AMENDMENT NO. _______      Calendar No. _______

Purpose: In the nature of a substitute.


S. 4064

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

Referred to the Committee on __________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. Risch

Viz:

1) Strike all after the enacting clause and insert the following:

3 SECTION 1. SHORT TITLE.

4) This Act may be cited as the “International Nuclear Energy Act”.

6 SEC. 2. DEFINITIONS.

7) In this Act:

8) (1) ADVANCED NUCLEAR REACTOR.—The term “advanced nuclear reactor” has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).
(2) ALLEY OR PARTNER NATION.—The term “ally or partner nation” means—

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

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

(C) the Government of any country designated as an ally or partner nation by the Secretary of State for purposes of this Act.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committees on Foreign Relations and Energy and Natural Resources of the Senate; and

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

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

(5) ASSOCIATED ENTITY.—The term “associated entity” means an entity that—
(A) is owned, controlled, or operated by—

    (i) an ally or partner nation; or

    (ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country described in paragraph (2), including a corporation that is incorporated in a country described in that paragraph.

(6) ASSOCIATED INDIVIDUAL.—The term “associated individual” means a foreign national who is a national of a country described in paragraph (2).

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

    (A) nuclear plant construction;

    (B) nuclear fuel services;

    (C) nuclear energy financing;

    (D) nuclear plant operations;

    (E) nuclear plant regulation;

    (F) nuclear medicine;

    (G) nuclear safety;

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

    (I) infrastructure support for nuclear energy;

    (J) nuclear plant decommissioning;
(K) nuclear liability;

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

(M) environmental safeguards;

(N) nuclear nonproliferation and security;

and

(O) technology related to the matters described in subparagraphs (A) through (N).

(8) Embarking civil nuclear energy nation.—

(A) In general.—The term “embarking civil nuclear energy nation” means a country that—

(i) does not have a civil nuclear program;

(ii) is in the process of developing or expanding a civil nuclear program, including safeguards and a legal and regulatory framework, for—

(I) nuclear safety;

(II) nuclear security;

(III) radioactive waste management;

(IV) civil nuclear energy;

(V) environmental safeguards;
(VI) community engagement in areas in reasonable proximity to nuclear sites;

(VII) nuclear liability; or

(VIII) advanced nuclear reactor licensing;

(iii) is in the process of selecting, developing, constructing, or utilizing advanced light water reactors, advanced nuclear reactors, or advanced civil nuclear technologies; and

(iv) is eligible to receive development lending from the World Bank.

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

(i) the People’s Republic of China;

(ii) the Russian Federation;

(iii) the Republic of Belarus;

(iv) the Islamic Republic of Iran;

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

(vi) the Republic of Cuba;

(vii) the Bolivarian Republic of Venezuela;

(viii) the Syrian Arab Republic; or
(ix) any other country—

(I) the property or interests in property of the government of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

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

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

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

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

(dd) any other relevant provision of law.

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

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

(B) radiological protection of—

(i) members of the public;

(ii) workers; and

(iii) the environment;

(C) nuclear waste management;

(D) emergency preparedness;

(E) nuclear liability; and

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

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

(11) Spent Nuclear Fuel.—The term “spent nuclear fuel” has the meaning given the term in sec-
tion 2 of the Nuclear Waste Policy Act of 1982 (42

(12) U.S. Nuclear Energy Company.—The term “U.S. nuclear energy company” means a com-
pany that—
(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

SEC. 3. CIVIL NUCLEAR COORDINATION AND STRATEGY.

