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6 MARKUP OF H.R. 1320, NUCLEAR UTILIZATION OF

7 KEYNOTE ENERGY ACT; H.R. 6140, ADVANCED

8 NUCLEAR FUEL AVAILABILITY ACT; H.R. _____,

9 ADVANCING U.S. CIVIL NUCLEAR COMPETITIVENESS

10 AND JOBS ACT; AND H.R. 6141, TO REQUIRE THE

11 SECRETARY OF ENERGY TO DEVELOP A REPORT ON A

12 PILOT PROGRAM TO SITE, CONSTRUCT, AND

13 OPERATE MICRO-REACTORS AT CRITICAL NATIONAL

14 SECURITY LOCATIONS, AND FOR OTHER PURPOSES

15 THURSDAY, JUNE 21, 2018

16 House of Representatives

17 Subcommittee on Energy

18 Committee on Energy and Commerce

19 Washington, D.C.

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23 The subcommittee met, pursuant to call, at 10:00 a.m.,
24 in Room 2123 Rayburn House Office Building, Hon. Fred Upton
25 [chairman of the subcommittee] presiding.

26 Members present: Representatives Upton, Olson, Barton,
27 Shimkus, Latta, Harper, McKinley, Kinzinger, Griffith,
28 Johnson, Long, Bucshon, Flores, Mullin, Hudson, Cramer,
29 Walberg, Duncan, Walden (ex officio), Rush, McNerney, Peters,
30 Green, Doyle, Castor, Sarbanes, Welch, Tonko, Loeb sack,
31 Schrader, Kennedy, Butterfield, and Pallone (ex officio).

32 Staff present: Jennifer Barblan, Chief Counsel,
33 Oversight & Investigations; Mike Bloomquist, Deputy Staff
34 Director; Samantha Bopp, Staff Assistant; Daniel Butler,
35 Staff Assistant; Karen Christian, General Counsel; Kelly
36 Collins, Legislative Clerk, Energy/Environment; Margaret
37 Tucker Fogarty, Staff Assistant; Adam Fromm, Director of
38 Outreach and Coalitions; Ali Fulling, Legislative Clerk,
39 Oversight & Investigations, Digital Commerce and Consumer
40 Protection; Theresa Gambo, Human Resources/Office
41 Administrator; Jordan Haverly, Policy Coordinator,
42 Environment; Peter Kielty, Deputy General Counsel; Mary
43 Martin, Chief Counsel, Energy/Environment; Sarah Matthews,
44 Press Secretary; Brandon Mooney, Deputy Chief Counsel,

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45 Energy; Mark Ratner, Policy Coordinator; Peter Spencer,
46 Professional Staff Member, Energy; Austin Stonebraker, Press
47 Assistant; Madeline Vey, Policy Coordinator, Digital Commerce
48 and Consumer Protection; Evan Viau, Legislative Clerk,
49 Communications & Technology; Hamlin Wade, Special Advisor,
50 External Affairs; Andy Zach, Senior Professional Staff
51 Member, Environment; Jeff Carroll, Minority Staff Director;
52 Elizabeth Ertel, Minority Deputy Clerk; Rick Kessler,
53 Minority Senior Advisor and Staff Director, Energy and
54 Environment; John Marshall, Minority Policy Coordinator; Dan
55 Miller, Minority Policy Analyst; Alexander Ratner, Minority
56 Policy Analyst; Tim Robinson, Minority Chief Counsel; Tuley
57 Wright, Minority Energy and Environment Policy Advisor; and
58 Catherine Zander, Minority Environment Fellow.

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59 Mr. Upton. Good morning, everybody. Welcome to the
60 Subcommittee on Energy markup of four bills addressing the
61 development, deployment, competitiveness, and regulation of
62 nuclear energy technologies.

63 You know, throughout this Congress we have repeatedly
64 heard about the immense challenges facing all parts of our
65 nation's nuclear industry. And while individual states have
66 taken steps to preserve specific nuclear power plants, the
67 underlying intellectual and industrial nuclear infrastructure
68 is at risk of further atrophy in the absence of a coherent
69 and defined policy from the federal government.

70 The bills today take some important steps to establish
71 that policy. At a hearing on these four bills last month,
72 the Department of Energy's Office of Nuclear Energy, the
73 National Nuclear Security Administration, and industry
74 leaders discussed the urgent need to take action now due to
75 the time-consuming and complex requirements associated with
76 licensing and developing nuclear facilities.

77 So the bills before us address that need. They have
78 been developed in coordination with feedback from members of
79 this committee, the Department of Energy and NRC, and a broad
80 range of stakeholders. I look forward to continuing

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81 bipartisan collaboration to advance these four proposals.

82 The first proposal that we are going to consider this
83 morning is the committee print titled Advancing U.S. Civil
84 Nuclear Competitiveness and Jobs Act offered by Congressman
85 Johnson. This bill will assist our U.S. nuclear industry's
86 ability to compete successfully in an increasingly
87 competitive global market. The proposal provides a more
88 predictable and efficient authorization process for the
89 review and approval of low proliferation risks and
90 technologies, and such steps will help level the playing
91 field for American companies in the international competition
92 of nuclear energy.

93 The next bill, H.R. 1320, the Nuclear Utilization of
94 Keynote Energy, or NUKE Act, is a bipartisan bill sponsored
95 by Representative Kinzinger and Doyle to make targeted
96 reforms to the NRC's fee structure and streamline certain
97 licensing and regulatory actions. This bill will increase
98 transparency, predictability, and efficiency in the
99 regulatory process which, for sure, will benefit our
100 constituents who fund the NRC through user fees embedded in
101 the cost of nuclear generated electricity. The more
102 efficient streamlined decisionmaking process established by

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103 this legislation will lay the groundwork for more predictable
104 timing for our current and future nuclear infrastructure.

105 Advanced Nuclear Fuel Availability Act, H.R. 6140, is a
106 bipartisan bill introduced by Representatives Flores and
107 McNerney to direct the Secretary of Energy to establish a
108 program to make high-assay, low-enriched uranium available
109 for use in the first of a kind advanced nuclear reactor
110 design. This fuel will enable the development and deployment
111 of a new generation of innovative nuclear technologies in the
112 U.S.

