

118TH CONGRESS  
1ST SESSION

# S. 826

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

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IN THE SENATE OF THE UNITED STATES

MARCH 15, 2023

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

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## A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “International Nuclear  
5 Energy Act of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ADVANCED NUCLEAR REACTOR.**—The term  
9 “advanced nuclear reactor” means—

1 (A) a nuclear fission reactor, including a  
2 prototype plant (as defined in sections 50.2 and  
3 52.1 of title 10, Code of Federal Regulations  
4 (or successor regulations)), with significant im-  
5 provements compared to reactors operating on  
6 October 19, 2016, including improvements such  
7 as—

8 (i) additional inherent safety features;

9 (ii) lower waste yields;

10 (iii) improved fuel and material per-  
11 formance;

12 (iv) increased tolerance to loss of fuel  
13 cooling;

14 (v) enhanced reliability or improved  
15 resilience;

16 (vi) increased proliferation resistance;

17 (vii) increased thermal efficiency;

18 (viii) reduced consumption of cooling  
19 water and other environmental impacts;

20 (ix) the ability to integrate into elec-  
21 tric applications and nonelectric applica-  
22 tions;

23 (x) modular sizes to allow for deploy-  
24 ment that corresponds with the demand  
25 for electricity or process heat; and

1 (xi) operational flexibility to respond  
2 to changes in demand for electricity or  
3 process heat and to complement integra-  
4 tion with intermittent renewable energy or  
5 energy storage;

6 (B) a fusion reactor; and

7 (C) a radioisotope power system that uti-  
8 lizes heat from radioactive decay to generate  
9 energy.

10 (2) ALLY OR PARTNER NATION.—The term  
11 “ally or partner nation” means—

12 (A) the Government of any country that is  
13 a member of the Organisation for Economic Co-  
14 operation and Development;

15 (B) the Government of the Republic of  
16 India; and

17 (C) the Government of any country des-  
18 ignated as an ally or partner nation by the Sec-  
19 retary of State for purposes of this Act.

20 (3) APPROPRIATE COMMITTEES OF CON-  
21 GRESS.—The term “appropriate committees of Con-  
22 gress” means—

23 (A) the Committees on Foreign Relations  
24 and Energy and Natural Resources of the Sen-  
25 ate; and

1 (B) the Committees on Foreign Affairs  
2 and Energy and Commerce of the House of  
3 Representatives.

4 (4) ASSISTANT.—The term “Assistant” means  
5 the Assistant to the President and Director for  
6 International Nuclear Energy Policy described in  
7 section 3(a)(1)(D).

8 (5) ASSOCIATED ENTITY.—The term “associ-  
9 ated entity” means an entity that—

10 (A) is owned, controlled, or operated by—

11 (i) an ally or partner nation; or

12 (ii) an associated individual; or

13 (B) is organized under the laws of, or oth-  
14 erwise subject to the jurisdiction of, a country  
15 described in paragraph (2), including a corpora-  
16 tion that is incorporated in a country described  
17 in that paragraph.

18 (6) ASSOCIATED INDIVIDUAL.—The term “asso-  
19 ciated individual” means a foreign national who is a  
20 national of a country described in paragraph (2).

21 (7) CIVIL NUCLEAR.—The term “civil nuclear”  
22 means activities relating to—

23 (A) nuclear plant construction;

24 (B) nuclear fuel services;

25 (C) nuclear energy financing;

1 (D) nuclear plant operations;

2 (E) nuclear plant regulation;

3 (F) nuclear medicine;

4 (G) nuclear safety;

5 (H) community engagement in areas in  
6 reasonable proximity to nuclear sites;

7 (I) infrastructure support for nuclear en-  
8 ergy;

9 (J) nuclear plant decommissioning;

10 (K) nuclear liability;

11 (L) safe storage and safe disposal of spent  
12 nuclear fuel;

13 (M) environmental safeguards;

14 (N) nuclear nonproliferation and security;

15 and

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

18 (8) EMBARKING CIVIL NUCLEAR NATION.—

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

21 (i) does not have a civil nuclear en-  
22 ergy program;

23 (ii) is in the process of developing or  
24 expanding a civil nuclear energy program,

1 including safeguards and a legal and regu-  
2 latory framework, for—

3 (I) nuclear safety;

4 (II) nuclear security;

5 (III) radioactive waste manage-  
6 ment;

7 (IV) civil nuclear energy;

8 (V) environmental safeguards;

9 (VI) community engagement in  
10 areas in reasonable proximity to nu-  
11 clear sites;

12 (VII) nuclear liability; or

13 (VIII) advanced nuclear reactor  
14 licensing;

15 (iii) is in the process of selecting, de-  
16 veloping, constructing, or utilizing ad-  
17 vanced light water reactors, advanced nu-  
18 clear reactors, or advanced civil nuclear  
19 technologies; or

20 (iv) had an annual per capita gross  
21 domestic product of not more than  
22 \$28,000 in 2020.

