

July 27, 2024

The Honorable Reta Jo Lewis
President and Chair of the Board of Directors
Export-Import Bank of the United States
811 Vermont Ave., NW
Washington, D.C., 20571

Dear Ms. Lewis:

We write today to express our shared interest in the current global opportunity associated with American nuclear energy exports. As you know, the Export-Import Bank of the United States (“EXIM” or “the Bank”) is our nation’s official export credit agency.¹ EXIM can help U.S. companies compete for business internationally,² thus we believe America should deploy all potential financing tools at our nation’s disposal. We also want to emphasize our view that the United States cannot afford to miss the current unprecedented opportunity to exert American nuclear influence throughout the world. Simply put, U.S. global nuclear leadership depends on our ability to successfully export American nuclear technologies.

While the existence of EXIM may be debated among members of both political parties, we believe it’s important for the Bank to help maximize America’s nuclear export potential. After all, EXIM’s primary reason for existing is to increase American exports.³ In this regard, EXIM offers a range of flexible financing tools that are well-suited to potential buyers of U.S. nuclear technologies.⁴ EXIM has the inherent capability of providing direct loans, loan guarantees, working capital guarantees, and other financing mechanisms to nations that are interested in conventional and advanced American nuclear technology.⁵

In the past, EXIM played a key role in bolstering U.S. nuclear exports—however this financial support has been stagnant for decades. For example, EXIM provided financing in the early 1950s to assist with developing foreign uranium supply plants that sought to produce uranium for U.S. consumption.⁶ Additionally, EXIM provided approximately \$3 billion in global financial support from the 1950s through the 1970s for the sale of U.S. equipment and services related to nuclear development.⁷ Specifically, EXIM authorized \$4.2 billion in direct credits and \$2 billion in financial guarantees during the 1970s alone.⁸ EXIM also has a history of financing nuclear projects—including projects in Bulgaria⁹ and the United Arab Emirates (UAE).¹⁰ In conjunction with other financing institutions, EXIM must once again step up to the plate to support American nuclear exports amid the ongoing global civil nuclear revival—as illustrated by a recent unprecedented pledge from twenty-four nations to

¹ *Export-Import Bank of the United States*, <https://www.exim.gov/>.

² Stephen Renna, *Ankura*, PROPOSED EXIM (EXPORT-IMPORT) BANK REFORMS: DIFFERENCE MAKERS FOR U.S. COMPANIES (Mar. 12, 2024), <https://angle.ankura.com/post/102j21j/proposed-exim-export-import-bank-reforms-difference-makers-for-u-s-companies>.

³ Jennifer Hazelton, *The Case for the Export-Import Bank*, 2023 MANDATE FOR LEADERSHIP 724-30, 724.

⁴ *Export-Import Bank of the United States*, U.S. EXIM SMALL MODULAR REACTOR FINANCING TOOLKIT, <https://www.exim.gov/policies/small-modular-reactor-financing>.

⁵ Matt Bowen & Alec Apostoaei, *Comparing Government Financing of Reactor Exports: Considerations for US Policy Makers*, CTR. ON GLOB. ENERGY POL’Y COLUM. U. SIPA; *see also* Supra note 3, at 727.

⁶ *Id.* (referencing Bowen, supra note 5, at 40); *see also* *EXIM Digital Archives*, 1984 ANNUAL REPORT, 10, <https://www.digitalarchives.exim.gov/digital/collection/ExImD01/id/10511/rec/1>.

⁷ *Id.* at 25; *see also* *EXIM Digital Archives*, 1973-10-31 EXIM BANK PRESS RELEASE, 1, <https://www.digitalarchives.exim.gov/digital/collection/ExImPR01/id/4962/rec/27>.

⁸ *Id.*; *see also* *EXIM Digital Archives*, 1984 ANNUAL REPORT, 10, <https://www.digitalarchives.exim.gov/digital/collection/ExImD01/id/10511/rec/1>.

