

**Opening Statement of the Honorable Fred Upton  
Chairman, Subcommittee on Energy  
Subcommittee on Energy Markup of H.R. 1320, H.R. 6140, H.R. 6141, and  
H.R. \_\_\_\_\_  
June 21, 2018**

Good morning and welcome to the Subcommittee on Energy markup of four bills addressing the development, deployment, competitiveness, and regulation of nuclear energy technologies.

Throughout this Congress, we have repeatedly heard about the immense challenges facing all parts of our nation's nuclear industry. While individual states have taken steps to preserve specific nuclear power plants, the underlying intellectual and industrial nuclear infrastructure is at risk of further atrophy in the absence of a coherent and defined policy from the Federal government. The bills today take important steps to establish that policy.

At a hearing on these four bills last month, the Department of Energy's (DOE) Office of Nuclear Energy, the National Nuclear Security Administration, and industry leaders discussed the urgent need to take action now due to the time-consuming and complex requirements associated with licensing and developing nuclear facilities.

The bills before us today address that need. They have been developed in coordination and with feedback from Members of the Committee, the DOE, the Nuclear Regulatory Commission (NRC), and a broad range of stakeholders. I look forward to continuing bipartisan collaboration to advance these four proposals.

The first proposal we will consider this morning is the committee print titled Advancing U.S. Civil Nuclear Competitiveness and Jobs Act, offered by Representative Johnson. This bill will assist our U.S. nuclear industry's ability to

compete successfully in an increasingly competitive global market. The proposal provides a more predictable and efficient authorization process for the review and approval of low-proliferation risk technologies. Such steps will help level the playing field for American companies in international competition of nuclear energy.

The next bill, H.R. 1320, the Nuclear Utilization of Keynote Energy, or “NUKE,” Act, is a bipartisan bill sponsored by Representatives Kinzinger and Doyle to make targeted reforms to the NRC’s fee structure and streamline certain licensing and regulatory actions. This bill will increase transparency, predictability, and efficiency in the regulatory process, which will benefit our constituents who fund the NRC through user fees embedded in the cost of nuclear-generated electricity. The more efficient, streamlined decision-making processes established by this legislation will lay the groundwork for more predictable timing for our current and future nuclear infrastructure.

The Advanced Nuclear Fuel Availability Act, H.R. 6140, is a bipartisan bill introduced by Representatives Flores and McNerney to direct the Secretary of Energy to establish a program to make high-assay low-enriched uranium available for use in the first-of-a-kind advanced nuclear reactor designs. This fuel will enable the development and deployment of a new generation of innovative nuclear technologies in the United States.

Lastly, H.R. 6141, a bipartisan bill sponsored by Representatives Hudson, Peters, Wilson, and Norcross, directs the Secretary of Energy, in collaboration with the NRC, Department of Defense, and General Services Administration, to identify key components of a pilot program to site, construct, and operate very small nuclear reactors, known as “micro-reactors,” to provide energy resilience for mission-critical national security functions. Such a pilot program could capture

some of the unique and revolutionary characteristics of tomorrow's nuclear reactor designs and provide additional benefits for revitalizing the U.S. nuclear industry.

More work remains to be done to reassert the global leadership of American nuclear know-how for the next generation, but the legislation before us this morning is a good and essential step towards a multi-faceted strategy.