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

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

- 1 (ii) the Russian Federation;  
2 (iii) the Republic of Belarus;  
3 (iv) the Islamic Republic of Iran;  
4 (v) the Democratic People's Republic  
5 of Korea;  
6 (vi) the Republic of Cuba;  
7 (vii) the Bolivarian Republic of Ven-  
8 ezuela;  
9 (viii) the Syrian Arab Republic;  
10 (ix) Burma; or  
11 (x) any other country—  
12 (I) the property or interests in  
13 property of the government of which  
14 are blocked pursuant to the Inter-  
15 national Emergency Economic Powers  
16 Act (50 U.S.C. 1701 et seq.); or  
17 (II) the government of which the  
18 Secretary of State has determined has  
19 repeatedly provided support for acts  
20 of international terrorism for purposes  
21 of—  
22 (aa) section 620A(a) of the  
23 Foreign Assistance Act of 1961  
24 (22 U.S.C. 2371(a));

1 (bb) section 40(d) of the  
2 Arms Export Control Act (22  
3 U.S.C. 2780(d));

4 (cc) section 1754(c)(1)(A)(i)  
5 of the Export Control Reform  
6 Act of 2018 (50 U.S.C.  
7 4813(c)(1)(A)(i)); or

8 (dd) any other relevant pro-  
9 vision of law.

10 (9) NUCLEAR SAFETY.—The term “nuclear  
11 safety” means issues relating to the design, con-  
12 struction, operation, or decommissioning of nuclear  
13 facilities in a manner that ensures adequate protec-  
14 tion of workers, the public, and the environment, in-  
15 cluding—

16 (A) the safe operation of nuclear reactors  
17 and other nuclear facilities;

18 (B) radiological protection of—

19 (i) members of the public;

20 (ii) workers; and

21 (iii) the environment;

22 (C) nuclear waste management;

23 (D) emergency preparedness;

24 (E) nuclear liability; and



1 (F) the safe transportation of nuclear ma-  
2 terials.

3 (10) SECRETARY.—The term “Secretary”  
4 means the Secretary of Energy.

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

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

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

15 (B) is involved in the nuclear energy indus-  
16 try.

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

18 (a) WHITE HOUSE FOCAL POINT ON CIVIL NUCLEAR  
19 COORDINATION.—

20 (1) SENSE OF CONGRESS.—Given the critical  
21 importance of developing and implementing, with  
22 input from various agencies throughout the executive  
23 branch, a cohesive policy with respect to inter-  
24 national efforts related to civil nuclear energy, it is  
25 the sense of Congress that—

1 (A) there should be a focal point within the  
2 White House, which may, if determined to be  
3 appropriate, report to the National Security  
4 Council, for coordination on issues relating to  
5 those efforts;

6 (B) to provide that focal point, the Presi-  
7 dent should establish, within the Executive Of-  
8 fice of the President, an office, to be known as  
9 the “Office of the Assistant to the President  
10 and Director for International Nuclear Energy  
11 Policy” (referred to in this subsection as the  
12 “Office”);

13 (C) the Office should act as a coordinating  
14 office for—

15 (i) international civil nuclear coopera-  
16 tion; and

17 (ii) civil nuclear export strategy;

18 (D) the Office should be headed by an in-  
19 dividual appointed as an Assistant to the Presi-  
20 dent with the title of “Director for Inter-  
21 national Nuclear Energy Policy”; and

22 (E) the Office should—

23 (i) coordinate civil nuclear export poli-  
24 cies for the United States;

1 (ii) develop, in coordination with the  
2 officials described in paragraph (2), a co-  
3 hesive Federal strategy for engagement  
4 with foreign governments (including ally or  
5 partner nations and the governments of  
6 embarking civil nuclear nations), associ-  
7 ated entities, and associated individuals  
8 with respect to civil nuclear exports;

9 (iii) coordinate with the officials de-  
10 scribed in paragraph (2) to ensure that  
11 necessary framework agreements and trade  
12 controls relating to civil nuclear materials  
13 and technologies are in place for key mar-  
14 kets; and

15 (iv) develop—

16 (I) a whole-of-government coordi-  
17 nating strategy for civil nuclear co-  
18 operation;

19 (II) a whole-of-government strat-  
20 egy for civil nuclear exports; and

21 (III) a whole-of-government ap-  
22 proach to support appropriate foreign  
23 investment in civil nuclear energy  
24 projects supported by the United