113 And, lastly, H.R. 6141, a bipartisan bill again
114 sponsored by Representatives Hudson, Peters, Wilson, and
115 Norcross directs the Secretary of Energy in collaboration
116 with the NRC, Department of Defense, and GSA to identify key
117 components of a pilot program to site, construct, and operate
118 very small nuclear reactors known as microreactors to provide
119 energy resilience for mission-critical national security
120 functions. Such a pilot program could capture some of the
121 unique and revolutionary characteristics of tomorrow's
122 nuclear reactor designs and provide additional benefits for
123 revitalizing the U.S. nuclear industry.

124 More work remains to be done to reassert the global

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125 leadership of American nuclear know-how for the next
126 generation, but this legislation before us today is a good
127 and essential step towards a multifaceted strategy.

128 I yield for an opening statement to the ranking member
129 of the subcommittee, my friend Mr. Rush from Chicago.

130 Mr. Rush. I want to thank you, Mr. Chairman.

131 Mr. Chairman, before I get into this suite of nuclear
132 bills that is before us today, I just want to reiterate my
133 position that I touched on in yesterday's hearing. As I
134 mentioned, Mr. Chairman, Ranking Member Pallone and I along
135 with all 24 Democratic members of the full committee, sent a
136 letter to Chairman Walden and Health Subcommittee Chairman
137 Burgess on yesterday requesting an immediate hearing on the
138 Trump administration's misguided policy of separating
139 immigrant children from their parents at our southern border.

140 While the President, Mr. Chairman, may have suddenly
141 shifted his stance and signed an executive order undoing this
142 abominable policy for the time being, who knows when he might
143 change his mind on a whim and reverse himself once again.

144 Mr. Chairman, it is critical that we hear from key
145 Administration officials on how this loathsome policy came
146 about. More importantly, as the elected representatives we

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147 need answers on how many of these children were ripped from
148 their parents, where are all of these children now, and what
149 is the Administration's procedure for assuring that all of
150 these babies will indeed be reunited with their parents.

151 This is an important issue that is of the utmost concern
152 to many, if not all, Americans regardless of their political
153 leanings or religious affiliations, so hopefully we can
154 schedule this hearing sooner rather than later.

155 With that being said, Mr. Chairman, as I stated in the
156 hearing on these four nuclear bills, it is my desire that we
157 work with the majority side to attempt to find consensus so
158 that these bills are forwarded on the full committee with
159 bipartisan support.

160 Mr. Chairman, the most problematic of these three bills,
161 four bills, rather, for me is the Advancing U.S. Civil
162 Nuclear Competitiveness and Jobs Act. This bill will, among
163 other things, revise DOE's review of the Part 810 process by
164 expediting procedures for transferring civilian nuclear
165 technology including to foreign powers. I can tell you, Mr.
166 Chairman that I have even less confidence in the Trump
167 administration than I had a few weeks ago when we held a
168 hearing on this bill so I do not see the wisdom in this

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169 moving this bill at this time.

170 With that Mr. Chairman, I yield back the balance of
171 time. Mr. Upton. The gentleman's time is expired. The
172 chair would recognize for an opening statement the chairman
173 of the full committee, Mr. Walden.

174 The Chairman. I thank the gentleman from Michigan for
175 his leadership and for acknowledging me on these energy
176 issues. Good job to the committee. This morning we are
177 going to continue to advance our legislative efforts to
178 modernize the Department of Energy to better reflect the
179 Department's current national and energy security missions.

180 Now throughout this Congress, as you all know, we have
181 sought specific DOE authorities to update in light of an
182 ever-changing energy landscape and evolving national security
183 threats. Today's subcommittee markup continues these
184 efforts; also includes modernizing nuclear policies that
185 Congress originally embedded in DOE's predecessor agency, the
186 Atomic Energy Commission. When the Atomic Energy Act was
187 amended in 1954, those authorities now reside at both DOE and
188 the Nuclear Regulatory Commission.

189 Our nation's expertise in nuclear energy from safely
190 operating reactors to the application of technology to the

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191 strong regulatory regime is the best in the world. However,
192 our foreign competitors are making strategic investments to
193 directly support their respective nuclear interests to gain
194 an advantage in emerging markets. So we should recognize
195 that foreign government support for expansion of their
196 nuclear industries into new markets is driven by more than
197 economic interest. There are profound national security and
198 strategic implications for dominance in the civil nuclear
199 space and so we must appropriately consider the implications
200 of losing our leadership position in developing markets and
201 align our national policy accordingly. The thoughtful
202 legislative proposals we will consider this morning target
203 specific challenges facing America's nuclear scientists,
204 innovators, suppliers, and reactor operators. So the bills
205 will help deploy advanced nuclear technologies, enhance our
206 nuclear supplier industry's ability to effectively compete in
207 global markets, and establish transparency and predictability
208 in our regulatory framework. Each of these bills can
209 help reinvigorate different components of our nuclear
210 ecosystem and in doing so the legislation will facilitate
211 innovation and competition which provides the dual benefits
212 of both being good for consumers while protecting our

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213 national security interests. So I really want to thank
214 members on both sides of the aisle who worked on these bills,
215 including Representatives Kinzinger and Doyle, Hudson,
216 Peters, Flores and McNerney, and Johnson. Your leadership
217 has really made a difference and we are going to move these
218 common sense, bipartisan policies forward. It is
219 appreciated.

220 Thank you for your work and I look forward to supporting
221 this effort. I yield back the balance of my time.

222 Mr. Upton. The gentleman yields back. The chair would
223 recognize the ranking member of the full committee, Mr.
224 Pallone.

225 Mr. Pallone. Thank you, Mr. Chairman.

226 Today the subcommittee will markup our four nuclear
227 energy bills. At the legislative hearing in May, I expressed
228 concern with two of the proposals before us. First, the
229 Advancing U.S. Civil Nuclear Competitiveness and Jobs Act
230 makes changes to the Part 810 process by which the Secretary
231 of Energy authorizes the transfer of nuclear energy
232 technology and assistance to foreign countries.

233 The bill establishes a brief 30-day timeframe for the
234 Secretary to approve the transfer of certain nuclear

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235 technologies to countries that are not nuclear weapon states
236 and I am uncomfortable with expediting the review process for
237 Part 810 at a time when there is so much global uncertainty
238 with regard to nuclear proliferation.

239 H.R. 1320 introduced by Representatives Kinzinger and
240 Doyle makes several major changes to the NRC budgeting
241 process and fee structure and I have concerns with the
242 provision of the bill that sets up an expedited timeline for
243 NRC review of nuclear reactors because inflexible deadlines
244 could jeopardize the environmental and safety review process
245 for more complex applications. And I am also concerned with
246 a provision requiring NRC to issue a construction permit for
247 a nuclear facility even if an entity has filed a formal
248 request for a hearing objecting to the project. And I think
249 stakeholders should have a chance to voice their concerns
250 publicly before a project permit is issued.