⁹ Nancy Publicover, *Export-Import Bank of the United States*, EX-IM BANK FINANCES \$77 MILLION POWER PLANT UPGRADE IN BULGARIA (July 9, 2000), <https://www.exim.gov/news/ex-im-bank-finances-77-million-power-plant-upgrade-bulgaria>.

¹⁰ Lawton King, *Export-Import Bank of the United States*, EX-IM APPROVES \$2 BILLION IN FINANCING FOR NUCLEAR POWER PLANT IN U.A.E. (Sept. 7, 2012), <https://www.exim.gov/news/ex-im-approves-2-billion-financing-for-nuclear-power-plant-uae>.

triple global nuclear power capacity before 2050.¹¹

Moreover, EXIM's ability and commitment to financing other large energy infrastructure projects is clear. The Bank has provided funding in the past for a liquefied natural gas (LNG) project in Australia,¹² a petrochemical project in Saudi Arabia,¹³ and several other energy projects. While we understand that new nuclear projects may present unique financial risk, it's clear that EXIM is *willing* to finance energy projects and *can* finance energy projects with its outstanding lending authority—as approximately 75% of EXIM's statutory lending authority (around \$100.9 billion) remained unobligated at the end of FY2023.¹⁴ Furthermore, the Bank's Charter specifically forbids EXIM from discriminating against a financing application based on the industry, sector, or business that the application pertains to, and the Bank may not discriminate against applications that relate to “the exploration, development, production, or export of energy sources and the generation of transmission of electrical power, or combined heat and power, regardless of the energy source involved.”¹⁵

In order to successfully export American nuclear technologies at scale, America must utilize all available financing tools in our nation's toolbox—including EXIM. Thankfully, the Bank has recently stated its interest in financing new nuclear technologies for embarking nuclear nations,¹⁶ and the U.S. government has also stated its “strong interest in facilitating the utilization of the [Bank] . . . to support overall financing.”¹⁷

EXIM's agreement with Poland relating to the development of the nation's civil nuclear energy program is particularly intriguing and highlights the potential for future EXIM engagements with other nations.¹⁸ Also noteworthy is EXIM's recent memorandum of understanding (MOU) with Romania to explore the application of EXIM financing to support state-of-the-art nuclear projects.¹⁹ Similar financing agreements should be encouraged in a fashion that spreads American nuclear influence to interested countries around the world. Truth be told, many nations prefer American nuclear technology, American nuclear technical assistance, and American financing opportunities—but state-owned nuclear competitors (*e.g.*, Russia and China) consistently try to undercut America's nuclear export potential by offering preferential financing terms fully backed by state governments, among other government-to-government concessions, that are more attractive and tough to turn down.

¹¹ Andrew Smith, *Nuclear Newswire*, COP28: AMERICAN NUCLEAR SOCIETY APPLAUDS HISTORIC NUCLEAR PLEDGE BY THE U.S. AND 21 COUNTRIES (Dec. 2, 2023), <https://www.ans.org/news/article-5583/cop28-american-nuclear-society-applauds-historic-nuclear-pledge-by-the-us-and-21-countries/>.

¹² *Supra* note 5, at 28.

¹³ Jamie Radice, *Export-Import Bank of the United States*, SADARA CHEMICAL COMPANY TRANSACTION IS AWARDED EX-IM BANK DEAL OF THE YEAR (Apr. 4, 2013), <https://www.exim.gov/news/sadara-chemical-company-transaction-awarded-ex-im-bank-deal-year>.

¹⁴ *See generally* *Export-Import Bank of the United States*, 2023 EXIM ANNUAL REPORT (Nov. 13, 2023), https://img.exim.gov/s3fs-public/reports/annual/2023/EXIM_AnnualReport'23_27032023_Final.pdf.

¹⁵ *Charter and Bylaws of the Export-Import Bank of the United States*, CHARTER SEC. 2(k)(2), <https://www.exim.gov/leadership-governance/charter-and-bylaws>.