(a) White House Focal Point on Coordination.—

(1) Sense of Congress.—Given the critical importance of developing and implementing, with input from various agencies throughout the executive branch, a cohesive policy with respect to international efforts related to civil nuclear energy, it is the sense of Congress that—

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

(B) to provide that focal point, the President should establish, within the Executive Office of the President, an office, to be known as the “Office of the Assistant to the President and Director for International Nuclear Energy
Policy’’ (referred to in this subsection as the ‘‘Office’’);

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

(i) international civil nuclear cooperation; and

(ii) civil nuclear export strategy;

(D) the Office should be headed by an individual appointed as an Assistant to the President with the title of ‘‘Director for International Nuclear Energy Policy’’; and

(E) the Office should—

(i) coordinate civil nuclear export policies for the United States;

(ii) develop, in coordination with the officials described in paragraph (2), a cohesive Federal strategy for engagement with foreign governments (including ally or partner nations and the governments of embarking civil nuclear energy nations), associated entities, and associated individuals with respect to civil nuclear exports;

(iii) coordinate with the officials described in paragraph (2) to ensure that necessary framework agreements and trade
controls relating to civil nuclear materials
and technologies are in place for key mar-
kets; and

(iv) develop—

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

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

(III) a whole-of-government ap-
proach to support appropriate foreign
investment in civil nuclear energy
projects supported by the United
States in embarking civil nuclear en-
ergy nations.

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

(A) the appropriate officials of—

(i) the Department of State;

(ii) the Department of Energy;

(iii) the Department of Commerce;

(iv) the Department of Transpor-
tation;

(v) the Nuclear Regulatory Commis-
sion;
(vi) the Department of Defense;

(vii) the National Security Council;

(viii) the National Economic Council;

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

(x) the Office of Management and Budget;

(xi) the Office of the Director of National Intelligence;

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

(xiii) the United States International Development Finance Corporation;

(xiv) the United States Agency for International Development;

(xv) the United States Trade and Development Agency;

(xvi) the Office of Science and Technology Policy; and

(xvii) any other Federal agency that the President determines to be appropriate; and

(B) appropriate officials representing foreign countries and governments, including—

(i) ally or partner nations;
(ii) embarking civil nuclear energy nations; and

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

(b) Nuclear Exports Working Group.—

(1) Establishment.—There is established a working group, to be known as the “Nuclear Exports Working Group” (referred to in this subsection as the “working group”).

(2) Composition.—The working group shall be composed of—

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

(i) the Department of State;

(ii) the Department of Commerce;

(iii) the Department of Energy;

(iv) the Department of the Treasury;

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

(vi) the United States International Development Finance Corporation;
(vii) the Nuclear Regulatory Commission;

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

(ix) the United States Trade and Development Agency; and

(B) other senior-level Federal officials, selected internally by the applicable Federal agency or organization, from any other Federal agency or organization that the Secretary determines to be appropriate.

(3) REPORTING.—The working group shall report to the appropriate White House official, which may be the Assistant (if appointed).

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

(A) In general.—Not later than 1 year after the date of enactment of this Act, the working group shall establish a 10-year civil nuclear trade strategy, including biennial targets for the export of civil nuclear technologies, including light water and non-light water reactors and associated equipment and technologies, civil nuclear materials, and nuclear fuel that align with meeting international energy demand while seeking to avoid or reduce emissions.

(B) Collaboration required.—In establishing the strategy under subparagraph (A), the working group shall collaborate with—

(i) the Secretary;

(ii) the Secretary of Commerce;

(iii) the Secretary of State;

(iv) the Secretary of the Treasury;

(v) the Nuclear Regulatory Commission;

(vi) the President of the Export-Import Bank of the United States;

(vii) the Chief Executive Officer of the United States International Development Finance Corporation;
(viii) the United States Trade Representative; and
(ix) representatives of private industry.

SEC. 4. ENGAGEMENT WITH ALLY OR PARTNER NATIONS.

(a) IN GENERAL.—The President shall launch, in accordance with applicable nuclear technology export laws (including regulations), an international initiative to modernize the civil nuclear outreach to embarking civil nuclear energy nations.

(b) FINANCING.—In carrying out the initiative described in subsection (a), the President, acting through an appropriate Federal official, who may be the Assistant (if appointed) or the Chief Executive Officer of the International Development Finance Corporation, if determined to be appropriate, and in coordination with the officials described in section 3(a)(2), may, if the President determines to be appropriate, seek to establish cooperative financing relationships for the export of civil nuclear technology, components, materials, and infrastructure to embarking civil nuclear energy nations.

