

118TH CONGRESS  
1ST SESSION

# H. R. 3485

To establish an international initiative to support the global deployment of civil nuclear technologies, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2023

Mr. DONALDS introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To establish an international initiative to support the global deployment of civil nuclear technologies, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Avoid Our Adversaries  
5 and Buy American Nuclear Act”.

6 **SEC. 2. INTERNATIONAL CIVIL NUCLEAR PROGRAM SUP-**  
7 **PORT.**

8 (a) IN GENERAL.—Not later than 120 days after the  
9 date of enactment of this Act, the Secretary of State, in  
10 coordination with the Secretary, shall launch an inter-

1 national initiative (referred to in this section as the “ini-  
2 tiative”) to provide financial assistance to, and facilitate  
3 the building of technical capacities by, in accordance with  
4 this section, embarking civil nuclear nations for activities  
5 relating to the development of civil nuclear energy pro-  
6 grams.

7 (b) FINANCIAL ASSISTANCE.—

8 (1) IN GENERAL.—In carrying out the initia-  
9 tive, the Secretary of State, in coordination with the  
10 Secretary, may award grants of financial assistance  
11 to embarking civil nuclear nations in accordance  
12 with this subsection—

13 (A) for activities relating to the develop-  
14 ment of civil nuclear energy programs; and

15 (B) to facilitate the building of technical  
16 capacities for those activities.

17 (2) AMOUNT.—The amount of a grant of finan-  
18 cial assistance under paragraph (1) shall be not  
19 more than \$5,500,000.

20 (3) LIMITATIONS.—The Secretary of State, in  
21 coordination with the Secretary, may award—

22 (A) not more than 1 grant of financial as-  
23 sistance under paragraph (1) to any 1 embark-  
24 ing civil nuclear nation each fiscal year; and

1 (B) not more than a total of 5 grants of  
2 financial assistance under paragraph (1) to any  
3 1 embarking civil nuclear nation.

4 (c) SENIOR ADVISORS.—

5 (1) IN GENERAL.—In carrying out the initia-  
6 tive, the Secretary of State, in coordination with the  
7 Secretary, may provide financial assistance to an  
8 embarking civil nuclear nation for the purpose of  
9 contracting with a U.S. nuclear energy company to  
10 hire 1 or more senior advisors to assist the embark-  
11 ing civil nuclear nation in establishing a civil nuclear  
12 program.

13 (2) REQUIREMENT.—A senior advisor described  
14 in paragraph (1) shall have relevant experience and  
15 qualifications to advise the embarking civil nuclear  
16 nation on, and facilitate on behalf of the embarking  
17 civil nuclear nation, 1 or more of the following ac-  
18 tivities:

19 (A) The development of financing relation-  
20 ships.

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

24 (C) The development of a standardized li-  
25 censing framework for—

1 (i) light water civil nuclear tech-  
2 nologies; and

3 (ii) non-light water civil nuclear tech-  
4 nologies and advanced nuclear reactors.

5 (D) The identification of qualified organi-  
6 zations and service providers.

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

10 (F) Market analysis.

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

14 (H) Risk allocation, risk management, and  
15 nuclear liability.

16 (I) Technical assessments of nuclear reac-  
17 tors and technologies.

18 (J) The identification of actions necessary  
19 to participate in a global nuclear liability re-  
20 gime based on the Convention on Supple-  
21 mentary Compensation for Nuclear Damage,  
22 with Annex, done at Vienna September 12,  
23 1997 (TIAS 15–415).

24 (K) Stakeholder engagement.

1           (L) Management of spent nuclear fuel and  
2           nuclear waste.

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

8           (3) CLARIFICATION.—Financial assistance  
9           under this subsection may be provided to an em-  
10          barking civil nuclear nation in addition to any finan-  
11          cial assistance provided to that embarking civil nu-  
12          clear nation under subsection (b).

13          (d) LIMITATION ON ASSISTANCE TO EMBARKING  
14          CIVIL NUCLEAR NATIONS.—Not later than 1 year after  
15          the date of enactment of this Act, the Offices of the In-  
16          spectors General for the Department of State and the De-  
17          partment of Energy shall coordinate—

18               (1) to establish and submit to the appropriate  
19               committees of Congress a joint strategic plan to con-  
20               duct comprehensive oversight of activities authorized  
21               under this section to prevent fraud, waste, and  
22               abuse; and

23               (2) to engage in independent and effective over-  
24               sight of activities authorized under this section

1 through joint or individual audits, inspections, inves-  
2 tigations, or evaluations.

