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**NONPROLIFERATION AND  
ARMS CONTROL (NPAC)**

**10 CFR Part 810**  
Protecting US interests in a Complex World

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-  SAFEGUARD NUCLEAR MATERIALS TO PREVENT THEIR DIVERSION OR THEFT
-  CONTROL THE SPREAD OF WMD-RELATED MATERIAL, EQUIPMENT AND TECHNOLOGY
-  NEGOTIATE, MONITOR AND VERIFY COMPLIANCE WITH INTERNATIONAL NONPROLIFERATION AND ARMS CONTROL TREATIES AND AGREEMENTS
-  DEVELOP PROGRAMS AND STRATEGIES TO ADDRESS EMERGING NONPROLIFERATION AND ARMS CONTROL THREATS AND CHALLENGES

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**U.S. Export Regulations**



**NRC**  
SNM and equipment used to produce SNM

**Energy**  
Technology that can indirectly or directly assist in production of SNM

**Commerce**  
Dual-use commercial items

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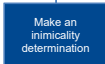
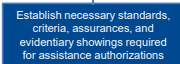
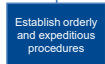


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**Background – Atomic Energy Act (AEA)**

- DOE implements AEA § 57.b. (2) “Assistance to Foreign Atomic Energy Activities”

Requires DOE to:

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## 10 CFR Part 810

- The AEA requires that DOE develop a process to allow nuclear technology to be shared with other countries' civilian programs as long as that sharing is "noninimical" to the interests of the United States.
- 10 CFR Part 810 is the regulation that implements that requirement.

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## Generally Authorized vs. Specific Authorization

- Two kinds of Authorizations permitted:
  - Generally Authorized (GA):
    - DOE allows for many activities to a large number of destinations to be carried out without prior approval
    - 48 Destinations (+ limited activities with 2 additional countries)
  - Specific Authorization (SA):
    - The rest of the world requires specific authorization to assure technology is not diverted.

No other nuclear country has the option for technology transfers to destinations without bilateral nuclear cooperation agreements

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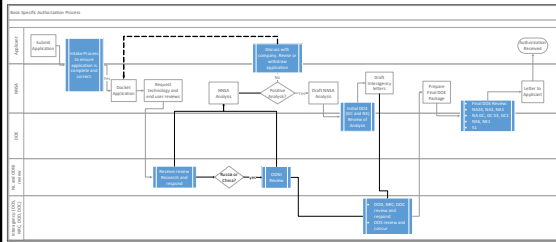
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## Specific Authorization Review Process




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### Reasons for Rulemaking

Trends in nuclear exports

- Increasing volume in international trade
- Increasing complexity in business models

Old Rule (last major revision 1986)

- List of destinations requiring SA
- Technical definitions and terms out of date

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### New Rule

- List of generally authorized destinations
  - Handles changing geo politics with better control
- Updates technical terms and definitions
- Clarifies requirements for requests and reporting
- Eliminates double regulation of employees at NRC licensed facilities (power plants)
- Allows for rapid response for operational safety and emergency responses to SA destinations

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### SA to GA impact – Facilitating Trade

Country	Before Rule Change	After Rule Change
United Arab Emirates	27	363
Croatia	0	7
Kazakhstan	3	0
Ukraine	7	7
Vietnam	3	2
<b>Total</b>	<b>40</b>	<b>378</b>

Significant increase in activity UAE and Croatia. Represents large increase in US influence, jobs, and exports.

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### GA to SA Impact

- 77 countries changed from GA to SA in the 2015 rulemaking
  - Activity in less than 10.
  - No discernible change in volume.
  - Largest volume is Mexico.
- Improved visibility to activity in destinations that may have limited nuclear oversight

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### Submission Volume

FY 2014- FY 2017

- 2,211 submissions
  - 2014 – 195
  - 2015 – 503
  - 2016 – 649
  - 2017 – 813
- 18% Destinations or activity requiring SA
- 72% GA or SA reports
- 10% Everything else

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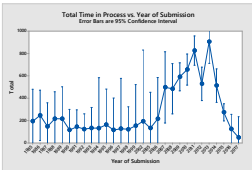
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### Specific Authorizations Time in Process



- 1985-2006 ≈ 160 days
- 2007-2014 > 500 days
- 2015 ≈ 277 days\*
- 2016 ≈ 123 days\*
- 2017 ≈ 49 days\*

\* Does not include open cases. (currently 46 cases).

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**Cases on HOLD**

- 16 cases on hold
  - 13 China, 1 each Russia, India, Philippines
- Reasons for hold
  - Untimely Assurances (State Department hold)
  - Law Enforcement activity and/or Policy Holds
  - ODNI Analysis issues
  - DOD non-concurrences

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**Process Improvement Program (PIP)**

- Improve Process and Data Management
- Reform the Interagency Process
- Reduce DOE Time in Process
- Expand Assistance to Industry
- Expand Enforcement and Monitoring
- Risk based processes

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**Completed Improvements**

- Published updated guidance and FAQs
- E810 Phase 1
- Docketing process
- Continued Outreach
- Single POC ([part810@nnsa.doe.gov](mailto:part810@nnsa.doe.gov))
- Return without Action
- Internal Process changes
  - Standard internal documents
  - Weekly dashboard report

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**Current Activities**

- e810 Phase 2 – workflows in USG
- 810 for Beginners training program
- Continued efforts on Internal process
  - Stream lining review processes
  - Eliminating redundant reviews
- Data gathering from reports (GAO recommendation)
- More Outreach

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**ISO 9001 compliance**

- Monitoring Key Attributes
- Well documented internal and external processes
- Continuous Improvement

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