1 States in embarking civil nuclear na-  
2 tions.

3 (2) OFFICIALS DESCRIBED.—The officials re-  
4 ferred to in paragraph (1)(E) are—

5 (A) the appropriate officials of—

6 (i) the Department of State;

7 (ii) the Department of Energy;

8 (iii) the Department of Commerce;

9 (iv) the Department of Transpor-  
10 tation;

11 (v) the Nuclear Regulatory Commis-  
12 sion;

13 (vi) the Department of Defense;

14 (vii) the National Security Council;

15 (viii) the National Economic Council;

16 (ix) the Office of the United States  
17 Trade Representative;

18 (x) the Office of Management and  
19 Budget;

20 (xi) the Office of the Director of Na-  
21 tional Intelligence;

22 (xii) the Export-Import Bank of the  
23 United States;

24 (xiii) the United States International  
25 Development Finance Corporation;

1 (xiv) the United States Agency for  
2 International Development;

3 (xv) the United States Trade and De-  
4 velopment Agency;

5 (xvi) the Office of Science and Tech-  
6 nology Policy; and

7 (xvii) any other Federal agency that  
8 the President determines to be appro-  
9 priate; and

10 (B) appropriate officials representing for-  
11 eign countries and governments, including—

12 (i) ally or partner nations;

13 (ii) embarking civil nuclear nations;

14 and

15 (iii) any other country or government  
16 that the Assistant (if appointed) and the  
17 officials described in subparagraph (A)  
18 jointly determine to be appropriate.

19 (b) NUCLEAR EXPORTS WORKING GROUP.—

20 (1) ESTABLISHMENT.—There is established a  
21 working group, to be known as the “Nuclear Ex-  
22 ports Working Group” (referred to in this subsection  
23 as the “working group”).

24 (2) COMPOSITION.—The working group shall be  
25 composed of—

1 (A) senior-level Federal officials, selected  
2 internally by the applicable Federal agency or  
3 organization, from—

4 (i) the Department of State;

5 (ii) the Department of Commerce;

6 (iii) the Department of Energy;

7 (iv) the Department of the Treasury;

8 (v) the Export-Import Bank of the  
9 United States;

10 (vi) the United States International  
11 Development Finance Corporation;

12 (vii) the Nuclear Regulatory Commis-  
13 sion;

14 (viii) the Office of the United States  
15 Trade Representative; and

16 (ix) the United States Trade and De-  
17 velopment Agency; and

18 (B) other senior-level Federal officials, se-  
19 lected internally by the applicable Federal agen-  
20 cy or organization, from any other Federal  
21 agency or organization that the Secretary deter-  
22 mines to be appropriate.

23 (3) REPORTING.—The working group shall re-  
24 port to the appropriate White House official, which  
25 may be the Assistant (if appointed).

1           (4) DUTIES.—The working group shall coordi-  
2           nate, not less frequently than quarterly, with the  
3           Civil Nuclear Trade Advisory Committee of the De-  
4           partment of Commerce, the Nuclear Energy Advi-  
5           sory Committee of the Department of Energy, and  
6           other advisory or stakeholder groups, as necessary,  
7           to maintain an accurate and up-to-date knowledge of  
8           the standing of civil nuclear exports from the United  
9           States, including with respect to meeting the targets  
10          established as part of the 10-year civil nuclear trade  
11          strategy described in paragraph (5)(A).

12           (5) STRATEGY.—

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

23           (B) COLLABORATION REQUIRED.—In es-  
24           tablishing the strategy under subparagraph (A),  
25           the working group shall collaborate with—

- 1 (i) the Secretary;
- 2 (ii) the Secretary of Commerce;
- 3 (iii) the Secretary of State;
- 4 (iv) the Secretary of the Treasury;
- 5 (v) the Nuclear Regulatory Commis-
- 6 sion;
- 7 (vi) the President of the Export-Im-
- 8 port Bank of the United States;
- 9 (vii) the Chief Executive Officer of the
- 10 United States International Development
- 11 Finance Corporation;
- 12 (viii) the United States Trade Rep-
- 13 resentative; and
- 14 (ix) representatives of private indus-
- 15 try.

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

17 (a) IN GENERAL.—The President shall launch, in ac-

18 cordance with applicable nuclear technology export laws

19 (including regulations), an international initiative to mod-

20 ernize the civil nuclear outreach to embarking civil nuclear

21 nations.

22 (b) FINANCING.—In carrying out the initiative de-

23 scribed in subsection (a), the President, acting through

24 an appropriate Federal official, who may be the Assistant

25 (if appointed) or the Chief Executive Officer of the Inter-



1 national Development Finance Corporation, if determined  
2 to be appropriate, and in coordination with the officials  
3 described in section 3(a)(2), may, if the President deter-  
4 mines to be appropriate, seek to establish cooperative fi-  
5 nancing relationships for the export of civil nuclear tech-  
6 nology, components, materials, and infrastructure to em-  
7 barking civil nuclear nations.

