

116TH CONGRESS
2D SESSION

H. R. 9028

To establish the American Nuclear Leadership Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2020

Mr. BURGESS introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Foreign Affairs, and Science, Space, and Technology, 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 American Nuclear Leadership Commission,
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. AMERICAN NUCLEAR LEADERSHIP COMMIS-**
4 **SION.**

5 (a) ESTABLISHMENT.—There is established a com-
6 mission within the Department of Energy to be known as
7 the “American Nuclear Leadership Commission” (in this
8 Act referred to as “the Commission”).

1 (b) DUTIES.—

2 (1) STUDY.—The Commission shall conduct a
3 study of the current status and the future of the ci-
4 vilian nuclear power industry of the United States,
5 including examination of—

6 (A) the process by which nuclear reactors
7 are developed, constructed, and operated for ci-
8 vilian commercial purposes within the United
9 States, including the process for—

10 (i) nuclear reactors currently in oper-
11 ation; and

12 (ii) advanced reactor designs;

13 (B) potential market opportunities for ad-
14 vanced reactors domestically and internation-
15 ally;

16 (C) the challenges posed to the United
17 States domestic nuclear fuels lifecycle on the
18 “front end” (mining, milling, and reprocessing)
19 and on the “back end” (storage of spent nu-
20 clear fuel);

21 (D) the current industrial capacity of the
22 United States for the design and manufacture
23 of nuclear reactors;

24 (E) the export competitiveness of the
25 United States for nuclear reactors designed and

1 built in the United States in comparison to the
2 export competitiveness of other countries for
3 nuclear reactors designed and built in such
4 countries;

5 (F) whether the use of advanced reactor
6 designs can mitigate the economic challenges
7 posed by high construction costs, low energy
8 prices, and limited sources of capital;

9 (G) the environmental impacts of civilian
10 nuclear power, specifically on the air and water
11 emissions of pollutants, including carbon diox-
12 ide, across the lifecycle of a civilian nuclear
13 power plant; and

14 (H) existing regulations and statutes that
15 may limit the expanded use of new nuclear re-
16 actors for civilian power generation within the
17 United States and exports abroad.

18 (2) REPORT.—Not later than 2 years after the
19 date of enactment of this Act, the Commission shall
20 prepare and submit to Congress and the President
21 a report on the study under paragraph (1) that in-
22 cludes a detailed statement of the finding and con-
23 clusions of the Commission, together with its rec-
24 ommendations, including any recommendations for

1 legislation or administrative acts, that the Commis-
2 sion considers appropriate.

3 (3) PUBLIC MEETINGS AND COMMENT.—In con-
4 ducting the study under paragraph (1) and pre-
5 paring the report under paragraph (2), the Commis-
6 sion shall solicit public comment and hold public
7 meetings with stakeholder groups.

8 (c) MEMBERSHIP.—

9 (1) NUMBER AND APPOINTMENT.—

10 (A) IN GENERAL.—The Commission shall
11 be composed of 10 members, as follows:

12 (i) The Secretary of Energy (or the
13 Secretary’s delegate).

14 (ii) Nine members shall be appointed
15 by the President of the United States,
16 after consideration of recommendations
17 from the Speaker of the House of Rep-
18 resentatives, the majority leader of the
19 Senate, the minority leader of the House of
20 Representatives, and the minority leader of
21 the Senate.

22 (B) APPOINTMENT.—Appointments of
23 members to the Commission shall be made not
24 later than 60 days after the date of the enact-
25 ment of this Act.

1 (2) QUALIFICATIONS.—Members of the Com-
2 mission shall include individuals who—

3 (A) represent the interests of—

4 (i) the civilian nuclear power sector of
5 the United States;

6 (ii) nuclear reactor design and manu-
7 facturing companies;

8 (iii) the nuclear fuels industry;

9 (iv) electric grid operators, such as
10 electric utilities;

11 (v) Federal and State policy makers;

12 (vi) energy sector financing experts;

13 and

14 (vii) nuclear nonproliferation experts;

15 and

16 (B) have demonstrated experience and un-
17 derstanding of the civilian nuclear power sector,
18 nuclear engineering or physics, civilian nuclear
19 energy project financing, or State or Federal
20 regulations that impact the development of new
21 civilian nuclear power projects.

22 (3) PARTISANSHIP.—Not more than 5 members
23 of the Commission may be members of the same po-
24 litical party.

25 (4) TERMS AND VACANCIES.—

1 (A) TERMS.—Each member shall be ap-
2 pointed for the life of the Commission.

3 (B) VACANCIES.—A vacancy in the Com-
4 mission shall be filled in the same manner as
5 the original appointment, except the individual
6 appointed to fill the vacancy shall serve only for
7 the unexpired portion of the term for which the
8 individual's predecessor was appointed.

9 (d) RULES AND PROCEDURES.—

10 (1) SELECTION OF CHAIRPERSON.—The Sec-
11 retary of Energy (or the Secretary's delegate) shall
12 serve as Chairperson of the Commission.

13 (2) QUORUM REQUIREMENTS.—To meet a
14 quorum, at least 6 members of the Commission, in-
15 cluding the Chairperson, need to be present either in
16 person or via video conferencing.

17 (3) FORMULATING OTHER RULES OF PROCE-
18 DURE.—The Commission shall set its own rules of
19 procedure for announcements, meetings, and report-
20 ing to Congress and the President.

21 (e) MEETINGS.—

22 (1) FIRST MEETING.—The Commission shall
23 hold its first meeting not later than 30 days after
24 all members have been appointed to the Commission.

1 (2) SUBSEQUENT MEETINGS.—The Commission
2 shall hold meetings on a quarterly basis throughout
3 the life of the Commission.

4 (f) COSTS AND FUNDING.—Funding for the Commis-
5 sion shall be derived from the Department of Energy’s an-
6 nual appropriated funds.

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