¹⁶ CHAIR LEWIS ANNOUNCES EXPORT-IMPORT BANK OF THE U.S.' RESOLUTION AND TOOLKIT SUPPORTING SMALL MODULAR REACTOR NUCLEAR PROJECTS (Dec. 5, 2023), <https://www.exim.gov/news/chair-lewis-announces-export-import-bank-resolution-underscoring-agencys-support-for-financing>; *see* Agreement Between the Government of the United States of America and the Government of the Republic of Poland on Cooperation Towards the Development of a Civil Nuclear Power Program and the Civil Nuclear Power Sector in the Republic of Poland, U.S.-Pol., Oct. 19 and 22, 2020, Upper Marlboro and Warsaw, T.I.A.S. 21-224 (entered into force Feb. 24, 2021); *see also* FACT SHEET: BIDEN-HARRIS ADMINISTRATION LEVERAGES HISTORIC U.S. CLIMATE LEADERSHIP AT HOME AND ABROAD TO URGE COUNTRIES TO ACCELERATE GLOBAL CLIMATE ACTION AT U.N. CLIMATE CONFERENCE (COP28) (Dec. 2, 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/12/02/fact-sheet-biden-harris-administration-leverages-historic-u-s-climate-leadership-at-home-and-abroad-to-urge-countries-to-accelerate-global-climate-action-at-u-n-climate-conference-cop28/>.

¹⁷ Agreement Between the Government of the United States of America and the Government of the Republic of Poland on Cooperation Towards the Development of a Civil Nuclear Power Program and the Civil Nuclear Power Sector in the Republic of Poland, U.S.-Pol., Oct. 19 and 22, 2020, Upper Marlboro and Warsaw, T.I.A.S. 21-224 (entered into force Feb. 24, 2021).

¹⁸ *Id.*

¹⁹ *U.S. Embassy in Romania*, U.S.-ROMANIA COOPERATION ON SMALL MODULAR REACTORS (FACT SHEET) (Nov. 2, 2021), <https://ro.usembassy.gov/u-s-romania-cooperation-on-small-modular-reactors-fact-sheet/>.

Competing against Russian and Chinese nuclear exports is in the best geopolitical interest of the United States and our allies, and EXIM financing will be essential to competing against state-owned enterprises.²⁰ It's clearer than ever that expanding American nuclear export potential is in the national security interest of the United States, and EXIM has an important role to intervene in cases "where such support is necessary to level the competitive playing field for U.S. exporters due to financing provided by foreign governments."²¹ EXIM can also learn from the efforts of the United States Trade and Development Agency (USTDA) along with the forward-looking actions of the United States Development Finance Corporation (DFC) to collaboratively provide alternatives to the financing packages offered by state-owned authoritarian regimes. Ultimately, various federal agencies and financial institutions must work in sync to put forward integrated and competitive financing packages to solidify America's nuclear export potential and secure American nuclear leadership moving into the future.

In the United States, bipartisan momentum is building around nuclear energy. The potential to exert global nuclear influence from exporting American nuclear technology is ripe, and we encourage EXIM to embrace its role once again in financing civil nuclear energy exports. Although we understand there might be some hesitancy with EXIM's existence and the role EXIM plays in America's finance system, our nation should deploy all available options to maximize this American nuclear leadership opportunity.

Thank you for taking our thoughts into consideration, and we look forward to following EXIM's nuclear-related efforts.

Sincerely,



Byron Donalds (FL-19)
Member of Congress



Brett Guthrie (KY-02)
Member of Congress



Troy Nehls (TX-22)
Member of Congress



John Rose (TN-06)
Member of Congress



Ben Cline (VA-06)
Member of Congress



María Salazar (FL-27)
Member of Congress

²⁰ See generally *U.S. Department of Energy*, SECRETARY BROUILLETTE ANNOUNCES THE NUCLEAR FUEL WORKING GROUP'S STRATEGY TO RESTORE AMERICAN NUCLEAR ENERGY LEADERSHIP (Apr. 23, 2020), <https://www.energy.gov/articles/secretary-brouillette-announces-nuclear-fuel-working-groups-strategy-restore-american>.

²¹ Veronique de Rugy, *The Export-Import Bank Should Be Abolished*, 2023 MANDATE FOR LEADERSHIP 717-23, 720.