8 (c) ACTIVITIES.—In carrying out the initiative de-  
9 scribed in subsection (a), the President shall—

10 (1) assist nongovernmental organizations and  
11 appropriate offices, administrations, agencies, lab-  
12 oratories, and programs of the Department of En-  
13 ergy and other relevant Federal agencies and offices  
14 in providing education and training to foreign gov-  
15 ernments in nuclear safety, security, and safe-  
16 guards—

17 (A) through engagement with the Inter-  
18 national Atomic Energy Agency; or

19 (B) independently, if the applicable entity  
20 determines that it would be more advantageous  
21 under the circumstances to provide the applica-  
22 ble education and training independently;

23 (2) assist the efforts of the International Atom-  
24 ic Energy Agency to expand the support provided by  
25 the International Atomic Energy Agency to embark-

1       ing civil nuclear nations for nuclear safety, security,  
2       and safeguards;

3               (3) coordinate the work of the Chief Executive  
4       Officer of the United States International Develop-  
5       ment Finance Corporation and the Export-Import  
6       Bank of the United States to expand outreach to the  
7       private investment community to create public-pri-  
8       vate financing relationships to assist in the adoption  
9       of civil nuclear technologies by embarking civil nu-  
10      clear nations, including through exports from the  
11      United States;

12              (4) seek to better coordinate, to the maximum  
13      extent practicable, the work carried out by each of—

14                      (A) the Nuclear Regulatory Commission;

15                      (B) the Department of Energy;

16                      (C) the Department of Commerce;

17                      (D) the Nuclear Energy Agency;

18                      (E) the International Atomic Energy  
19      Agency; and

20                      (F) the nuclear regulatory agencies and or-  
21      ganizations of embarking civil nuclear nations  
22      and ally or partner nations; and

23              (5) coordinate the work of the Export-Import  
24      Bank of the United States to improve the efficient

1 and effective exporting and importing of civil nuclear  
2 technologies and materials.

3 **SEC. 5. COOPERATIVE FINANCING RELATIONSHIPS WITH**  
4 **ALLY OR PARTNER NATIONS AND EMBARK-**  
5 **ING CIVIL NUCLEAR NATIONS.**

6 (a) IN GENERAL.—The President shall designate an  
7 appropriate White House official, who may be the Assist-  
8 ant (if appointed), and the Chief Executive Officer of the  
9 United States International Development Finance Cor-  
10 poration to coordinate with the officials described in sec-  
11 tion 3(a)(2) to develop, as the President determines to be  
12 appropriate, financing relationships with ally or partner  
13 nations to assist in the adoption of civil nuclear tech-  
14 nologies exported from the United States or ally or part-  
15 ner nations to embarking civil nuclear nations.

16 (b) UNITED STATES COMPETITIVENESS CLAUSES.—

17 (1) DEFINITION OF UNITED STATES COMPETI-  
18 TIVENESS CLAUSE.—In this subsection, the term  
19 “United States competitiveness clause” means any  
20 United States competitiveness provision in any  
21 agreement entered into by the Department of En-  
22 ergy, including—

23 (A) a cooperative agreement;

24 (B) a cooperative research and develop-  
25 ment agreement; and

1 (C) a patent waiver.

2 (2) CONSIDERATION.—In carrying out sub-  
3 section (a), the relevant officials described in that  
4 subsection shall consider the impact of United  
5 States competitiveness clauses on any financing rela-  
6 tionships entered into or proposed to be entered into  
7 under that subsection.

8 (3) WAIVER.—The Secretary shall facilitate  
9 waivers of United States competitiveness clauses as  
10 necessary to facilitate financing relationships with  
11 ally or partner nations under subsection (a).

12 **SEC. 6. COOPERATION WITH ALLY OR PARTNER NATIONS**  
13 **ON ADVANCED NUCLEAR REACTOR DEM-**  
14 **ONSTRATION AND COOPERATIVE RESEARCH**  
15 **FACILITIES FOR CIVIL NUCLEAR ENERGY.**

16 (a) IN GENERAL.—Not later than 2 years after the  
17 date of enactment of this Act, the Secretary of State, in  
18 coordination with the Secretary and the Secretary of Com-  
19 merce, shall conduct bilateral and multilateral meetings  
20 with not fewer than 5 ally or partner nations, with the  
21 aim of enhancing nuclear energy cooperation among those  
22 ally or partner nations and the United States, for the pur-  
23 pose of developing collaborative relationships with respect  
24 to research, development, licensing, and deployment of ad-

1 vanced nuclear reactor technologies for civil nuclear en-  
2 ergy.

