

ONE HUNDRED NINETEENTH CONGRESS

**Congress of the United States**  
**House of Representatives**

**COMMITTEE ON ENERGY AND COMMERCE**

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

Majority (202) 225-3641

Minority (202) 225-2927

August 31, 2026

**MEMORANDUM**

To: Committee on Energy and Commerce Members and Staff  
From: Committee Majority Staff  
Re: Full Committee Markup on September 2, 2026

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**I. INTRODUCTION**

The Energy and Commerce Committee will hold a Full Committee markup on Wednesday, September 2, 2026, at 10:00 a.m. (ET) in 2123 Rayburn House Office Building. The markup will consider the following legislation:

- H.R. 3978, Nuclear REFUEL (Recycling Efficient Fuels Utilizing Expedited Licensing) Act (Reps. Latta and Peters)
- H.R. 9612, American Enrichment Deployment Act (Reps. Fry and Schrier)
- H.R. 5549, Efficient Nuclear Licensing Hearings Act (Reps. Griffith and Schrier)
- H.R. 9613, Nuclear Advisory Committee Reform Act (Rep. Harshbarger)
- H.R. 9614, NRC Staff Pay Alignment Act (Rep. Menendez)
- H.R. 9084, Department of Energy Nuclear Transparency Act (Reps. Castor and Miller-Meeks)
- H.R. 2140, Diesel Emissions Reduction Act of 2025 (Reps. Matsui and Langworthy)
- H.R. 3194, Lifting Overburdensome Commerce Obstructions and Motives (LOCOMOTIVES) Act (Rep. Moolenaar)
- H.R. 9317, Buses Utilizing Safety and Environmental Standards (BUSES) Act (Reps. Langworthy and Gottheimer)
- H.R. 9615, Battery Recycling for America's Competitive Economy (BRACE) Act (Rep. Miller-Meeks)

## **II. LEGISLATION**

### **A. H.R. 3978, Nuclear REFUEL (Recycling Efficient Fuels Utilizing Expedited Licensing) Act (Reps. Latta and Peters)**

This legislation would amend the definition of a production facility in the Atomic Energy Act (AEA) to exclude facilities that reprocess spent nuclear fuel in a manner that does not separate plutonium from other transuranic elements. In effect, amending the definition would clarify that spent fuel reprocessing facilities may be licensed under the same regulatory process as other fuel cycle facilities rather than as a production facility. Licensing a fuel cycle facility involves a single-step process for a license to operate a facility instead of a two-step licensing process for a production facility, which must receive a construction permit and then complete a process for an operating license. The legislation was amended during the subcommittee markup to clarify the definition of applicable facilities that do not isolate plutonium and to clarify that existing legal requirements pertaining to the export of reprocessing facilities remain unchanged. The bill was forwarded favorably, as amended, by voice vote.

### **B. H.R. 9612, American Enrichment Deployment Act (Reps. Fry and Schrier)**

This legislation would amend the AEA to update the process for licensing of uranium enrichment facilities to align with the licensing requirements for all other fuel cycle facilities. It does so by removing enrichment-specific requirements for environmental review and adjudicatory hearings, and by clarifying that construction of a facility may be allowed prior to licensing under the same terms and conditions applicable to other fuel cycle facilities. The uranium enrichment facility would remain subject to all applicable licensing requirements under sections 53 and 63 of the AEA, as well as the Nuclear Regulatory Commission's (NRC) environmental review requirements. A rule of construction provides that the amendment does not affect NRC authority to regulate construction and does not affect the right of any person whose interest may be affected by a licensing proceeding to a hearing under the AEA. The legislation also directs the NRC to revise its regulations to conform with the bill. The bill was forwarded favorably by voice vote.

### **C. H.R. 5549, Efficient Nuclear Licensing Hearings Act (Reps. Griffith and Schrier)**

This legislation would amend the AEA to remove the need for the NRC to expend resources on unnecessary hearings. It would eliminate the current requirement to hold uncontested hearings on applications to the NRC for granting a construction permit, an operating license, a combined construction and operating license, or a license to possess and use special nuclear material for nuclear facilities. The legislation would also clarify that the NRC may use informal adjudicatory procedures for any hearings the Commission determines appropriate. The bill would in no way affect the right of persons whose interests are affected to request a hearing on specific matters. The bill was forwarded favorably by voice vote.

