

123 Agreements

Pillsbury has extensive experience in advising governments during the negotiation and implementation of nuclear cooperation agreements with the United States. Authorized by section 123 of the Atomic Energy Act (AEA), these agreements are often referred to as “123 Agreements.” We also regularly advise governments on treaty negotiations, engagement with the U.S. government, and general international law matters.

Nuclear Energy

Pillsbury has had the premier nuclear energy law practice since the early days of the nuclear industry, with the first nuclear energy practice group in the United States. Pillsbury fields the world’s top nuclear energy team, with the specialized knowledge, historical perspective and experience across jurisdictions to assist clients in meeting their goals. Our energy attorneys come from a broad range of technical backgrounds. Many have advanced scientific and technical degrees in areas including materials, electrical and mechanical engineering, physics, nuclear engineering and other technical disciplines. Our senior attorneys average 30+ years of experience in the nuclear area. Our team includes a former two-term commissioner of the U.S. Nuclear Regulatory Commission. Three other members of the group served in legal positions with the Atomic Energy Commission and the U.S. Nuclear Regulatory Commission; five served in the Nuclear Navy; two worked in the U.S. Department of Energy on international nuclear and nuclear waste matters; and one held a senior legal position with a major nuclear vendor.

Nuclear Cooperation Agreements

Pillsbury partners and senior attorneys have many decades of experience concerning the negotiation and performance of agreements between the United States and other countries with respect to peaceful uses of nuclear energy. In the early to mid-1980s, our attorneys played a key role in the establishment and operation of the International Nuclear Non-Proliferation Alliance (a not-for-profit corporation organized in Washington, D.C.). This corporation was instrumental in coordinating the actions of nuclear industry organizations and companies in the United States, as well as the UK and France, in building support for the current U.S.-EURATOM 123 Agreement, both during the negotiation of that Agreement as well as during the Congressional review that is required by the U.S. Atomic Energy Act.

Pillsbury attorneys have unrivaled experience in negotiating bilateral nuclear cooperation agreements with the United States, including the following major representations:

- Provided advice and counsel to Tokyo Electric Power Co. and Kansai Electric Power Co., in approximately 1985-88, concerning legal and policy issues associated with negotiation of the current Japan-U.S. 123 Agreement. Helped secure support for that Agreement during U.S. Congressional review.
- Provided advice and counsel to the Federation of Electric Power Companies of Japan (FEPC) concerning implementation of the current Japan-U.S. 123 Agreement with respect to transport of U.S.-obligated MOX fuel from the United Kingdom and France to Japan.
- Represented the Government of the Republic of Korea (ROK) from approximately 2011 to the present in relation to the negotiation and implementation of the current U.S.-ROK 123 Agreement.
- Led U.S. industry efforts to support the U.S.-EURATOM 123 Agreement during Congressional review of that Agreement in 1994-1995.
- Advised King Abdullah City for Atomic and Renewable Energy (K.A.CARE), the entity responsible for the implementation of a civilian nuclear power program in the Kingdom of Saudi Arabia, with respect to the negotiation of a 123 agreement with the United States.
- Advised Emirates Nuclear Energy Corporation (ENEC) in the United Arab Emirates (UAE) with respect to bilateral cooperation with the United States and other supplier nations, negotiation of Notes Verbale concerning the transfer and retransfer of nuclear material, equipment and technology, and administrative arrangements pursuant to the agreements.
- Represented commercial interests that supported the efforts of the Russian Federation to negotiate a 123 agreement with the United States.

About Pillsbury

Pillsbury Winthrop Shaw Pittman LLP is an international law firm with offices around the world, and a particular focus on the technology, energy & natural resources, financial services, real estate & construction, and travel & hospitality sectors. Recognized by legal research firm BTI as one of the top 20 firms for client service, Pillsbury and its lawyers are highly regarded for their forward-thinking approach, their enthusiasm for collaborating across disciplines and their unsurpassed commercial awareness.

ATTORNEY ADVERTISING. Results depend on a number of factors unique to each matter. Prior results do not guarantee a similar outcome.

Pillsbury Winthrop Shaw Pittman LLP | 1540 Broadway | New York, NY 10036 | 877.323.4171

pillsburylaw.com | © 2019 Pillsbury Winthrop Shaw Pittman LLP. All rights reserved.

Austin • Beijing • Hong Kong • Houston • London • Los Angeles • Miami • Nashville
New York • Northern Virginia • Palm Beach • Sacramento • San Diego • San Diego North County
San Francisco • Shanghai • Silicon Valley • Taipei • Tokyo • Washington, DC