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

5 (1) a focus on cooperation to demonstrate and  
6 deploy advanced nuclear reactors, with an emphasis  
7 on U.S. nuclear energy companies, during the 10-  
8 year period beginning on the date of enactment of  
9 this Act to provide options for addressing energy se-  
10 curity and climate change; and

11 (2) a focus on developing a memorandum of un-  
12 derstanding or any other appropriate agreement be-  
13 tween the United States and ally or partner nations  
14 with respect to—

15 (A) the demonstration and deployment of  
16 advanced nuclear reactors; and

17 (B) the development of cooperative re-  
18 search facilities.

19 (c) FINANCING ARRANGEMENTS.—In conducting the  
20 meetings described in subsection (a), the Secretary of  
21 State, in coordination with the Secretary and the Sec-  
22 retary of Commerce, shall seek to develop financing ar-  
23 rangements to share the costs of the demonstration and  
24 deployment of advanced nuclear reactors and the develop-

1 ment of cooperative research facilities with the ally or  
2 partner nations participating in those meetings.

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

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

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

11 (A) the demonstration of advanced nuclear  
12 reactors; or

13 (B) cooperative research facilities.

14 **SEC. 7. INTERNATIONAL CIVIL NUCLEAR ENERGY CO-**  
15 **OPERATION.**

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

18 (1) in the matter preceding paragraph (1), by  
19 striking “The Secretary” and inserting the fol-  
20 lowing:

21 “(a) IN GENERAL.—The Secretary”;

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

23 (A) in paragraph (1)—

24 (i) by striking “financing,”; and

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

3 (B) in paragraph (2)—

4 (i) in subparagraph (A), by striking  
5 “preparations for”; and

6 (ii) in subparagraph (C)(v), by strik-  
7 ing the period at the end and inserting a  
8 semicolon; and

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

10 “(3) to support, in coordination with the Sec-  
11 retary of State, the safe, secure, and peaceful use of  
12 civil nuclear technology in countries developing nu-  
13 clear energy programs, with a focus on countries  
14 that have increased civil nuclear cooperation with  
15 the Russian Federation or the People’s Republic of  
16 China; and

17 “(4) to promote the fullest utilization of the re-  
18 actors, fuel, equipment, services, and technology of  
19 U.S. nuclear energy companies (as defined in section  
20 2 of the International Nuclear Energy Act of 2023)  
21 in civil nuclear energy programs outside the United  
22 States through—

23 “(A) bilateral and multilateral arrange-  
24 ments developed and executed in coordination  
25 with the Secretary of State that contain com-

1           mitments for the utilization of the reactors,  
2           fuel, equipment, services, and technology of  
3           U.S. nuclear energy companies (as defined in  
4           that section);

5           “(B) the designation of 1 or more U.S. nu-  
6           clear energy companies (as defined in that sec-  
7           tion) to implement an arrangement under sub-  
8           paragraph (A) if the Secretary determines that  
9           the designation is necessary and appropriate to  
10          achieve the objectives of this section;

11          “(C) the waiver of any provision of law re-  
12          lating to competition with respect to any activ-  
13          ity related to an arrangement under subpara-  
14          graph (A) if the Secretary, in consultation with  
15          the Attorney General and the Secretary of  
16          Commerce, determines that a waiver is nec-  
17          essary and appropriate to achieve the objectives  
18          of this section; and

19          “(D) the issuance of loans, loan guaran-  
20          tees, other financial assistance, or assistance in  
21          the form of an equity interest to carry out ac-  
22          tivities related to an arrangement under sub-  
23          paragraph (A), to the extent appropriated funds  
24          are available.”; and

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



1       “(b) REQUIREMENTS.—The program under sub-  
2 section (a) shall be supported in consultation with the Sec-  
3 retary of State and implemented by the Secretary—

4               “(1) to facilitate, to the maximum extent prac-  
5 ticable, workshops and expert-based exchanges to en-  
6 gage industry, stakeholders, and foreign govern-  
7 ments with respect to international civil nuclear  
8 issues, such as—

9                       “(A) training;

10                      “(B) financing;

11                      “(C) safety;

12                      “(D) security;

13                      “(E) safeguards;

14                      “(F) liability;

15                      “(G) advanced fuels;

16                      “(H) operations; and

17                      “(I) options for multinational cooperation  
18 with respect to the disposal of spent nuclear  
19 fuel (as defined in section 2 of the Nuclear  
20 Waste Policy Act of 1982 (42 U.S.C. 10101));  
21 and

22               “(2) in coordination with—

23                      “(A) the National Security Council;

24                      “(B) the Secretary of State;

25                      “(C) the Secretary of Commerce; and

1                   “(D) the Nuclear Regulatory Commission.