(c) ACTIVITIES.—In carrying out the initiative described in subsection (a), the President shall—

(1) assist nongovernmental organizations and appropriate offices, administrations, agencies, lab-
oratories, and programs of the Department of Energy and other relevant Federal agencies and offices in providing education and training to foreign governments in nuclear safety, security, and safeguards—

(A) through engagement with the International Atomic Energy Agency; or

(B) independently, if the applicable entity determines that it would be more advantageous under the circumstances to provide the applicable education and training independently;

(2) assist the efforts of the International Atomic Energy Agency to expand the support provided by the International Atomic Energy Agency to embarking civil nuclear energy nations for nuclear safety, security, and safeguards;

(3) coordinate the work of the Chief Executive Officer of the United States International Development Finance Corporation to expand outreach to the private investment community to create public-private financing relationships to assist in the export of civil nuclear technology to embarking civil nuclear energy nations;

(4) seek to better coordinate, to the maximum extent practicable, the work carried out by each of—
(A) the Nuclear Regulatory Commission;

(B) the Department of Energy;

(C) the Department of Commerce;

(D) the Nuclear Energy Agency;

(E) the International Atomic Energy Agency; and

(F) the nuclear regulatory agencies and organizations of embarking civil nuclear energy nations and ally or partner nations; and

(5) improve the efficient and effective exporting and importing of civil nuclear technologies and materials.

SEC. 5. COOPERATIVE FINANCING RELATIONSHIPS WITH ALLY OR PARTNER NATIONS AND EMBARKING CIVIL NUCLEAR ENERGY NATIONS.

(a) In General.—The President shall designate an appropriate White House official, who may be the Assistant (if appointed), and the Chief Executive Officer of the United States International Development Finance Corporation to coordinate with the officials described in section 3(a)(2) to develop, as the President determines to be appropriate, financing relationships with ally or partner nations to advance civil nuclear exports from the United States or ally or partner nations to embarking civil nuclear energy nations.
(b) United States Competitiveness Clauses.—

(1) Definition of United States Competitiveness Clause.—In this subsection, the term “United States competitiveness clause” means any United States competitiveness provision in any agreement entered into by the Department of Energy, including—

(A) a cooperative agreement;

(B) a cooperative research and development agreement; and

(C) a patent waiver.

(2) Consideration.—In carrying out subsection (a), the relevant officials described in that subsection shall consider the impact of United States competitiveness clauses on any financing relationships entered into or proposed to be entered into under that subsection.

(3) Waiver.—The Secretary shall facilitate waivers of United States competitiveness clauses as necessary to facilitate financing relationships with ally or partner nations under subsection (a).
SEC. 6. COOPERATION WITH ALLY OR PARTNER NATIONS ON ADVANCED NUCLEAR REACTOR DEMONSTRATION AND COOPERATIVE RESEARCH FACILITIES FOR CIVIL NUCLEAR ENERGY.

(a) In General.—Not later than 2 years after the date of enactment of this Act, the Secretary of State, in coordination with the Secretary and the Secretary of Commerce, shall conduct bilateral and multilateral meetings with not fewer than 5 ally or partner nations, with the aim of enhancing nuclear energy cooperation among those ally or partner nations and the United States, for the purpose of developing collaborative relationships with respect to research, development, licensing, and deployment of advanced nuclear reactor technologies for civil nuclear energy.

(b) Requirement.—The meetings described in subsection (a) shall include—

(1) a focus on cooperation to demonstrate and deploy advanced nuclear reactors, with an emphasis on U.S. nuclear energy companies, during the 10-year period beginning on the date of enactment of this Act to provide options for addressing climate change by 2050; and

(2) a focus on developing a memorandum of understanding or any other appropriate agreement be-
between the United States and ally or partner nations with respect to—

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

(B) the development of cooperative research facilities.

