

ner with the private sector and Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology;

(E) the liability of the Federal Government with respect to the disposal of low-level radioactive waste, spent nuclear fuel, or high-level radioactive waste (as those terms are defined in section 10101 of this title);

(F) the impact on the aggregate inventory in the United States of low-level radioactive waste, spent nuclear fuel, or high-level radioactive waste (as those terms are defined in section 10101 of this title);

(G) potential cost structures relating to physical security, decommissioning, liability, and other long-term project costs; and

(H) other challenges or considerations identified by the Secretary.

**(3) Updates**

Once every 2 years, the Secretary shall update relevant provisions of the report submitted under paragraph (1) and submit to the appropriate committees of Congress the update.

**(g) Savings clauses**

**(1) Licensing requirement**

Nothing in this section authorizes the Secretary or any person to construct or operate a nuclear reactor for the purpose of demonstrating the suitability for commercial application of the nuclear reactor unless licensed by the Commission in accordance with section 5842 of this title.

**(2) Financial protection**

Any activity carried out under this section that involves the risk of public liability shall be subject to the financial protection or indemnification requirements of section 2210 of this title (commonly known as the “Price-Anderson Act”).

(Pub. L. 109–58, title IX, §958, as added Pub. L. 115–248, §2(h), Sept. 28, 2018, 132 Stat. 3157.)

**§ 16279. Budget plan**

**(a) In general**

Not later than 1 year after September 28, 2018, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives 2 alternative 10-year budget plans for civilian nuclear energy research and development by the Secretary, as described in subsections (b) through (d).

**(b) Budget plan alternative 1**

One of the budget plans submitted under subsection (a) shall assume constant annual funding for 10 years at the appropriated level for the current fiscal year for the civilian nuclear energy research and development of the Department.

**(c) Budget plan alternative 2**

One of the budget plans submitted under subsection (a) shall be an unconstrained budget.

**(d) Inclusions**

Each alternative budget plan submitted under subsection (a) shall include—

(1) a prioritized list of the programs, projects, and activities of the Department to best support the development of advanced nuclear reactor technologies;

(2) realistic budget requirements for the Department to implement sections 16275(c), 16277, and 16278 of this title;

(3) the justification of the Department for continuing or terminating existing civilian nuclear energy research and development programs; and

(4) a description of the progress made under the programs described in section 16279a of this title.

**(e) Updates**

Not less frequently than once every 2 years, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate updated 10-year budget plans which shall identify, and provide a justification for, any major deviation from a previous budget plan submitted under this section.

(Pub. L. 109–58, title IX, §959, as added Pub. L. 115–248, §2(i), Sept. 28, 2018, 132 Stat. 3160; amended Pub. L. 116–260, div. Z, title II, §2005, 134 Stat. 2470.)

**Editorial Notes**

AMENDMENTS

2020—Subsec. (b). Pub. L. 116–260, §2005(1), amended subsec. (b) generally. Prior to amendment, text read as follows: “One of the budget plans submitted under subsection (a) shall assume constant annual funding for 10 years at the appropriated level for the civilian nuclear energy research and development of the Department for fiscal year 2016.”

Subsec. (d)(4). Pub. L. 116–260, §2005(2)–(4), added par. (4).

Subsec. (e). Pub. L. 116–260, §2005(5), added subsec. (e).

**§ 16279a. Advanced reactor demonstration program**

**(a) Demonstration project defined**

For the purposes of this section, the term “demonstration project” means an advanced nuclear reactor operated in any manner, including as part of the power generation facilities of an electric utility system, for the purpose of demonstrating the suitability for commercial application of the advanced nuclear reactor.

**(b) Establishment**

The Secretary shall establish a program to advance the research, development, demonstration, and commercial application of domestic advanced, affordable, nuclear energy technologies by—

(1) demonstrating a variety of advanced nuclear reactor technologies, including those that could be used to produce—

(A) safer, emissions-free power at a competitive cost of electricity compared to other new energy generation technologies on December 27, 2020;