3 (e) DEFINITIONS.—In this section:

4 (1) ADVANCED NUCLEAR REACTOR.—The term  
5 “advanced nuclear reactor” means—

6 (A) a nuclear fission reactor, including a  
7 prototype plant (as defined in sections 50.2 and  
8 52.1 of title 10, Code of Federal Regulations  
9 (or successor regulations)), with significant im-  
10 provements compared to reactors operating on  
11 October 19, 2016, including improvements such  
12 as—

13 (i) additional inherent safety features;

14 (ii) lower waste yields;

15 (iii) improved fuel and material per-  
16 formance;

17 (iv) increased tolerance to loss of fuel  
18 cooling;

19 (v) enhanced reliability or improved  
20 resilience;

21 (vi) increased proliferation resistance;

22 (vii) increased thermal efficiency;

23 (viii) reduced consumption of cooling  
24 water and other environmental impacts;

1 (ix) the ability to integrate into elec-  
2 tric applications and nonelectric applica-  
3 tions;

4 (x) modular sizes to allow for deploy-  
5 ment that corresponds with the demand  
6 for electricity or process heat; and

7 (xi) operational flexibility to respond  
8 to changes in demand for electricity or  
9 process heat and to complement integra-  
10 tion with intermittent renewable energy or  
11 energy storage;

12 (B) a fusion reactor; and

13 (C) a radioisotope power system that uti-  
14 lizes heat from radioactive decay to generate  
15 energy.

16 (2) CIVIL NUCLEAR.—The term “civil nuclear”  
17 means activities relating to—

18 (A) nuclear plant construction;

19 (B) nuclear fuel services;

20 (C) nuclear energy financing;

21 (D) nuclear plant operations;

22 (E) nuclear plant regulation;

23 (F) nuclear medicine;

24 (G) nuclear safety;

1 (H) community engagement in areas in  
2 reasonable proximity to nuclear sites;

3 (I) infrastructure support for nuclear en-  
4 ergy;

5 (J) nuclear plant decommissioning;

6 (K) nuclear liability;

7 (L) safe storage and safe disposal of spent  
8 nuclear fuel;

9 (M) environmental safeguards;

10 (N) nuclear nonproliferation and security;

11 and

12 (O) technology related to the matters de-  
13 scribed in subparagraphs (A) through (N).

14 (3) EMBARKING CIVIL NUCLEAR NATION.—

15 (A) IN GENERAL.—The term “embarking  
16 civil nuclear nation” means a country that—

17 (i) does not have a civil nuclear en-  
18 ergy program;

19 (ii) is in the process of developing or  
20 expanding a civil nuclear energy program,  
21 including safeguards and a legal and regu-  
22 latory framework, for—

23 (I) nuclear safety;

24 (II) nuclear security;



1 (III) radioactive waste manage-  
2 ment;

3 (IV) civil nuclear energy;

4 (V) environmental safeguards;

5 (VI) community engagement in  
6 areas in reasonable proximity to nu-  
7 clear sites;

8 (VII) nuclear liability; or

9 (VIII) advanced nuclear reactor  
10 licensing;

11 (iii) is in the process of selecting, de-  
12 veloping, constructing, or utilizing ad-  
13 vanced light water reactors, advanced nu-  
14 clear reactors, or advanced civil nuclear  
15 technologies; or

16 (iv) had an annual per capita gross  
17 domestic product of not more than  
18 \$28,000 in 2020.

19 (B) EXCLUSIONS.—The term “embarking  
20 civil nuclear nation” does not include—

21 (i) the People’s Republic of China;

22 (ii) the Russian Federation;

23 (iii) the Republic of Belarus;

24 (iv) the Islamic Republic of Iran;

1 (v) the Democratic People’s Republic  
2 of Korea;

3 (vi) the Republic of Cuba;

4 (vii) the Bolivarian Republic of Ven-  
5 ezuela;

6 (viii) the Syrian Arab Republic;

7 (ix) Burma; or

8 (x) any other country—

9 (I) the property or interests in  
10 property of the government of which  
11 are blocked pursuant to the Inter-  
12 national Emergency Economic Powers  
13 Act (50 U.S.C. 1701 et seq.); or

14 (II) the government of which the  
15 Secretary of State has determined has  
16 repeatedly provided support for acts  
17 of international terrorism for purposes  
18 of—

19 (aa) section 620A(a) of the  
20 Foreign Assistance Act of 1961  
21 (22 U.S.C. 2371(a));

22 (bb) section 40(d) of the  
23 Arms Export Control Act (22  
24 U.S.C. 2780(d));

1 (cc) section 1754(c)(1)(A)(i)  
2 of the Export Control Reform  
3 Act of 2018 (50 U.S.C.  
4 4813(c)(1)(A)(i)); or  
5 (dd) any other relevant pro-  
6 vision of law.

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

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

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

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

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