(e) Financing Arrangements.—In conducting the meetings described in subsection (a), the Secretary of State, in coordination with the Secretary and the Secretary of Commerce, shall seek to develop financing arrangements to share the costs of the demonstration and deployment of advanced nuclear reactors and the development of cooperative research facilities with the ally or partner nations participating in those meetings.

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

(1) for the establishment of cost-share arrangements described in subsection (e); or

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

(A) the demonstration of advanced nuclear reactors; or

(B) cooperative research facilities.
SEC. 7. INTERNATIONAL CIVIL NUCLEAR ENERGY OPERATION.

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

(1) in the matter preceding paragraph (1), by striking “The Secretary” and inserting the following:

“(a) IN GENERAL.—The Secretary”;

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

(A) in paragraph (1)—

(i) by striking “financing,”; and

(ii) by striking “and” after the semicolon at the end;

(B) in paragraph (2)—

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

(ii) in subparagraph (C)(v), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(3) to support, in consultation with the Secretary of State, the safe, secure, and peaceful use of civil nuclear technology in countries developing nuclear energy programs, with a focus on countries that have increased civil nuclear cooperation with
the Russian Federation or the People’s Republic of China; and

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

“(A) bilateral and multilateral arrange-
ments developed and executed in coordination
with the Secretary of State that contain com-
mittments for the utilization of the reactors,
fuel, equipment, services, and technology of
U.S. nuclear energy companies (as defined in
that section);

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

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

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

(3) by adding at the end the following:

“(b) REQUIREMENTS.—The program under sub-
section (a) shall—

“(1) with respect to the function described in
subsection (a)(3), be modeled after the International
Military Education and Training program of the De-
partment of State; and

“(2) be authorized and directed by the Sec-
retary of State and implemented by the Secretary—

“(A) to facilitate, to the maximum extent
practicable, workshops and expert-based ex-
changes to engage industry, stakeholders, and
foreign governments with respect to inter-
national civil nuclear issues, such as—

“(i) training;
“(ii) financing;
“(iii) safety;
“(iv) security;
“(v) safeguards;
“(vi) liability;
“(vii) advanced fuels;
“(viii) operations; and
“(ix) options for multinational cooperation with respect to the disposal of spent nuclear fuel (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101)); and
“(B) in coordination with—
“(i) the National Security Council;
“(ii) the Secretary of State;
“(iii) the Secretary of Commerce; and
“(iv) the Nuclear Regulatory Commission.
“(c) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary to carry out subsection (a)(3) $15,500,000 for each of fiscal years 2023 through 2027.”.
SEC. 8. INTERNATIONAL CIVIL NUCLEAR PROGRAM SUPPORT.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), shall launch an international initiative (referred to in this section as the “initiative”) to provide financial assistance to, and facilitate the building of technical capacities by, in accordance with this section, embarking civil nuclear energy nations for activities relating to the development of civil nuclear energy programs.

(b) FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—In carrying out the initiative, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may award grants of financial assistance to embarking civil nuclear energy nations in accordance with this subsection—

(A) for activities relating to the development of civil nuclear energy programs; and

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

(2) AMOUNT.—The amount of a grant of financial assistance under paragraph (1) shall be not more than $5,500,000.
(3) LIMITATIONS.—The Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may award—

(A) not more than 1 grant of financial assistance under paragraph (1) to any 1 embarking civil nuclear energy nation each fiscal year; and

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

(c) SENIOR ADVISORS.—

(1) IN GENERAL.—In carrying out the initiative, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may provide financial assistance to an embarking civil nuclear energy nation for the purpose of contracting with a U.S. nuclear energy company to hire 1 or more senior advisors to assist the embarking civil nuclear energy nation in establishing a civil nuclear program.

