

**[DISCUSSION DRAFT]**

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To authorize the Secretary of Energy to make awards to cover regulatory costs relating to licensing certain first-of-a-kind advanced nuclear reactors.

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IN THE HOUSE OF REPRESENTATIVES

Mr. CURTIS introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

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**A BILL**

To authorize the Secretary of Energy to make awards to cover regulatory costs relating to licensing certain first-of-a-kind advanced nuclear reactors.

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 “Advanced Nuclear Re-  
5 actor Prize Act”.

1 **SEC. 2. ADVANCED NUCLEAR REACTOR PRIZES.**

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

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

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

9 “(A) a non-Federal entity; and

10 “(B) the Tennessee Valley Authority.

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

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

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

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

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

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

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

16 “(B) AMOUNT OF AWARD.—An award  
17 under subparagraph (A) shall be in an amount  
18 equal to the total amount assessed by the Com-  
19 mission and collected under section 102(b)(2)  
20 from the eligible entity receiving the award for  
21 costs relating to the issuance of the license de-  
22 scribed in that subparagraph, including, as ap-  
23 plicable, costs relating to the issuance of an as-  
24 sociated construction permit described in sec-  
25 tion 50.23 of title 10, Code of Federal Regula-

1 tions (or successor regulations), or early site  
2 permit (as defined in section 52.1 of that title  
3 (or successor regulations)).

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

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

8 “(I) issues a license in accord-  
9 ance with clause (i) of subparagraph  
10 (A); or

11 “(II) makes a finding in accord-  
12 ance with clause (ii) of that subpara-  
13 graph;

14 “(ii) an advanced nuclear reactor  
15 that—

16 “(I) uses isotopes derived from  
17 spent nuclear fuel (as defined in sec-  
18 tion 2 of the Nuclear Waste Policy  
19 Act of 1982 (42 U.S.C. 10101)) or  
20 depleted uranium as fuel for the ad-  
21 vanced nuclear reactor; and

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

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

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

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

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

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

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

20                  “(cc) the purpose of which  
21                  is—

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

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

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

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

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

13 “(iv) an advanced reactor that—

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

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

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

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

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

6                   “(3) FEDERAL FUNDING LIMITATION.—An  
7                   award under this subsection shall not exceed the  
8                   total amount expended (excluding any expenditures  
9                   made with Federal funds received for the applicable  
10                  project and an amount equal to the minimum cost-  
11                  share required under section 988 of the Energy Pol-  
12                  icy Act of 2005 (42 U.S.C. 16352)) by the eligible  
13                  entity receiving the award for licensing costs relating  
14                  to the project for which the award is made.”.