2                   “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
3 is authorized to be appropriated to the Secretary to carry  
4 out subsection (a)(3) \$15,500,000 for each of fiscal years  
5 2023 through 2027.”.

6 **SEC. 8. 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 and the Assistant (if ap-  
11 pointed), shall launch an international initiative (referred  
12 to in this section as the “initiative”) to provide financial  
13 assistance to, and facilitate the building of technical ca-  
14 pacities by, in accordance with this section, embarking  
15 civil nuclear nations for activities relating to the develop-  
16 ment of civil nuclear energy programs.

17                   (b) FINANCIAL ASSISTANCE.—

18                   (1) IN GENERAL.—In carrying out the initia-  
19 tive, the Secretary of State, in coordination with the  
20 Secretary and the Assistant (if appointed), may  
21 award grants of financial assistance to embarking  
22 civil nuclear nations in accordance with this sub-  
23 section—

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

1 (B) to facilitate the building of technical  
2 capacities for those activities.

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

6 (3) LIMITATIONS.—The Secretary of State, in  
7 coordination with the Secretary and the Assistant (if  
8 appointed), may award—

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

12 (B) not more than a total of 5 grants of  
13 financial assistance under paragraph (1) to any  
14 1 embarking civil nuclear nation.

15 (c) SENIOR ADVISORS.—

16 (1) IN GENERAL.—In carrying out the initia-  
17 tive, the Secretary of State, in coordination with the  
18 Secretary and the Assistant (if appointed), may pro-  
19 vide financial assistance to an embarking civil nu-  
20 clear nation for the purpose of contracting with a  
21 U.S. nuclear energy company to hire 1 or more sen-  
22 ior advisors to assist the embarking civil nuclear na-  
23 tion in establishing a civil nuclear program.

24 (2) REQUIREMENT.—A senior advisor described  
25 in paragraph (1) shall have relevant experience and

1 qualifications to advise the embarking civil nuclear  
2 nation on, and facilitate on behalf of the embarking  
3 civil nuclear nation, 1 or more of the following ac-  
4 tivities:

5 (A) The development of financing relation-  
6 ships.

7 (B) The development of a standardized fi-  
8 nancing and project management framework for  
9 the construction of nuclear power plants.

10 (C) The development of a standardized li-  
11 censing framework for—

12 (i) light water civil nuclear tech-  
13 nologies; and

14 (ii) non-light water civil nuclear tech-  
15 nologies and advanced nuclear reactors.

16 (D) The identification of qualified organi-  
17 zations and service providers.

18 (E) The identification of funds to support  
19 payment for services required to develop a civil  
20 nuclear program.

21 (F) Market analysis.

22 (G) The identification of the safety, secu-  
23 rity, safeguards, and nuclear governance re-  
24 quired for a civil nuclear program.

1 (H) Risk allocation, risk management, and  
2 nuclear liability.

3 (I) Technical assessments of nuclear reac-  
4 tors and technologies.

5 (J) The identification of actions necessary  
6 to participate in a global nuclear liability re-  
7 gime based on the Convention on Supple-  
8 mentary Compensation for Nuclear Damage,  
9 with Annex, done at Vienna September 12,  
10 1997 (TIAS 15-415).

11 (K) Stakeholder engagement.

12 (L) Management of spent nuclear fuel and  
13 nuclear waste.

14 (M) Any other major activities to support  
15 the establishment of a civil nuclear program,  
16 such as the establishment of export, financing,  
17 construction, training, operations, and edu-  
18 cation requirements.

19 (3) CLARIFICATION.—Financial assistance  
20 under this subsection may be provided to an em-  
21 barking civil nuclear nation in addition to any finan-  
22 cial assistance provided to that embarking civil nu-  
23 clear nation under subsection (b).

24 (d) LIMITATION ON ASSISTANCE TO EMBARKING  
25 CIVIL NUCLEAR NATIONS.—Not later than 1 year after

1 the date of enactment of this Act, the Offices of the In-  
2 spectors General for the Department of State and the De-  
3 partment of Energy shall coordinate—

4 (1) to establish and submit to the appropriate  
5 committees of Congress a joint strategic plan to con-  
6 duct comprehensive oversight of activities authorized  
7 under this section to prevent fraud, waste, and  
8 abuse; and

9 (2) to engage in independent and effective over-  
10 sight of activities authorized under this section  
11 through joint or individual audits, inspections, inves-  
12 tigations, or evaluations.

13 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
14 authorized to be appropriated to the Secretary of State  
15 to carry out the initiative \$50,000,000 for each of fiscal  
16 years 2023 through 2027.