(2) REQUIREMENT.—A senior advisor described in paragraph (1) shall have relevant experience and qualifications to advise the embarking civil nuclear energy nation on, and facilitate on behalf of the em-
barking civil nuclear energy nation, 1 or more of the following activities:

(A) The development of financing relationships.

(B) The development of a standardized financing and project management framework for the construction of nuclear power plants.

(C) The development of a standardized licensing framework for—

(i) light water civil nuclear technologies; and

(ii) non-light water civil nuclear technologies and advanced nuclear reactors.

(D) The identification of qualified organizations and service providers.

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

(F) Market analysis.

(G) The identification of the safety, security, safeguards, and nuclear governance required for a civil nuclear program.

(H) Risk allocation, risk management, and nuclear liability.
(I) Technical assessments of nuclear reactors and technologies.


(K) Stakeholder engagement.

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

(M) Any other major activities to support the establishment of a civil nuclear program, such as the establishment of export, financing, construction, training, operations, and education requirements.

(3) Clarification.—Financial assistance under this subsection may be provided to an embarking civil nuclear energy nation in addition to any financial assistance provided to that embarking civil nuclear energy nation under subsection (b).

(d) Limitation on Assistance to Embarking Civil Nuclear Energy Nations.—Not later than 1 year after the date of enactment of this Act, the Offices
of the Inspectors General for the Department of State and
the Department of Energy shall coordinate—

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

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

(e) Authorization of Appropriations.—There is
authorized to be appropriated to the Secretary of State
to carry out the initiative $50,000,000 for each of fiscal
years 2023 through 2027.

SEC. 9. BIENNIAL CABINET-LEVEL INTERNATIONAL CON-
FERENCE ON NUCLEAR SAFETY, SECURITY,
SAFEGUARDS, AND SUSTAINABILITY.

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

(b) Conference Functions.—It is the sense of
Congress that each conference should—
(1) be a forum in which ally or partner nations may engage with each other for the purpose of reinforcing the commitment to—

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

(B) environmental safeguards; and

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

(2) facilitate—

(A) the development of—

(i) joint commitments and goals to improve—

(I) nuclear safety, security, safeguards, and sustainability;

(II) environmental safeguards;

and

(III) local community engagement in areas in reasonable proximity to nuclear sites;

(ii) stronger international institutions that support nuclear safety, security, safeguards, and sustainability;

(iii) cooperative financing relationships to promote competitive alternatives to Chinese and Russian financing;
(iv) a standardized financing and project management framework for the construction of civil nuclear power plants;

(v) a standardized licensing framework for civil nuclear technologies;

(vi) a strategy to change internal policies of multinational development banks, such as the World Bank, to support the financing of civil nuclear projects;

(vii) a document containing any lessons learned from countries that have partnered with the Russian Federation or the People’s Republic of China with respect to civil nuclear power, including any detrimental outcomes resulting from that partnership; and

(viii) a global civil nuclear liability regime;

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

(i) nuclear safety, security, safeguards, and sustainability;

(ii) nuclear laws (including regulations);

(iii) waste management;
(iv) quality management systems;
(v) technology transfer;
(vi) human resources development;
(vii) localization;
(viii) reactor operations;
(ix) nuclear liability; and
(x) decommissioning; and

(C) the development and determination of the mechanisms described in paragraphs (7) and (8) of section 10(a), if the President intends to establish an Advanced Reactor Coordination and Resource Center as described in that section.

(e) INPUT FROM INDUSTRY AND GOVERNMENT.—It is the sense of Congress that each conference should include a meeting that convenes nuclear industry leaders and leaders of government agencies with expertise relating to nuclear safety, security, safeguards, or sustainability to discuss best practices relating to—

(1) the safe and secure use, storage, and transport of nuclear and radiological materials;
(2) managing the evolving cyber threat to nuclear and radiological security; and
(3) the role that the nuclear industry should play in nuclear and radiological safety, security, and
safeguards, including with respect to the safe and secure use, storage, and transport of nuclear and radiological materials, including spent nuclear fuel and nuclear waste.