251 But despite those concerns, I appreciate our colleagues'
252 efforts to address the financial strain currently facing the
253 nuclear industry and I want to continue to work with them on
254 this bill.

255 But if I could just say I want to reiterate in the time
256 I have left what Ranking Member Bobby Rush said about the

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257 children separation. I would strongly request that this
258 committee hold a hearing immediately on the President's
259 family separation policy that has led to more than 2,300
260 children being separated from their parents. I hope
261 yesterday's executive order puts an end to the barbaric
262 separation of families.

263 But I am concerned that these families will continue to
264 face inhumane treatment at the hands of the Trump
265 administration. All of us on this committee should demand
266 that the Administration must now immediately reunite each of
267 the more 2,300 children who have already been separated from
268 their parents. I actually saw some of them this Sunday on
269 Father's Day and I think the Department HHS has been sending
270 conflicting signals as to whether it will reunite these
271 families.

272 I know that every Democrat on this committee made a
273 request to Chairman Walden and Burgess for a hearing as soon
274 as possible, so I was just going to ask if I could, Mr.
275 Chairman -- well, I guess he left. All right, well. All
276 right, let me just say that we are hoping and I am going to
277 follow up with both Chairman Walden and Chairman Burgess to
278 see if we can have a hearing as soon as possible because I

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279 think this policy has created real trauma for thousands of
280 kids and we have to get answers from the Department of Health
281 and Human Services.

282 Thank you, Mr. Chairman.

283 Mr. Upton. Thank you.

284 I would note for all members that their opening
285 statements could be made part of the record as a UC. Are
286 there other members wishing to give an opening statement?

287 Seeing none on the Republican side, on the Democratic
288 side? The gentleman from California is recognized for an
289 opening statement.

290 Mr. Peters. Thank you, Mr. Chairman, just briefly. I
291 appreciate having my bill, H.R. 6141, on the agenda for the
292 markup today following a successful legislative hearing in
293 May and I thank Mr. Hudson for his work on the bill.

294 As I have said before, our nuclear energy technologies
295 are an important part of increasing zero emission energy
296 sources. We need this energy generation and the clean air
297 standards that they can help us achieve. We also need to
298 ensure those energy solutions are being best utilized by our
299 armed forces. Just this week, in fact, I spoke to the
300 Association of Defense Communities about the future of energy

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301 use in the military and this importance cannot be stressed
302 enough.

303 This bill would direct the Department of Defense and the
304 Department of Energy to work together in analyzing how
305 microreactors can bolster energy resiliency for national
306 security. Doing so is an important step in developing the
307 energy resources our armed forces need. In my home district
308 in San Diego the DOD has been a willing and helpful partner
309 in developing and testing innovative energy resources and I
310 think the partnership in this bill makes sense and I
311 appreciate my colleagues' supportive vote on it today and I
312 yield back. Mr. Upton. The gentleman yields back. The
313 chair would recognize Mr. Johnson for an opening statement.

314 Mr. Johnson. Thank you, Mr. Chairman, for convening
315 this important markup today relating to nuclear energy. I
316 would like to briefly highlight one of the four important
317 bills, a discussion draft titled The Advancing U.S. Nuclear
318 Competitiveness and Jobs Act.

319 The Department of Energy plays a critical role in
320 America's nuclear industry's engagement in international
321 commerce through the Part 810 permitting process. With
322 almost 200 gigawatts of new nuclear energy capacity projected

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323 to be added throughout the world by 2050, it is incumbent on
324 Congress to ensure the Part 810 process is efficient and that
325 it continues to maintain our strong nuclear nonproliferation
326 posture.

327 The U.S. nuclear industry faces intense foreign
328 competition within the international civil nuclear market.
329 Many foreign enterprises with state backing like Russia and
330 China, those countries see getting a toehold in nuclear
331 energy as a strategic tool to leverage themselves into a 100-
332 year, state-to-state relationship with other countries. The
333 discussion draft before us today ensures DOE's 810 process
334 remains robust, safe, and predictable.

335 It takes common sense steps towards ensuring U.S.
336 leadership and civil nuclear commerce continues to be
337 competitive abroad without sacrificing national security
338 concerns. I am hopeful that we can put politics aside today,
339 focus on the policies of this draft, and pass it with
340 bipartisan support. And with that I yield back.

341 Mr. Upton. The gentleman's time is expired. Other
342 members wishing to give an opening statement?

343 Mr. Green?

344 Mr. Green. Thank you, Mr. Chairman. Today we are

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345 marking up four different nuclear energy bills that would
346 address many of the challenges faced by the nuclear sector.
347 It is important that we clear the way for the new technology
348 and limit burdens and regulatory structures where possible.
349 I am a proud cosponsor of H.R. 1320, the Nuclear Utilization
350 Keynote Energy Act, introduced by Mr. Doyle and Mr.
351 Kinzinger. The bill makes several drastically necessary
352 changes to the Nuclear Regulatory Commission's budget and fee
353 structure as well as the license applications process.

354 As we lose more and more zero emission clean energy
355 sources with the closure of nuclear plants across the
356 country, the NRC fee structure faces an undue financial
357 burden on the plants which remain in operation. It is
358 important that we address this issue now and give existing
359 nuclear plants a fee framework that reflects the 21st
360 century. I am proud to support this bill and recommend the
361 excellent work of both my colleagues Mr. Doyle and Mr.
362 Kinzinger.

363 I also support H.R. 6140, the Advanced Nuclear Fuel
364 Availability Act introduced by Mr. Flores and Mr. McNerney.
365 The bill directs the Secretary of Energy to establish a
366 program for support of high-assay, low-enriched uranium that

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367 is required by newer, advanced reactors. While supply of
368 this fuel is still at issue, this bill takes many needed
369 steps that will direct the Secretary to study questions that
370 will put us on the path to a modern nuclear fleet in the
371 2030s.

372 Microreactors are another technology that I am excited
373 to see this committee look into. I support H.R. 6141 by
374 Representatives Wilson, Norcross, Hudson, and Peters to
375 direct the DOE Secretary to develop a report for a pilot
376 program for microreactors at critical national security
377 sites. This technology has the potential to strengthen in
378 some of our most important sites for nuclear security.
379 Sustainable, clean onsite power at these sites ensures that
380 our nation's security will be protected in the event of an
381 attack allowing these important sites to function as they
382 were meant to be without interruption.

