

118TH CONGRESS
1ST SESSION

H. R. 3553

To establish the Office of Nuclear, Economic, Environmental, and National Security of the Nuclear Regulatory Commission, accelerate the deployment of small modular nuclear reactors, ban the import of Russian nuclear material, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2023

Mr. WITTMAN introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Homeland Security, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Office of Nuclear, Economic, Environmental, and National Security of the Nuclear Regulatory Commission, accelerate the deployment of small modular nuclear reactors, ban the import of Russian nuclear material, 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 “21st Century American
5 Atomic Energy Age Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The United States should promote and sup-
4 port the development of small modular nuclear reac-
5 tors to provide safe, reliable, and affordable elec-
6 tricity.

7 (2) The Commission has the responsibility to
8 issue construction permits and operating licenses for
9 innovative nuclear reactors to meet the energy needs
10 of the United States.

11 (3) The United States relied on Russia for
12 about 16 percent of its uranium in 2020.

13 **SEC. 3. TECHNICAL ASSISTANCE FOR SMALL MODULAR NU-**
14 **CLEAR REACTOR APPLICATIONS.**

15 The Commission shall provide technical assistance to
16 applicants that apply for a construction permit, an oper-
17 ating license, or a combined construction permit and oper-
18 ating license for a small modular nuclear reactor under
19 section 103 or 185 of the Atomic Energy Act of 1954 (42
20 U.S.C. 2133 or 2235).

21 **SEC. 4. PROHIBITION ON IMPORT AND USE OF NUCLEAR**
22 **FUEL FROM RUSSIA.**

23 (a) PROHIBITION ON USE.—

24 (1) IN GENERAL.—No person shall use nuclear
25 fuel, including low-enriched uranium, that was pro-
26 duced in, or imported from, Russia to operate any

1 small modular nuclear reactor located in the United
2 States.

3 (2) RULEMAKING.—Not later than 183 days
4 after the date of enactment of this section, the Sec-
5 retary of Commerce shall establish, by regulation,
6 procedures to ensure compliance with this sub-
7 section.

8 (b) PROHIBITION ON IMPORTS.—Section 3112A of
9 the USEC Privatization Act (42 U.S.C. 2297h–10a) is
10 amended by adding at the end the following:

11 “(d) PROHIBITION.—Beginning on the date that is
12 90 days after the date of the enactment of this subsection,
13 no low-enriched uranium that is produced in the Russian
14 Federation or by a Russian entity may be imported into
15 the United States.”.

16 **SEC. 5. REPORT.**

17 The Secretary of Energy, the Secretary of Homeland
18 Security, and the Secretary of Defense shall, not later
19 than 120 days after the date of enactment of this section,
20 submit to Congress a report that identifies critical infra-
21 structure that can benefit from access to onsite or offsite
22 electricity generated by a small modular nuclear reactor
23 that is located at or near the critical infrastructure to
24 achieve added energy resilience.

1 **SEC. 6. OFFICE OF NUCLEAR, ECONOMIC, ENVIRON-**
2 **MENTAL, AND NATIONAL SECURITY OF THE**
3 **NUCLEAR REGULATORY COMMISSION.**

4 (a) ESTABLISHMENT.—Title II of the Energy Reor-
5 ganization Act of 1974 (42 U.S.C. 5841 et seq.) is amend-
6 ed by inserting after section 205 the following:

7 **“SEC. 205A. OFFICE OF NUCLEAR, ECONOMIC, ENVIRON-**
8 **MENTAL, AND NATIONAL SECURITY.**

9 “(a) ESTABLISHMENT.—There is hereby established
10 in the Commission an Office of Nuclear, Economic, Envi-
11 ronmental, and National Security (in this section referred
12 to as the ‘Office’) under the direction of a Director, who
13 shall—

14 “(1) be appointed by the Commission;

15 “(2) report directly to the Commission, as pro-
16 vided in section 209; and

17 “(3) serve at the pleasure of and be removable
18 by the Commission.

19 “(b) FUNCTIONS.—Subject to the provisions of this
20 Act, the Director of the Office shall perform such func-
21 tions as the Commission shall delegate, including:

22 “(1) Principal licensing and regulation involving
23 all facilities, materials, and activities licensed under
24 the Atomic Energy Act of 1954.

25 “(2) Review the economic, environmental, and
26 national security benefits of all such facilities, mate-

1 rials, and activities, including evaluating the benefits
2 to air quality, human health, carbon dioxide emis-
3 sions reduction, economic activity, and national secu-
4 rity.

5 “(3) Assessing the need for, and the feasibility
6 of, establishing an agency within the Office to review
7 the Commission’s licensing and related regulatory
8 functions for the purposes of increasing the develop-
9 ment and use of nuclear energy to ensure public
10 health and economic security by providing for the ef-
11 fective and safe commercial use of radioactive mate-
12 rials.”.

13 (b) REPORT TO CONGRESS.—The Director of the Of-
14 fice of Nuclear, Economic, Environmental, and National
15 Security, established under section 205A of the Energy
16 Reorganization Act of 1974 (as added by this section),
17 shall, not later than 1 year after the date of enactment
18 of this Act, submit to Congress a report, including rec-
19 ommendations, based on the assessments made under sub-
20 section (b)(3) of such section 205A.

21 **SEC. 7. EXTENSION OF THE PRICE-ANDERSON ACT.**

22 (a) EXTENSION.—Section 170 of the Atomic Energy
23 Act of 1954 (42 U.S.C. 2210) (commonly known as the
24 “Price-Anderson Act”) is amended by striking “December

1 31, 2025” each place it appears and inserting “December
2 31, 2045”.

3 (b) REPORT.—Section 170 p. of the Atomic Energy
4 Act of 1954 (42 U.S.C. 2210(p)) is amended by striking
5 “December 31, 2021” and inserting “December 31,
6 2041”.

7 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated such sums
9 as may be necessary to carry out this Act.

10 **SEC. 9. EFFECTIVE DATE.**

11 This Act shall take effect 120 days after the date of
12 enactment of this Act.

13 **SEC. 10. DEFINITIONS.**

14 In this Act:

15 (1) COMMISSION.—The term “Commission”
16 means the Nuclear Regulatory Commission.

17 (2) CRITICAL INFRASTRUCTURE.—The term
18 “critical infrastructure” means a facility, asset, sys-
19 tem, or network, whether physical or virtual, that is
20 so vital to the United States that the incapacity or
21 destruction of such facility asset, system, or network
22 would have a debilitating impact on national eco-
23 nomic security, public health or safety, or any com-
24 bination of those matters.

1 (3) KEY RESOURCES.—The term “key re-
2 sources” has the meaning given such term section 2
3 of the Homeland Security Act of 2002 (6 U.S.C.
4 101).

5 (4) SMALL MODULAR NUCLEAR REACTOR.—The
6 term “small modular nuclear reactor” means a nu-
7 clear reactor with an electric generating capacity of
8 not more than 200 megawatts.

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