SEC. 10. ADVANCED REACTOR COORDINATION AND RESOURCE CENTER.

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

(1) identifying qualified organizations and service providers—

(A) for embarking civil nuclear energy nations;

(B) to develop and assemble documents, contracts, and related items required to establish a civil nuclear program; and

(C) to develop a standardized model for the establishment of a civil nuclear program that can be used by the International Atomic Energy Agency;
(2) coordinating with countries participating in the Center and with the Nuclear Exports Working Group established under section 3(b)—

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

(B) to provide market analysis; and

(C) to create—

(i) project structure models;

(ii) models for electricity market analysis;

(iii) models for nonelectric applications market analysis; and

(iv) financial models;

(3) identifying and developing the safety, security, safeguards, and nuclear governance required for a civil nuclear program;

(4) supporting multinational regulatory standards to be developed by countries with civil nuclear programs and experience;

(5) developing and strengthening communications, engagement, and consensus-building;

(6) carrying out any other major activities to support export, financing, education, construction,
training, and education requirements relating to the
establishment of a civil nuclear program;

(7) developing mechanisms for how to fund and
staff the Center; and

(8) determining mechanisms for the selection of
the location or locations of the Center.

(b) OBJECTIVE.—The President shall carry out sub-
section (a) with the objective of establishing the Center
if the President determines that it is feasible to do so.

SEC. 11. INVESTMENT BY ALLIES AND PARTNERS OF THE

UNITED STATES.

(a) COMMERCIAL LICENSES.—Section 103 d. of the
Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) is
amended, in the second sentence—

(1) by inserting “for a production facility” after
“No license”; and

(2) by striking “any any” and inserting “any”.

(b) MEDICAL THERAPY AND RESEARCH DEVELOP-
MENT LICENSES.—Section 104 d. of the Atomic Energy
Act of 1954 (42 U.S.C. 2134(d)) is amended, in the sec-
ond sentence, by inserting “for a production facility” after
“No license”.


SEC. 12. STRATEGIC INFRASTRUCTURE FUND WORKING GROUP.

(a) Establishment.—There is established a working group, to be known as the “Strategic Infrastructure Fund Working Group” (referred to in this section as the “working group”).

(b) Composition.—The working group shall be—

(1) led by a White House official, who may be the Assistant (if appointed), who shall serve as the White House focal point with respect to matters relating to the working group; and

(2) composed of—

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

(i) the Department of State;

(ii) the Department of the Treasury;

(iii) the Department of Commerce;

(iv) the Department of Energy;

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

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

(vii) the Nuclear Regulatory Commission;
(B) other senior-level Federal officials, selected by the head of the applicable Federal agency or organization, from any other Federal agency or organization that the Secretary determines to be appropriate; and

(C) any senior-level Federal official selected by the White House official described in paragraph (1) from any Federal agency or organization.

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

(d) DUTIES.—The working group shall—

(1) provide direction and advice to the officials described in section 3(a)(2)(A) and appropriate Federal agencies, as determined by the working group, with respect to the establishment of a Strategic Infrastructure Fund (referred to in this subsection as the “Fund”) to be used—

(A) to support those aspects of projects relating to—

(i) civil nuclear technologies;

(ii) rare earth elements and critical minerals (as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a))); and
(iii) microprocessors; and

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

(2) address critical areas in determining the appropriate design for the Fund, including—

(A) transfer of assets to the Fund;

(B) transfer of assets from the Fund;

(C) how assets in the Fund should be invested; and

(D) governance and implementation of the Fund.

(c) Report Required.—

(1) In general.—Not later than 1 year after the date of the enactment of this Act, the working group shall submit to the committees described in paragraph (2) a report on the findings of the working group that includes suggested legislative text for how to establish and structure a Strategic Infrastructure Fund.

(2) Committees described.—The committees referred to in paragraph (1) are—

(A) the Committee on Foreign Relations,

the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Energy and Natural Re-
sources, the Committee on Environment and Public Works, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Ways and Means of the House of Representatives.