383 While I support many of the goals of Mr. Johnson's
384 Advancing U.S. Civil Nuclear Competitiveness and Jobs Act
385 there is still some outstanding issues with the bill as it
386 currently stands that prevents me from supporting it today.
387 U.S. nuclear technology is best and safest in the world.
388 There is a reason we see so many foreign countries wishing to

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389 develop their infrastructure with out expertise. While I
390 feel that section 810 does --

391 Mr. Upton. The gentleman's time is expiring.

392 Mr. Green. Okay. I think 30 days is too short, Mr.
393 Chairman, and hopefully before we go to markup in the full
394 committee that could be changed. And I appreciate your
395 patience, thank you.

396 Mr. Upton. The gentleman's time is expired. Other
397 members wishing to give an opening statement?

398 Seeing none, the chair will call up the discussion draft
399 entitled Advancing U.S. Civil Nuclear Competitiveness and
400 Jobs Act and ask the clerk to report.

401 [The Bill follows:]

402

403 *****INSERT 1*****

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404 The Clerk. Discussion Draft, to amend the Atomic Energy
405 Act of 1954, to improve the process by which the Secretary of
406 Energy authorizes the transfer of civilian nuclear commerce
407 technology and assistance and for other purposes.

408 Mr. Upton. And, without objection, the first reading of
409 the bill is dispensed with. The bill will be open for
410 amendment at any point, so ordered.

411 Are there any bipartisan amendments to the bill?

412 Are there any other amendments to the bill?

413 Seeing none, the gentleman from Oregon --

414 Mr. Schrader. Can I comment on the bill, Mr. Chairman?

415 Mr. Upton. Strike the last word, the gentleman is
416 recognized for 5 minutes.

417 Mr. Schrader. Yes. I would just like to thank my
418 friend from Ohio for introducing this bill and organize the
419 810 process. I am an all-above member when it comes to
420 energy policy, and if we want to pursue an aggressive
421 strategy to curb the effects of carbon it is going to have to
422 include not only renewable energy, but I believe nuclear as
423 well. I also want U.S. companies to be competitive not only
424 here at home, but internationally too.

425 With that said, I am not quite sure we are here yet with

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426 this bill. I am not comfortable with the idea we are going
427 to be mandating the Secretary review these applications or
428 delegate his authority or make a determination within just 30
429 days especially when we are talking about sending sensitive
430 nuclear technology to non-nuclear nations. That is
431 completely unrealistic and, I believe, unsafe.

432 In addition, I think it would be more prudent if we had
433 DOE also report back to Congress about the 810 process in
434 making it more effective before we pass legislation
435 expediting the program. As a result I will be voting no
436 today, but I would like to continue to work with Mr. Johnson
437 and members of the committee to improve the bill before a
438 full committee. And I thank the chairman and yield back.

439 Mr. Upton. The gentleman yields back. The chair would
440 recognize to strike the last word, Mr. Johnson.

441 Mr. Johnson. Move to strike the last word, Mr.
442 Chairman.

443 When Congress amended the Atomic Energy Act in 1954 to
444 provide for the commercial use of nuclear technology, the
445 United States was one of only a few countries who had nuclear
446 energy capacity. Today, countries throughout the world have
447 access to nuclear technology and the United States is no

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448 longer the only game in town. Today, our domestic nuclear
449 suppliers face very stiff global competition mainly from
450 nuclear state-owned vendors who use nuclear energy projects
451 to implement national policy objectives and as a job creator
452 back home. These state-owned entities will offer nuclear
453 project debt with better terms than market rates and even use
454 these projects as part of a larger deal and not simply a
455 standalone commercial deal.

456

457 [Chart.]

458

459 Mr. Johnson. As the graph shows that you will see here,
460 over 50 percent of new nuclear builds are currently going to
461 China and Russia. That is concerning to me and it should be
462 concerning to every member of this committee, especially
463 considering nuclear power plants last a very long time. I
464 don't know about everyone else in the room, but I prefer
465 countries engaging with the United States rather than Russia
466 to meet their peaceful nuclear energy needs.

467 So this discussion is about giving DOE and its staff the
468 tools they need to safely and efficiently consider these
469 specific authorizations, thereby helping our domestic nuclear

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470 suppliers to more effectively compete within this intensely
471 competitive world market. Importantly, DOE has recognized
472 the need for a timely review process for these authorizations
473 and has made progress over the last several years to improve
474 the efficiency and transparency of the Part 810 process.

475 This has been under both Democratic and Republican
476 administrations. In fact, in February 2015, DOE published
477 efficiency revisions to the 810 regulations, the first such
478 revision since 1986. Those revisions were based on
479 recommendations that stemmed from a Government Accountability
480 Office report requested by Chairman Upton.

481 This discussion draft builds upon that work through
482 sensible statutory reforms, many of which DOE is unable to
483 accomplish through further rulemakings. Specifically, it
484 directs the Secretary of Energy to establish procedures for
485 predictable and timely consideration of exports of certain
486 low-risk technologies. It permits the Secretary to delegate
487 the approval of certain low-risk authorizations to reduce the
488 paperwork and the workload for the Secretary, and it requires
489 the Department of Energy to process authorizations
490 concurrently during the interagency review.

491 This draft ensures important safeguards are in place and

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492 upheld, such as maintaining the current interagency review
493 process, and still requires the State Department to receive
494 assurances from a foreign government regarding the use and
495 transfer of nuclear technology. I urge my colleagues to
496 support this important draft and if my colleagues object to
497 any of the policy provisions contained within the draft, I
498 stand ready and willing to work on those provisions.

499 As the ranking member acknowledged during the
500 legislative hearing on this draft, the 810 process must
501 function well for the U.S. to remain competitive within the
502 civil nuclear marketplace. This draft is a step towards
503 achieving that goal and is crucial that we separate these
504 common sense policy reforms from politics. I would also like
505 to point out that there is bipartisan language contained
506 within the Senate fiscal year 2019 NDAA aimed at improving
507 the 810 process, so I would hope we would find some common
508 ground on the House side as well.

509 There is clearly the need for this language and with
510 that I urge my colleagues to support the draft. And now I
511 would like to yield some time to my colleague from
512 Pennsylvania, Mr. Doyle, to speak on behalf of this bill.

