

**From:** [Andrew Holland](#)  
**To:** [Duncan White](#); [Dennis Andrukat](#)  
**Cc:** [Fowler, Sidney L.](#)  
**Subject:** [External\_Sender] Trahan/Fusion Caucus Bill - and connecting on next steps in fusion  
**Date:** Tuesday, August 22, 2023 11:38:29 AM

---

Duncan, Dennis -

You may have seen that Rep. Trahan and the Fusion Caucus put out a bill on Friday that would have an impact on the fusion regulatory structures. <https://trahan.house.gov/news/documentsingle.aspx?DocumentID=2999>

Of course, we have been in contact with them, and working through our proposals with them, but you should know that the language they have put forward is NOT what the FIA supports. My understanding is that the staffer leading on this issue was leaving for vacation this week or next and felt like he needed to introduce it before he left. There is the possibility that something will be included in legislation that could be moving through the Energy and Commerce Committee later this fall, but it will not be the legislation as currently written.

Along those lines, at the July public meeting, in my presentation, I said that the FIA would propose a definition... and after many internal discussions, our proposed definition, which we think would encompass all the fusion industry's proposed machines, while not encompassing the research machines, is below.

**Fusion Machine—The term ‘fusion machine’ means a machine that is capable of—**

- (1) transforming atomic nuclei, through fusion processes, into other elements, isotopes, or particles; and**
- (2) directly capturing and using the resultant products, including particles, energy, heat, and other electromagnetic radiation, for a commercial or industrial purpose.**

We feel this definition reflects the position among all interested FIA members, while incorporating feedback from NRC's OGC to avoid potential confusion and ensure it applies to the full range of proposed fusion technologies, and we think it avoids any ambiguity.

I'll be putting this up on our website, and we'll be working with the Members of Congress to update their language in the bill to reflect this. You should also know that the proposed change to the Byproduct Materials definition in the Atomic Energy Act that the bill proposed is not supported by the FIA. We don't think that needs to be changed.

I've cc'd Sid Fowler on this in hopes that we all can find a time to get together virtually or in person to talk through next steps and our suggestions. I'm available through early September (with time off around Labor Day), but can be flexible otherwise.

Thanks!

Andrew

---

---

**Andrew Holland**

Chief Executive Officer

[Fusion Industry Association](#)

Phone: 202 486-2814



[SUBSCRIBE TO OUR NEWSLETTER](#)