(3) ADMINISTRATION OF THE FUND.—The report submitted under paragraph (1) shall include suggested legislative language requiring all expenditures from a Strategic Infrastructure Fund established in accordance with this section to be administered by the Secretary of State (or a designee of the Secretary of State).

SEC. 13. BRIEFINGS ON SAFETY AND SECURITY OF NEW EXPORTS OF ADVANCED NUCLEAR REACTORS.

Before the United States may export an advanced nuclear reactor to a country that has not previously received an advanced nuclear reactor from the United States, the Secretary, in coordination with the Secretary of State, shall provide a briefing to the appropriate committees of Congress that addresses whether the country—
(1) is technically equipped to safely operate and maintain the advanced nuclear reactor; and

(2) has a transparency plan in place for oversight of any assistance received from the United States Government for the purpose of purchasing the advanced nuclear reactor.

SEC. 14. ENSURING CONTINUED SAFETY AND SECURITY OVERSIGHT OF ENHANCED ENERGY OPERATION.

(a) Briefing Required.—

(1) In general.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, the Secretary of Defense, and the Secretary shall jointly brief the committees of Congress described in paragraph (2) on the procedures being used to mitigate any nuclear proliferation risks of—

(A) any recommendations for enhanced energy cooperation that may emerge from the meetings described in section 6(a); or

(B) any new exports of advanced nuclear reactors.

(2) Committees of Congress described.—The committees of Congress referred to in paragraph (1) are—
(A) the Committees on Foreign Relations, Energy and Natural Resources, and Armed Services of the Senate; and

(B) the Committees on Foreign Affairs, Energy and Commerce, and Armed Services of the House of Representatives.

(b) Prohibition on Exports of Nuclear Reactors to Certain Countries.—On and after the date of the enactment of this Act, an advanced nuclear reactor may not be exported from the United States to a country unless that country—

(1) has signed an additional protocol to its comprehensive safeguards agreement with the International Atomic Energy Agency; or

(2) has put in place a comprehensive safeguards agreement and is working toward signing an additional protocol with the International Atomic Energy Agency.

SEC. 15. JOINT ASSESSMENT BETWEEN THE UNITED STATES AND INDIA ON NUCLEAR LIABILITY RULES.

(a) In General.—The Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, shall establish and maintain within the U.S.-India Strategic Security Dialogue a joint consult-
ative mechanism with the Government of the Republic of India that convenes on a recurring basis—

(1) to assess the implementation of the Agreement for Cooperation between the Government of the United States of America and the Government of India Concerning Peaceful Uses of Nuclear Energy, signed at Washington October 10, 2008 (TIAS 08–1206);

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

(3) to develop a strategy for the United States and the Republic of India to pursue bilateral and multilateral diplomatic engagements related to analyzing and implementing those opportunities.

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

SEC. 16. LESSONS LEARNED FROM THE ZAPORIZHZHIA NUCLEAR POWER PLANT.

(a) BRIEFING.—
(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of State shall provide a briefing to the appropriate committees of Congress regarding the capture of the Zaporizhzhia nuclear power plant by Russian armed forces.

(2) REQUIREMENTS.—The briefing required by paragraph (1) shall focus on—

(A) events leading up to the capture of the Zaporizhzhia nuclear power plant by Russian armed forces;

(B) ongoing efforts to ensure the continued operation of the reactor and the safety and security of the plant;

(C) efforts to mitigate potential risks to the surrounding civilian population; and

(D) any safety and security measures implemented since the capture.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report outlining lessons learned from attacks on the Zaporizhzhia nuclear power plant, including—
(A) the efforts to ensure the safety and security of the Zaporizhzhia nuclear power plant;

(B) how those lessons can be applied to other nuclear sites in Ukraine while there is an ongoing threat of armed conflict in Ukraine; and

(C) how those lessons could apply to other nuclear power plants in the event of armed conflict.

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.