513 Mr. Doyle. And I want to thank you for your work to

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514 address the 810 process. I have heard from several companies
515 in my district who have faced challenges navigating the
516 process to export nuclear technology. The demand for nuclear
517 technology is growing in international markets and this
518 presents a great opportunity for jobs not only in Pittsburgh
519 but across the United States.

520 When we are exporting nuclear technology to other
521 countries we must protect our national security and our
522 nonproliferation goals. But there are also some common sense
523 changes that can be made to this process for low-risk
524 technology. This legislation takes important steps to do so.
525 You know, if we are not able to export our technology other
526 countries will step in to fill the void and American jobs
527 will suffer. It is far better to have American technologies
528 and companies on the ground in other countries than to have
529 countries such as Russia building nuclear plants throughout
530 the world.

531 I appreciate my colleague's effort to address this
532 important issue and believe that we can streamline the
533 process without sacrificing national security or our
534 nonproliferation goals. And I share the gentleman's comment
535 that if we have members that want to see some changes or have

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536 some concerns with this bill, let's work together and get
537 this bill out of the committee. I thank you and I yield
538 back.

539 Mr. Johnson. Mr. Chairman, the bottom line is this. We
540 are either, if we are going to be competitiveness we have got
541 to be responsive. If we are not responsive other nations
542 like Russia and China are going to be, and we are going to
543 lose our lead, our edge in nuclear nonproliferation. So with
544 that I urge a yes vote on this legislation and I yield back.

545 Mr. Upton. The gentleman time is expired. The chair
546 recognizes the ranking member of the full committee, Mr.
547 Pallone, to strike the last word.

548 Mr. Pallone. Thank you, Mr. Chairman.

549 As I stated at the legislative hearing on this bill, I
550 appreciate the Part 810 process must function well for the
551 U.S. to remain competitive in the commercial nuclear space,
552 but the bill establishes this brief 30-day frame for the
553 Secretary to approve the transfer of certain low
554 proliferation risk nuclear technologies to countries that are
555 not nuclear weapon states. Further, President Trump has
556 abandoned the Iran deal and now Saudi Arabia has said that if
557 Iran restarts its nuclear program Saudi Arabia will, itself,

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558 pursue building nuclear weapons.

559 So I am uncomfortable with expediting the review process
560 for Part 810 at a time when there is so much global
561 uncertainty with regard to nuclear proliferation. Thirty
562 days, I think, is just too short of a timeframe in the
563 current climate to properly address security questions
564 regarding the use of these nuclear technologies.

565 I also believe that DOE can improve this process on its
566 own without congressional involvement. DOE testified at the
567 legislative hearing on this bill that it has made numerous
568 improvements to the process through its Part 10 process
569 improvement plan. Further, DOE testified, and I quote, that
570 the lengthiest part of the authorization process remains the
571 time it takes partner countries to provide the required
572 governmental nonproliferation assurances which can result in
573 processing delays of 6 months to well over a year, unquote.

574 So it seems as if the goal of this bill is to be more
575 competitive by being less secure and that is troubling. I am
576 not saying that is what you want, but that is my concern.
577 And I understand the desire for predictable Part 810 review
578 process. This is just not the right time, in my opinion, to
579 possibly cut corners on oversight of these technologies and

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580 the potential for nuclear proliferation.

581 And I know that Mr. Johnson put up that chart. I don't
582 know where it went. I don't know if we have to put it up
583 again. But Mr. Johnson argued that China and Russia are
584 dominating the global nuclear industry in exporting their
585 technologies to more countries, but of course China and
586 Russia do not have the stringent export and licensing
587 policies like the U.S.

588 And once again it seems as if the goal of the bill is to
589 be more competitive I am concerned that we not be more
590 competitive by being less secure. That is what troubles me
591 here. So I do ask that my colleagues vote no on the
592 legislation. I yield back, Mr. Chairman, unless someone
593 wants my time. I don't think so. Thank you.

594 Mr. Upton. Other members wishing to speak on the bill?

595 Seeing none, no amendments being offered, the question
596 now occurs on forwarding the discussion draft to the full
597 committee.

598 All those in favor will -- you ask for a roll call?

599 A roll call has been requested. The clerk will call the
600 roll. This will be on passage of the discussion draft.

601 The Clerk. Mr. Olson?

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602 Mr. Olson. Aye.

603 The Clerk. Mr. Olson votes aye.

604 Mr. Barton?

605 Mr. Shimkus?

606 Mr. Shimkus. Aye.

607 The Clerk. Mr. Shimkus votes aye.

608 Mr. Latta?

609 Mr. Latta. Aye.

610 The Clerk. Mr. Latta votes aye.

611 Mr. Harper?

612 Mr. Harper. Aye.

613 The Clerk. Mr. Harper votes aye.

614 Mr. McKinley?

615 Mr. McKinley. Aye.

616 The Clerk. Mr. McKinley votes aye.

617 Mr. Kinzinger?

618 Mr. Kinzinger. Aye.

619 The Clerk. Mr. Kinzinger votes aye.

620 Mr. Griffith?

621 Mr. Griffith. Aye.

622 The Clerk. Mr. Griffith votes aye.

623 Mr. Johnson?

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624 Mr. Johnson. Aye.

625 The Clerk. Mr. Johnson votes aye.

626 Mr. Long?

627 Mr. Long. Aye.

628 The Clerk. Mr. Long votes aye.

629 Mr. Bucshon?

630 Mr. Bucshon. Aye.

631 The Clerk. Mr. Bucshon votes aye.

632 Mr. Flores?

633 Mr. Mullin?

634 Mr. Mullin. Aye.

635 The Clerk. Mr. Mullin votes aye.

636 Mr. Hudson?

637 Mr. Hudson. Aye.

638 The Clerk. Mr. Hudson votes aye.

639 Mr. Cramer?

640 Mr. Cramer. Aye.

641 The Clerk. Mr. Cramer votes aye.

642 Mr. Walberg?

643 Mr. Walberg. Aye.

644 The Clerk. Mr. Walberg votes aye.

645 Mr. Duncan?

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646 Mr. Duncan. Aye.

647 The Clerk. Mr. Duncan votes aye.

648 Chairman Walden?

649 Mr. Rush?

650 Mr. Rush. No.

651 The Clerk. Mr. Rush votes no.

652 Mr. McNerney?

653 Mr. McNerney. No.

654 The Clerk. Mr. McNerney votes no.

655 Mr. Peters?

656 Mr. Peters. No.

657 The Clerk. Mr. Peters votes no.

658 Mr. Green?

659 Mr. Green. No.

660 The Clerk. Mr. Green votes no.

661 Mr. Doyle?

662 Mr. Doyle. Yes.

663 The Clerk. Mr. Doyle votes aye.

664 Ms. Castor?

665 Ms. Castor. No.

666 The Clerk. Ms. Castor votes no.

667 Mr. Sarbanes?

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668 Mr. Sarbanes. No.