17 **SEC. 9. BIENNIAL CABINET-LEVEL INTERNATIONAL CON-**  
18 **ERENCE ON NUCLEAR SAFETY, SECURITY,**  
19 **SAFEGUARDS, AND SUSTAINABILITY.**

20 (a) IN GENERAL.—The President, in coordination  
21 with international partners, as determined by the Presi-  
22 dent, and industry, shall hold a biennial conference on civil  
23 nuclear safety, security, safeguards, and sustainability (re-  
24 ferred to in this section as a “conference”).

1 (b) CONFERENCE FUNCTIONS.—It is the sense of  
2 Congress that each conference should—

3 (1) be a forum in which ally or partner nations  
4 may engage with each other for the purpose of rein-  
5 forcing the commitment to—

6 (A) nuclear safety, security, safeguards,  
7 and sustainability;

8 (B) environmental safeguards; and

9 (C) local community engagement in areas  
10 in reasonable proximity to nuclear sites; and

11 (2) facilitate—

12 (A) the development of—

13 (i) joint commitments and goals to  
14 improve—

15 (I) nuclear safety, security, safe-  
16 guards, and sustainability;

17 (II) environmental safeguards;  
18 and

19 (III) local community engage-  
20 ment in areas in reasonable proximity  
21 to nuclear sites;

22 (ii) stronger international institutions  
23 that support nuclear safety, security, safe-  
24 guards, and sustainability;

1 (iii) cooperative financing relation-  
2 ships to promote competitive alternatives  
3 to Chinese and Russian financing;

4 (iv) a standardized financing and  
5 project management framework for the  
6 construction of civil nuclear power plants;

7 (v) a standardized licensing frame-  
8 work for civil nuclear technologies;

9 (vi) a strategy to change internal poli-  
10 cies of multinational development banks,  
11 such as the World Bank, to support the fi-  
12 nancing of civil nuclear projects;

13 (vii) a document containing any les-  
14 sons learned from countries that have  
15 partnered with the Russian Federation or  
16 the People's Republic of China with re-  
17 spect to civil nuclear power, including any  
18 detrimental outcomes resulting from that  
19 partnership; and

20 (viii) a global civil nuclear liability re-  
21 gime;

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

24 (i) nuclear safety, security, safe-  
25 guards, and sustainability;



- 1 (ii) nuclear laws (including regula-  
2 tions);  
3 (iii) waste management;  
4 (iv) quality management systems;  
5 (v) technology transfer;  
6 (vi) human resources development;  
7 (vii) localization;  
8 (viii) reactor operations;  
9 (ix) nuclear liability; and  
10 (x) decommissioning; and

11 (C) the development and determination of  
12 the mechanisms described in paragraphs (7)  
13 and (8) of section 10(a), if the President in-  
14 tends to establish an Advanced Reactor Coordi-  
15 nation and Resource Center as described in  
16 that section.

17 (c) INPUT FROM INDUSTRY AND GOVERNMENT.—It  
18 is the sense of Congress that each conference should in-  
19 clude a meeting that convenes nuclear industry leaders  
20 and leaders of government agencies with expertise relating  
21 to nuclear safety, security, safeguards, or sustainability to  
22 discuss best practices relating to—

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

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

3           (3) the role that the nuclear industry should  
4 play in nuclear and radiological safety, security, and  
5 safeguards, including with respect to the safe and  
6 secure use, storage, and transport of nuclear and ra-  
7 diological materials, including spent nuclear fuel and  
8 nuclear waste.

9 **SEC. 10. ADVANCED REACTOR COORDINATION AND RE-**  
10 **SOURCE CENTER.**

11       (a) IN GENERAL.—The President shall consider the  
12 feasibility of leveraging existing activities or frameworks  
13 or, as necessary, establishing a center, to be known as the  
14 “Advanced Reactor Coordination and Resource Center”  
15 (referred to in this section as the “Center”), for the pur-  
16 poses of—

17           (1) identifying qualified organizations and serv-  
18 ice providers—

19                   (A) for embarking civil nuclear nations;

20                   (B) to develop and assemble documents,  
21 contracts, and related items required to estab-  
22 lish a civil nuclear program; and

23                   (C) to develop a standardized model for  
24 the establishment of a civil nuclear program

1           that can be used by the International Atomic  
2           Energy Agency;

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

6                   (A) to identify funds to support payment  
7                   for services required to develop a civil nuclear  
8                   program;

9                   (B) to provide market analysis; and

10                  (C) to create—

11                           (i) project structure models;

12                           (ii) models for electricity market anal-  
13                           ysis;

14                           (iii) models for nonelectric applica-  
15                           tions market analysis; and

16                           (iv) financial models;

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

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

23           (5) developing and strengthening communica-  
24           tions, engagement, and consensus-building;



1 **SEC. 12. STRATEGIC INFRASTRUCTURE FUND WORKING**  
2 **GROUP.**

3 (a) ESTABLISHMENT.—There is established a work-  
4 ing group, to be known as the “Strategic Infrastructure  
5 Fund Working Group” (referred to in this section as the  
6 “working group”) to provide input on the feasibility of es-  
7 tablishing a program to support strategically important  
8 capital-intensive infrastructure projects.

