

HR 5370

U.S.-China Nuclear Cooperation and Nonproliferation Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: International Affairs

Introduced: May 26, 2016

Current Status: Referred to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce

Latest Action: Referred to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, 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. (May 26, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/5370>

Sponsor

Name: Rep. Sherman, Brad [D-CA-30]

Party: Democratic • State: CA • Chamber: House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		May 26, 2016

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred To	May 26, 2016
Foreign Affairs Committee	House	Referred To	May 26, 2016

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

Bill	Relationship	Last Action
114 S 3010	Related bill	May 26, 2016: Read twice and referred to the Committee on Foreign Relations.

U.S.-China Nuclear Cooperation and Nonproliferation Act of 2016

This bill directs the Department of Energy (DOE) to notify Congress within five days after receiving an application to transfer nuclear technology to China.

The Atomic Energy Act of 1954 is amended to require:

- DOE authorization for the transfer of any U.S.-origin technology that may be used to develop or produce special nuclear material, regardless of the nationality of the technology's ownership or its location outside the United States; and
- DOE to define items covered by U.S.-origin technology.

A request for authorization to transfer U.S.-origin technology from China, or with the significant participation of Chinese persons not located in the United States, to a country other than the United States or China, shall be denied unless the applicant demonstrates:

- significant participation by U.S. persons in the transfer,
- significant U.S. content involved in the transfer in the case of nuclear reactors and components, and
- timely and adequate reimbursement for grants or loans provided by the U.S. government to entities involved in the technology's development.

The bill states that it is U.S. policy to:

- oppose China's provision of assistance in the construction of any additional nuclear reactors in Pakistan, and
- assist Pakistan in acquiring and developing sufficient electrical power through means other than nuclear power.

The President shall determine if China has:

- violated the U.S.-China Nuclear Cooperation Agreement;
- re-transferred U.S. nuclear items without U.S. permission;
- stolen or diverted U.S. nuclear items to military use;
- failed to prevent transfer of proliferation-sensitive items pursuant to the Iran, North Korea, and Syria Nonproliferation Act; or
- failed to enforce sanctions against North Korea.

The President shall, upon such a determination, submit a corrective action plan within 60 days to address such activity and mitigate any U.S. security damage. Additionally, the President may at any time impose any lawful measures to address such activity, including the suspension of cooperation with China under the agreement.

It is the sense of Congress that the United States should encourage countries in East Asia to forgo new spent fuel reprocessing activities.

The President shall not agree to the reprocessing, recycling, or other alteration of nuclear material at any individual facility to which International Atomic Energy Agency safeguards are not applied unless, for each proposed facility at which such activity will take place, the President certifies that the nuclear material will be adequately safeguarded and available for inspection.

Actions Timeline

- **May 26, 2016:** Introduced in House
- **May 26, 2016:** Referred to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, 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.