669 The Clerk. Mr. Sarbanes votes no.

670 Mr. Welch?

671 Mr. Welch. No.

672 The Clerk. Mr. Welch votes no.

673 Mr. Tonko?

674 Mr. Tonko. No.

675 The Clerk. Mr. Tonko votes no.

676 Mr. Loeb sack?

677 Mr. Loeb sack. No.

678 The Clerk. Mr. Loeb sack votes no.

679 Mr. Schrader?

680 Mr. Schrader. No.

681 The Clerk. Mr. Schrader votes no.

682 Mr. Kennedy?

683 Mr. Kennedy. No.

684 The Clerk. Mr. Kennedy votes no.

685 Mr. Butterfield?

686 Mr. Pallone?

687 Mr. Pallone. No.

688 The Clerk. Mr. Pallone votes no.

689 Chairman Upton?

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690 Mr. Upton. Votes aye.

691 The Clerk. Chairman Upton votes aye.

692 Mr. Upton. Vote Mr. Barton?

693 Mr. Barton. Vote aye.

694 The Clerk. Mr. Barton votes aye.

695 Mr. Upton. Other members wishing to cast a vote or
696 change their vote?

697 All right, seeing none -- how does Mr. Walden?

698 The Chairman. Aye.

699 The Clerk. Chairman Walden votes aye.

700 Mr. Upton. Anybody else?

701 The clerk will report the tally.

702 The Clerk. Mr. Chairman, on that vote there were 19
703 ayes and 12 noes.

704 Mr. Upton. Thank you ayes.

705 Oh, how is Butterfield recorded?

706 Mr. Butterfield. No.

707 Mr. Upton. Oh man, maybe you -- all right. Mr.
708 Butterfield is recorded as no.

709 The Clerk. Butterfield votes no.

710 Mr. Upton. It is not 2:00 in the morning nor is it
711 going to get there. So on that the clerk will report 19

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712 ayes, 13 noes.

713 Oh, and Mr. Flores?

714 Mr. Flores. Aye.

715 The Clerk. Mr. Flores votes aye.

716 Mr. Upton. 20. I will let the clerk report now just to
717 make sure.

718 The Clerk. Mr. Chairman, on that vote there were 20
719 ayes and 13 noes.

720 Mr. Upton. 20 ayes, 13 noes. The bill is favorably
721 reported. The draft is favorably reported.

722 The chair will now call up H.R. 1320 and ask the clerk
723 to report.

724 [The Bill H.R. 1320 follows:]

725

726 *****INSERT 2*****

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727 The Clerk. H.R. 1320, to amend the Omnibus Budget
728 Reconciliation Act of 1990 related to Nuclear Regulatory
729 Commission user fees and annual charges and for other
730 purposes.

731 Mr. Upton. Without objection, the first reading of the
732 bill is dispensed with. The bill will be open for amendment
733 at any point, so ordered. And Mr. Kinzinger and Doyle are
734 seeking recognition to offer an amendment in the nature of a
735 substitute.

736 Mr. Kinzinger. Mr. Chairman, I have an amendment at the
737 desk.

738 [The amendment offered by Mr. Kinzinger follows:]

739

740 *****INSERT 3*****

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741 Mr. Upton. So the clerk will report.

742 The Clerk. An amendment in the nature of a substitute
743 to H.R. 1320 offered by Mr. Kinzinger.

744 Mr. Upton. And, without objection, the first reading,
745 or it is considered as read and the gentleman from Illinois
746 is recognized for 5 minutes.

747 Mr. Kinzinger. Thank you, Mr. Chairman.

748 I am pleased to see this being included today, the NUKE
749 Act, which my colleague, Mike Doyle, and I have been working
750 on for well over a year including today, and I thank him for
751 his help. We have worked on this bill for so long because we
752 both realize that this is a pivotal moment for nuclear power.
753 This is technology that was invented in my home state of
754 Illinois -- so, you know, it makes us better than everybody
755 else on that -- and continues to provide my constituents with
756 reliable, carbon-free electricity.

757 Unfortunately, the fate of our nation's nuclear fleet is
758 not guaranteed and the consequences of continued early
759 retirement from the loss of good jobs to ceding our global
760 leadership on safety and nonproliferation are all too real.
761 And as was discussed on the prior bill, there are a lot of
762 issues we have to deal with in terms of continuing our world

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763 leadership in a very different world than when the rules were
764 written.

765 This legislation provides reasonable reforms to the
766 Nuclear Regulatory Commission to increase accountability,
767 transparency, and predictability in regulation. Reducing the
768 regulatory burden on existing plants while still maintaining
769 the NRC's gold standard of safety will make it easier for not
770 only our current fleet of nuclear plants but also the next
771 generation of nuclear to thrive.

772 This amendment makes several changes to H.R. 1320, many
773 of which are based on technical feedback from the NRC and
774 based on feedback from my colleagues on this committee.
775 Specifically, this amendment extends several compliance and
776 reporting dates to account for the passage of time since the
777 bill was introduced in March of 2017. Further, section 8 is
778 replaced with a sense of Congress to reflect the NRC's
779 progress towards a rule on plant decommissioning.

780 With many licenses and local communities awaiting
781 guidance from NRC on this process, the previous language
782 would have further delayed this by requiring NRC to restart
783 the rulemaking process. Additionally, based on concerns from
784 Ranking Member Pallone during last month's hearing, the

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785 deadlines in section 7 have been modified to provide
786 additional flexibility and recognition that unforeseen
787 circumstances may arise to prevent those deadlines from being
788 met.

789 I look forward to continuing to work with members on
790 both sides of the aisle to further refine this bill.
791 Overall, this amendment in the nature of a substitute
792 provides improved clarity and additional flexibility in this
793 great underlying bill. With that I encourage my colleagues
794 to support this amendment. And if Mr. Doyle wants my time or
795 to claim his own I am happy to yield to him.

796 Mr. Doyle. I thank the gentleman. And I appreciate the
797 opportunity to speak about the NUKE Act that I cosponsor with
798 my colleague and friend Adam Kinzinger.

