental per-
9 mitting agencies to streamline environmental
10 reviews of applications described in subsection
11 (a) by the Commission;

12 (E) opportunities to coordinate the devel-
13 opment of environmental assessments and envi-
14 ronmental impact statements with other Fed-
15 eral agencies to avoid duplicative environmental
16 reviews and to streamline environmental reviews
17 of applications described in subsection (a) by
18 the Commission;

19 (F) opportunities to streamline formal and
20 informal consultations and coordination with
21 other Federal, State, and local governmental
22 permitting agencies during environmental re-
23 views of applications described in subsection (a)
24 by the Commission;

1 (G) opportunities to streamline the Com-
2 mission's analyses of alternatives, including the
3 Commission's analysis of alternative sites, in
4 environmental reviews of applications described
5 in subsection (a) by the Commission;

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

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

20 (J) authorizing the use of an applicant's
21 environmental impact statement as the Com-
22 mission's draft environmental impact statement,
23 consistent with section 107(f) of the National
24 Environmental Policy Act of 1969 (42 U.S.C.
25 4336a(f));

1 (K) opportunities to adopt online and dig-
2 ital technologies, including technologies that
3 would allow applicants and cooperating agencies
4 to upload documents and coordinate with the
5 Commission to edit documents in real time,
6 that would streamline communications be-
7 tween—

8 (i) the Commission and applicants;
9 and

10 (ii) the Commission and other rel-
11 evant cooperating agencies; and

12 (L) in addition to implementing measures
13 under paragraph (3), potential revisions to part
14 51 of title 10, Code of Federal Regulations, and
15 relevant Commission guidance documents—

16 (i) to facilitate efficient, timely, and
17 predictable environmental reviews of appli-
18 cations described in subsection (a);

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

21 (iii) to maintain openness with the
22 public;

23 (iv) to meet obligations under the Na-
24 tional Environmental Policy Act of 1969
25 (42 U.S.C. 4321 et seq.); and

1 (v) to reduce burdens on licensees, ap-
2 plicants, and the Commission; and
3 (3) include a schedule for promulgating a rule
4 for any measures considered by the Commission
5 under subparagraphs (A) through (K) of paragraph
6 (2) that require a rulemaking.

7 **SEC. 507. IMPROVING OVERSIGHT AND INSPECTION PRO-**
8 **GRAMS.**

9 (a) DEFINITION OF LICENSEE.—In this section, the
10 term “licensee” means a person that holds a license issued
11 under section 103 or 104 of the Atomic Energy Act of
12 1954 (42 U.S.C. 2133, 2134).

13 (b) REPORT.—Not later than 1 year after the date
14 of enactment of this Act, the Commission shall develop
15 and submit to the appropriate committees of Congress a
16 report that identifies specific improvements to the nuclear
17 reactor and materials oversight and inspection programs
18 carried out pursuant to the Atomic Energy Act of 1954
19 (42 U.S.C. 2011 et seq.) that the Commission may imple-
20 ment to maximize the efficiency of such programs through,
21 where appropriate, the use of risk-informed, performance-
22 based procedures, expanded incorporation of information
23 technologies, and staff training.

1 (c) STAKEHOLDER INPUT.—In developing the report
2 under subsection (b), the Commission shall, as appro-
3 priate, seek input from—

4 (1) other Federal regulatory agencies that con-
5 duct oversight and inspections;

6 (2) the nuclear energy industry;

7 (3) nongovernmental organizations; and

8 (4) other public stakeholders.

9 (d) CONTENTS.—The report submitted under sub-
10 section (b) shall—

11 (1) assess specific elements of oversight and in-
12 spections that may be modified by the use of tech-
13 nology, improved planning, and continually updated
14 risk-informed, performance-based assessment, in-
15 cluding—

16 (A) use of travel resources;

17 (B) planning and preparation for inspec-
18 tions, including entrance and exit meetings with
19 licensees;

20 (C) document collection and preparation,
21 including consideration of whether nuclear reac-
22 tor data are accessible prior to onsite visits or
23 requests to the licensee and that document re-
24 quests are timely and within the scope of in-
25 spections; and

- 1 (D) the cross-cutting issues program;
- 2 (2) identify and assess measures to improve
3 oversight and inspections, including—
- 4 (A) elimination of areas of duplicative or
5 otherwise unnecessary activities;
- 6 (B) increased use of templates in docu-
7 menting inspection results; and
- 8 (C) periodic training of Commission staff
9 and leadership on the application of risk-in-
10 formed criteria for—
- 11 (i) inspection planning and assess-
12 ments;
- 13 (ii) agency decision-making processes
14 on the application of regulations and guid-
15 ance; and
- 16 (iii) the application of the Commis-
17 sion’s standard of reasonable assurance of
18 adequate protection;
- 19 (3) assess measures to advance risk-informed
20 procedures, including—
- 21 (A) increased use of inspection approaches
22 that balance the level of resources commensu-
23 rate with safety significance;

1 (B) increased review of the use of inspec-
2 tion program resources based on licensee per-
3 formance;

4 (C) expansion of modern information tech-
5 nology, including artificial intelligence and ma-
6 chine learning, to risk-inform oversight and in-
7 spection decisions; and

8 (D) updating the Differing Professional
9 Views or Opinions process to ensure any im-
10 pacts on agency decisions and schedules are
11 commensurate with the safety significance of
12 the differing opinion;

13 (4) assess the ability of the Commission, con-
14 sistent with the mission of the Commission, to en-
15 able licensee innovations that may advance nuclear
16 reactor operational efficiency and safety, including
17 the criteria of the Commission for timely acceptance
18 of licensee adoption of advanced technologies, includ-
19 ing digital technologies;

20 (5) identify recommendations resulting from the
21 assessments described in paragraphs (1) through
22 (4);

23 (6) identify specific actions that the Commis-
24 sion may take to incorporate into the training, in-
25 spection, oversight, and licensing activities, and reg-

1 ulations, of the Commission, without compromising
2 the mission of the Commission, the recommenda-
3 tions identified under paragraph (5); and

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

6 **TITLE VI—MISCELLANEOUS**

7 **SEC. 601. TECHNICAL CORRECTION.**

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

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

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

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

22 “(i) nonenergy services;

23 “(ii) energy; or

24 “(iii) a combination of nonenergy
25 services and energy; and

1 **SEC. 603. SAVINGS CLAUSE.**

2 Nothing in this Act affects authorities of the Depart-
3 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.”.