**D. H.R. 9613, Nuclear Advisory Committee Reform Act (Rep. Harshbarger)**

This legislation would amend the AEA to update the role of the Advisory Committee on Reactor Safeguards (ACRS) to establish the ACRS's role in providing advice to the NRC on license applications, license amendments, regulatory activities, and any other matter only upon specific request by the Commission. The legislation would direct the ACRS to focus on issues that are directly related to reactor design, safety significant, and novel, and that have not previously been acted on by the Committee. The legislation would also update term requirements and require membership representing a diverse background of technical expertise relevant to the NRC mission. The bill was forwarded favorably by voice vote.

**E. H.R. 9614, NRC Staff Pay Alignment Act (Rep. Menendez)**

This legislation amends the AEA to provide that the Chairman of the NRC may fix the compensation for career, Senior Executive Service (SES) appointees at a rate that is 10 percent higher than the maximum annual rate of basic pay for SES positions within the Commission. The legislation would help align the pay authority applicable to these career employees with workforce development and pay authority amendments made to the AEA by the ADVANCE Act. The bill was forwarded favorably by voice vote.

**F. H.R. 9084, Department of Energy Nuclear Transparency Act (Reps. Castor and Miller-Meeks)**

This legislation would require DOE to announce and post information on decisions relating to the licensing and authorization of DOE nuclear facilities, as well as changes in directives and safety standards relating to such facilities, on a publicly accessible website within 24 hours of such decisions or actions. The legislation would also require the Secretary of Energy to provide a report annually to the Energy and Commerce Committee and to the Senate Energy and Natural Resources Committee that details all such activity by DOE to authorize nuclear facilities over the previous year. The legislation was amended in the subcommittee markup to increase the time for reporting and to clarify that unclassified and other security sensitive information is exempt from disclosure. The bill was forwarded, as amended, favorably by voice vote.

**G. H.R. 2140, Diesel Emissions Reduction Act of 2025 (Reps. Matsui and Langworthy)**

This legislation amends section 797(a) of the Energy Policy Act of 2005 to extend the authorization of the Diesel Emissions Reduction Act grant program to 2029. The bill was forwarded favorably by voice vote.

#### **H. H.R. 3194, Lifting Overburdensome Commerce Obstructions and Motives (LOCOMOTIVES) Act (Rep. Moolenaar)**

This legislation amends section 209 of the Clean Air Act to preempt state-level emissions standards from applying to locomotives and engines used in locomotives engaged in interstate commerce, creating a consistent national standard. The bill was forwarded favorably by voice vote.

#### **I. H.R. 9317, Buses Utilizing Safety and Environmental Standards (BUSES) Act (Reps. Langworthy and Gottheimer)**

This legislation amends Clean Air Act sections 110(a) and 304 to create a uniform national standard for over-the-road buses and school buses to idle for a period of less than 15 minutes. The bill was forwarded favorably by voice vote.

#### **J. H.R. 9615, Battery Recycling for America's Competitive Economy (BRACE) Act (Rep. Miller-Meeks)**

This legislation allows destination facilities, which are not allowed to store lithium-ion batteries under existing universal waste regulations without a full hazardous waste permit, to store those batteries prior to recycling them. It specifies that these destination facilities shall do so in accordance with certain regulations for universal waste handlers, which are allowed to store lithium-ion batteries. The bill also updates the Mercury-Containing and Rechargeable Battery Management Act's language preempting state regulation of rechargeable batteries to reference current regulations.<sup>1</sup>

The legislation was amended at the Subcommittee on Environment markup to add additional definitions and allow destination facilities to store batteries prior to recycling on an interim basis. The amendment also directed EPA to issue a rule regarding the management of lithium-ion batteries as universal waste and to consider the listed issues for inclusion during the rulemaking process. The bill was forwarded, as amended, favorably by voice vote.

### **III. STAFF CONTACTS**

If you have questions regarding this hearing, please contact the Majority Committee staff at (202) 225-3641.

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<sup>1</sup> Pub. L. No. 104-142 § 104(a) (42 U.S.C. § 14323).