799 Nuclear energy provides nearly 40 percent of
800 Pennsylvania's electricity and employs thousands of skilled
801 workers in Pennsylvania. And despite being a carbon-free and
802 reliable source of baseload power, the nuclear energy
803 industry is facing pressure from a variety of factors such as
804 increasing NRC fees and uncertainty in the export process.
805 Addressing some of these issues will be necessary not only to
806 protect jobs in Pennsylvania and across the country, but as

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807 well to meet our nation's climate goals.

808 I want to thank my colleague Adam Kinzinger for his
809 leadership and work on the NUKE Act. This bipartisan
810 legislation will take important steps to modernize the NRC's
811 fee structure, set achievable and flexible timelines for
812 application reviews, and look to future reforms that will
813 ensure the NRC can continue to effectively protect public
814 health and safety.

815 The bill addresses a serious reality facing the nuclear
816 industry. As nuclear power plants retire, the remaining
817 fleet will be faced with increasing fees from NRC. We need
818 to support our existing nuclear plants while ensuring that
819 the NRC is able to fulfill its mission. I believe this
820 legislation accomplishes those goals. And I would remind all
821 of my colleagues that if we start to lose our nuclear
822 portfolio in this country it will be impossible to meet our
823 climate change goals.

824 So those of us that believe climate change is real and
825 want to see that problem addressed, we dare not continue to
826 lose nuclear facilities especially before their time. And
827 that is why I think this legislation is necessary and I
828 support it and I thank Mr. Kinzinger. I yield back.

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829 Mr. Kinzinger. I thank the gentleman from Pennsylvania.
830 I yield back my time.

831 Mr. Upton. The gentleman yields back. Other members
832 wishing to speak? The gentleman from New Jersey, Mr.
833 Pallone, to strike the last word.

834 Mr. Pallone. Thank you, Mr. Chairman. And I appreciate
835 the efforts of my colleagues to address issues relating to
836 the licensing of nuclear power reactors here in the U.S.
837 H.R. 1320 makes a number of changes to the NRC budget process
838 to the NRC budget process and fee structure and I do worry
839 that several of the provisions could arbitrarily limit the
840 resources the NRC needs and adversely affect its ability to
841 do its job. I appreciate that several changes made in the
842 amendment in the nature of a substitute give NRC more
843 flexibility, but I still have concerns about limiting NRC's
844 resources.

845 The bill also sets time limits for NRC to complete major
846 milestones in the licensing process. NRC is given 24 months
847 to complete a draft environmental impact statement and 42
848 months to complete the technical review process. While this
849 timeline may be realistic for most projects, it doesn't give
850 the Commission the necessary flexibility, in my opinion, to

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851 take the time it may need to study relevant issues if it
852 receives a more complex application.

853 As I said in my opening statement, I am also concerned
854 with a provision requiring NRC to issue a construction permit
855 for a nuclear facility even if an entity has filed a formal
856 request for a hearing objecting to the project. The
857 stakeholders have testified that it is already extremely
858 difficult to intervene in the licensing process for a nuclear
859 facility especially if you are not an expert.

860 So I don't think we should be limiting the opportunity
861 for stakeholders to have their views heard in the licensing
862 process. I am not able to support the bill if this provision
863 remains when the bill is considered at the full committee.
864 But my concerns aside, I do support making common sense
865 changes to the NRC licensing process that can ease the
866 pressure on the nuclear industry without jeopardizing safety
867 or the environment. And I yield back, Mr. Chairman.

868 Mr. Upton. The gentleman yields back. Other members
869 wishing to speak? The gentleman from Vermont.

870 Mr. Welch. I move to strike the last word.

871 Mr. Chairman, I want to thank Mr. Kinzinger and Mr.
872 Doyle for their work on this. I would like to speak briefly

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873 on a measure contained in the bill dealing with the nuclear
874 plant decommissioning process. Vermont has a decommissioned
875 nuclear plant more and more are going offline. There will be
876 the issues that Mr. Doyle mentioned that we have to contend
877 with, but one of the things that we have to focus on is the
878 impact on the communities in the rulemaking process at the
879 NRC.

880 The provision in the bill that I am speaking about,
881 section 8 of INS contains a sense of Congress provision
882 stating that a safe, effective, and efficient decommissioning
883 process for nuclear reactors that supports the principles of
884 good regulation including openness, clarity, and reliability
885 is vital to all licensees and local communities and that the
886 NRC should complete the final rulemaking in the next 18
887 months. I am very happy that that provision was included by
888 Mr. Kinzinger and Mr. Doyle. The impact of the
889 decommissioning on local communities is very significant.

890 As you know, the NRC is currently developing a draft
891 regulatory guidance to determine how a nuclear plant
892 decommissioning should unfold. We have regulation in place
893 that is guiding the development of new nuclear reactors, but
894 Vermont's experience with Vermont Yankee has shown that we

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895 lack a coherent structure on how reactors should be taken
896 down after their useful life. And to that end this is an
897 important rulemaking that I was pleased to see the NRC
898 update.

899 Yet I am concerned by the direction the NRC is heading.
900 While the Commission appears to be inclined to use rulemaking
901 to sign off on the nuclear industry's wish list of cost-
902 saving measures such as streamlined safety exemptions, it
903 fails to address the concerns of state and local communities
904 across the country that are hosting nuclear reactors and want
905 a seat at the table.

906 There are several specific concerns that I have with the
907 current approach at the NRC, and other members who have
908 plants that are going to go offline might share these: lack
909 of state and local stakeholder involvement; questionable use
910 of the decommissioning trust fund such as for spent fuel
911 management; the reality that the use of safe stored
912 decommissioning procedures will effectively delay a full
913 cleanup and redevelopment of nuclear sites for decades; the
914 reduction of emergency planning functions during periods when
915 spent fuel remains in spent fuel pools.

916 It is apparent that the industry would like to narrow

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917 the scope of this rulemaking to only what they deem the most
918 pressing matters. I believe we must push back on that. We
919 are at a critical point that will shape how communities deal
920 with decommissioning for decades. It is imperative that the
921 NRC take a comprehensive approach to this that guarantees
922 host communities a seat at the table.

923 I want to work with Mr. Kinzinger and Mr. Doyle to see
924 if we can build on section 8 in their bill of this
925 legislation to encourage NRC to address these issues as part
926 of the rulemaking. And I hope, Mr. Doyle and Mr. Kinzinger,
927 we can work together on that going forward. Thank you and I
928 yield back.