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

10 (1) led by a White House official, who may be  
11 the Assistant (if appointed), who shall serve as the  
12 White House focal point with respect to matters re-  
13 lating to the working group; and

14 (2) composed of—

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

18 (i) the Department of State;

19 (ii) the Department of the Treasury;

20 (iii) the Department of Commerce;

21 (iv) the Department of Energy;

22 (v) the Export-Import Bank of the  
23 United States;

24 (vi) the United States International  
25 Development Finance Corporation; and

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

3 (B) other senior-level Federal officials, se-  
4 lected by the head of the applicable Federal  
5 agency or organization, from any other Federal  
6 agency or organization that the Secretary deter-  
7 mines to be appropriate; and

8 (C) any senior-level Federal official se-  
9 lected by the White House official described in  
10 paragraph (1) from any Federal agency or or-  
11 ganization.

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

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

15 (1) provide direction and advice to the officials  
16 described in section 3(a)(2)(A) and appropriate Fed-  
17 eral agencies, as determined by the working group,  
18 with respect to the establishment of a Strategic In-  
19 frastructure Fund (referred to in this subsection as  
20 the “Fund”) to be used—

21 (A) to support those aspects of projects re-  
22 lating to—

23 (i) civil nuclear technologies; and

24 (ii) microprocessors; and

1 (B) for strategic investments identified by  
2 the working group; and

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

5 (A) transfer of assets to the Fund;

6 (B) transfer of assets from the Fund;

7 (C) how assets in the Fund should be in-  
8 vested; and

9 (D) governance and implementation of the  
10 Fund.

11 (e) REPORT REQUIRED.—

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

19 (2) COMMITTEES DESCRIBED.—The committees  
20 referred to in paragraph (1) are—

21 (A) the Committee on Foreign Relations,  
22 the Committee on Commerce, Science, and  
23 Transportation, the Committee on Armed Serv-  
24 ices, the Committee on Energy and Natural Re-  
25 sources, the Committee on Environment and

1 Public Works, and the Committee on Finance  
2 of the Senate; and

3 (B) the Committee on Foreign Affairs, the  
4 Committee on Energy and Commerce, the Com-  
5 mittee on Armed Services, the Committee on  
6 Science, Space, and Technology, and the Com-  
7 mittee on Ways and Means of the House of  
8 Representatives.

9 (3) ADMINISTRATION OF THE FUND.—The re-  
10 port submitted under paragraph (1) shall include  
11 suggested legislative language requiring all expendi-  
12 tures from a Strategic Infrastructure Fund estab-  
13 lished in accordance with this section to be adminis-  
14 tered by the Secretary of State (or a designee of the  
15 Secretary of State).

16 **SEC. 13. JOINT ASSESSMENT BETWEEN THE UNITED**  
17 **STATES AND INDIA ON NUCLEAR LIABILITY**  
18 **RULES.**

19 (a) IN GENERAL.—The Secretary of State, in con-  
20 sultation with the heads of other relevant Federal depart-  
21 ments and agencies, shall establish and maintain within  
22 the U.S.-India Strategic Security Dialogue a joint consult-  
23 ative mechanism with the Government of the Republic of  
24 India that convenes on a recurring basis—



1           (1) to assess the implementation of the Agree-  
2           ment for Cooperation between the Government of  
3           the United States of America and the Government  
4           of India Concerning Peaceful Uses of Nuclear En-  
5           ergy, signed at Washington October 10, 2008 (TIAS  
6           08–1206);

7           (2) to discuss opportunities for the Republic of  
8           India to align domestic nuclear liability rules with  
9           international norms; and

10          (3) to develop a strategy for the United States  
11          and the Republic of India to pursue bilateral and  
12          multilateral diplomatic engagements related to ana-  
13          lyzing and implementing those opportunities.

14          (b) REPORT.—Not later than 180 days after the date  
15          of the enactment of this Act, and annually thereafter for  
16          5 years, the Secretary of State, in consultation with the  
17          heads of other relevant Federal departments and agencies,  
18          shall submit to the appropriate committees of Congress  
19          a report that describes the joint assessment developed pur-  
20          suant to subsection (a)(1).

○