929 Mr. Upton. The gentleman yields back. Other members
930 wishing to speak?

931 Seeing none, the vote occurs on the amendment in the
932 nature of a substitute. All those in favor will signify by
933 saying aye. Aye.

934 Those opposed, say no.

935 In the opinion of the chair, the ayes have it. The
936 amendment in the nature of a substitute is agreed to.

937 The question now occurs -- are there further amendments?

938 Seeing none, the question now occurs on forwarding H.R.

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939 1320, as amended, to the full committee.

940 All those in favor will say aye. Aye.

941 Those opposed say no.

942 The ayes appear to have it. The ayes have it and the
943 bill is agreed to.

944 The chair now calls up H.R. 6140 and ask the clerk to
945 report.

946 [The Bill H.R. 6140 follows:]

947

948 *****INSERT 4*****

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949 The Clerk. H.R. 6140, to require the Secretary of
950 Energy to establish and carry out a program to support the
951 availability of high-assay, low-enriched uranium for domestic
952 commercial use and for other purposes.

953 Mr. Upton. Without objection, the first reading of the
954 bill is dispensed with. The bill will be open for amendment
955 at any point.

956 Are there any bipartisan amendments to the bill?

957 Are there any amendments to the bill?

958 Mr. Flores. Mr. Chairman, I move to strike the last
959 word.

960 Mr. Upton. The gentleman is recognized for 5 minutes.

961 Mr. Flores. Thank you, Mr. Chairman.

962 Most of today's nuclear reactors are very similar in
963 nature and they operate on a fuel that generally is enriched
964 below five percent. The next generation of advanced reactors
965 is currently under development. However, they vary in size
966 and operation and they will need greater flexibility and
967 efficiencies from an advanced fuel. This fuel is known as
968 high-assay, low-enriched uranium or HA-LEU for short, and it
969 is enriched at higher levels than what is currently available
970 in the commercial market.

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971 The Bipartisan Advanced Nuclear Fuel Availability Act,
972 which I introduced with my friend Mr. McNerney, establishes a
973 public-private partnership through the Energy Department's
974 Office of Nuclear Energy to support the availability of high-
975 assay, low-enriched uranium for domestic commercial use.
976 This bill as introduced also includes updates to the
977 discussion draft from last month's legislative hearing
978 including, first, a clarification that members of the
979 consortium may include entities involved in any state of the
980 nuclear fuel cycle; second, that the applicability of
981 secretarial determinations on uranium transfers will be set;
982 and third, it incorporates other technical feedback.

983 A March 2017 survey of 18 U.S.-based advanced nuclear
984 developers found that a lack of availability of advanced fuel
985 is the foremost factor that would impede the development and
986 deployment of advanced nuclear technologies. Simply put,
987 this bill would ensure that there is a robust supply of
988 advanced fuel available for the domestic commercial industry
989 to purchase for the advanced nuclear reactors of tomorrow.

990 I want to again thank my friend Mr. McNerney for working
991 with me on this bill and I look forward to seeing H.R. 6140
992 advance to the full committee for consideration. I yield

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993 back the balance of my time.

994 Mr. Upton. The gentleman yields back. Other members
995 wishing -- the gentleman from California, Mr. McNerney, to
996 strike the last word.

997 Mr. McNerney. Strike the last word. I thank the
998 chairman and ranking member for bringing this legislation to
999 the committee and I am glad to work with Mr. Flores to
1000 advance nuclear technology. We need a diverse energy mix and
1001 nuclear energy provides a zero carbon emission electricity.
1002 The availability of high-assay, low-enriched uranium is
1003 critical to these efforts.

1004 Federal investments and protocols regarding the
1005 transportation, fuel fabrication, and enrichment to
1006 effectively bring this fuel to the market are encouraging.
1007 Small modular reactors, or SMRs, will be useful in a variety
1008 of settings and this type of fuel needs to be available by
1009 the time SMRs are more widely available. The consortium that
1010 is formed here is the type of partnership that will be useful
1011 in kickstarting this industry and then turning it over to let
1012 industry take the reins.

1013 However, I do have some proliferation concerns that
1014 still need to be addressed. I am glad to see the authorizing

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1015 language included here that was not included in the previous
1016 discussion draft. I look forward to working with my
1017 colleague Mr. Flores in moving this legislation along through
1018 the committee and on to the floor to help us meet our
1019 nation's complex energy and environmental needs. I yield
1020 back.

1021 Mr. Upton. The gentleman yields back. Other members
1022 wishing to speak?

1023 Seeing none, the question now occurs in forwarding H.R.
1024 6140 to the full committee.

1025 All those in favor will say aye. Aye.

1026 Those opposed, say no.

1027 In the opinion of the chair the ayes have it. The bill
1028 is forwarded to the full committee.

1029 The chair calls up now H.R. 6141 and asks the clerk to
1030 report.

1031 [The Bill H.R. 6141 follows:]

1032

1033 *****INSERT 5*****

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1034 The Clerk. H.R. 6141, to require the Secretary of
1035 Energy to develop a report on the pilot program to site,
1036 construct, and operate microreactors at critical national
1037 security locations and for other purposes.

1038 Mr. Upton. Without objection, the first reading of the
1039 bill is dispensed with. The bill will be open for amendment
1040 at any point.

1041 Are there any bipartisan amendments to the bill?

1042 Are there any amendments to the bill?

1043 Seeing none, the question now occurs on forwarding H.R.
1044 6141 to the full committee.

1045 All those in favor will say aye. Aye.

1046 Those opposed, say no.

1047 In the opinion of the chair the ayes have it and the
1048 bill is favorably reported.

1049 So I would like to recognize one of our counsels on the
1050 Energy Subcommittee staff, Jason Stanek. After spending 15
1051 years at FERC, Jason joined the staff last year. He has done
1052 tremendous work on electricity issues, particularly with our
1053 Empowering America series. He is leaving us tomorrow. He
1054 has been appointed as the chairman of the Maryland Public
1055 Utility Commission.

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1056 Mr. Sarbanes, he is a guy that you well know, so.

1057 [Applause.]

1058 Mr. Upton. It is well deserved. We know that he has a
1059 wonderful background. We look forward to working with him in
1060 the days and months ahead. Best of luck, you are great.
1061 Thank you.

1062 And with that, without objection, the staff is
1063 authorized to make technical and conforming changes to the
1064 legislation approved by the subcommittee today, so ordered.
1065 And, without objection, the subcommittee stands adjourned.

1066 [Whereupon, at 10:53 a.m., the subcommittee was
1067 adjourned.]