

**[DISCUSSION DRAFT]**

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To update oversight and inspection practices of the Nuclear Regulatory Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. LESKO introduced the following bill; which was referred to the Committee on \_\_\_\_\_

**A BILL**

To update oversight and inspection practices of the Nuclear Regulatory Commission, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Advancing Nuclear  
5 Regulatory Oversight Act”.

6 **SEC. 2. IMPLEMENTING LESSONS LEARNED FROM THE**  
7 **COVID-19 HEALTH EMERGENCY.**

8 (a) IN GENERAL.—Not later than 180 days after the  
9 date of enactment of this Act, the Commission shall sub-

1 mit to the appropriate committees of Congress a report  
2 on actions taken by the Commission during the public  
3 health emergency declared by the Secretary of Health and  
4 Human Services under section 319 of the Public Health  
5 Service Act (42 U.S.C. 247d) on January 31, 2020, with  
6 respect to COVID–19.

7 (b) CONTENTS.—The report submitted under sub-  
8 section (a) shall—

9 (1) identify any processes, procedures, and  
10 other regulatory policies that the Commission re-  
11 vised or temporarily suspended during the public  
12 health emergency described in subsection (a);

13 (2) examine how any revision or temporary sus-  
14 pension of a process, procedure, or other regulatory  
15 policy identified under paragraph (1) affected the  
16 ability of the Commission to license and regulate the  
17 civilian use of radioactive materials in the United  
18 States to protect public health and safety, promote  
19 the common defense and security, and protect the  
20 environment;

21 (3) discuss lessons learned from the matters de-  
22 scribed in paragraph (2);

23 (4) list actions that the Commission will take to  
24 incorporate into the licensing and oversight activities  
25 of the Commission, without compromising the mis-

1 sion of the Commission, the lessons described in  
2 paragraph (3); and

3 (5) describe when the actions listed under para-  
4 graph (4) may be implemented.

5 **SEC. 3. ADVANCING EFFICIENT, RISK-INFORMED OVER-**  
6 **SIGHT AND INSPECTIONS.**

7 (a) IN GENERAL.—Not later than 1 year after the  
8 date of enactment of this Act, the Commission shall de-  
9 velop and submit to the appropriate committees of Con-  
10 gress a report that identifies specific improvements to the  
11 nuclear reactor and materials oversight and inspection  
12 programs carried out pursuant to the Atomic Energy Act  
13 of 1954 that the Commission may implement to maximize  
14 the efficiency of such programs through, where appro-  
15 priate, the use of risk-informed, performance-based proce-  
16 dures, expanded incorporation of information technologies,  
17 and staff training.

18 (b) STAKEHOLDER INPUT.—In developing the report  
19 under subsection (a), the Commission shall, as appro-  
20 priate, seek input from—

21 (1) the Secretary of Energy;

22 (2) the National Laboratories;

23 (3) the nuclear energy industry; and

24 (4) nongovernmental organizations that are re-  
25 lated to nuclear energy.

1 (c) CONTENTS.—The report submitted under sub-  
2 section (a) shall—

3 (1) assess specific elements of oversight and in-  
4 spections that may be modified by the use of tech-  
5 nology, improved planning, and continually updated  
6 risk-informed, performance-based assessment, in-  
7 cluding—

8 (A) use of travel resources;

9 (B) planning and preparation for inspec-  
10 tions, including entrance and exit meetings with  
11 licensees and consideration of whether inspec-  
12 tion teams need to be onsite;

13 (C) document collection and preparation,  
14 including consideration of whether nuclear reac-  
15 tor data are accessible without onsite visits or  
16 requests to the licensee, and that document re-  
17 quests are timely and within the scope of in-  
18 spections;

19 (D) the cross-cutting issues program;

20 (E) the scope of event reporting required  
21 by licensees to ensure decisions are risk-in-  
22 formed; and

23 (F) regular staff training on the applica-  
24 tion of risk-informed criteria for inspection  
25 planning and assessments;

1           (2) assess measures to advance risk-informed  
2           procedures, including—

3                 (A) increased use of inspection approaches  
4                 that balance the level of resources commensu-  
5                 rate with safety significance;

6                 (B) increased review of the use of inspec-  
7                 tion program resources based on licensee per-  
8                 formance; and

9                 (C) expansion of modern information tech-  
10                nology, including artificial intelligence and ma-  
11                chine learning to risk inform oversight and in-  
12                spection decisions;

13           (3) assess the Commission’s ability, consistent  
14           with its obligations to provide reasonable assurance  
15           of adequate protection of health and safety pursuant  
16           to the Atomic Energy Act of 1954, to encourage li-  
17           censee innovations that may advance nuclear reactor  
18           operational efficiency and safety, including the Com-  
19           mission’s criteria for timely acceptance of licensee  
20           adoption of advanced technologies, including digital  
21           technologies;

22           (4) identify recommendations resulting from the  
23           assessments described in paragraphs (1) through  
24           (3);

1           (5) identify specific actions that the Commis-  
2           sion will take to incorporate into the training, in-  
3           spection, oversight, and licensing activities, and reg-  
4           ulations of the Commission, without compromising  
5           the mission of the Commission, the recommenda-  
6           tions identified under paragraph (4); and

7           (6) describe when the actions identified under  
8           paragraph (5) may be implemented.

9   **SEC. 4. OFFICE AND FACILITY SPACE REVIEW.**

10          (a) REPORT.—Not later than 1 year after the date  
11          of enactment of this Act, the Comptroller General of the  
12          United States shall—

13               (1) review office and other facility space re-  
14               quirements of the Commission; and

15               (2) submit to the appropriate committees of  
16          Congress a report, with recommendations, on the re-  
17          sults of such review.

18          (b) CONTENTS.—The report described in subsection  
19          (a) shall include—

20               (1) an examination of—

21                       (A) the costs associated with the head-  
22                       quarters, regional offices, and technical training  
23                       center of the Commission, including examina-  
24                       tion of—

1 (i) costs that do not support the Com-  
2 mission’s mission, including rent subsidies  
3 for other Federal agencies; and

4 (ii) opportunities to reduce future  
5 costs through reduction in unnecessary of-  
6 fice space, consolidation of offices, use of  
7 advanced information technology, or any  
8 other appropriate means; and

9 (B) current and anticipated office and fa-  
10 cility requirements to efficiently accomplish the  
11 mission of the Commission; and

12 (2) recommendations to Congress, the Commis-  
13 sion, and the General Services Administration for  
14 actions that may assist in reducing office and facility  
15 costs to licensees and taxpayers.

16 **SEC. 5. DEFINITIONS.**

17 In this Act:

18 (1) APPROPRIATE COMMITTEES OF CON-  
19 GRESS.—The term “appropriate committees of Con-  
20 gress” means the Committee on Energy and Com-  
21 merce of the House of Representatives and the Com-  
22 mittee on Environment and Public Works of the  
23 Senate.

24 (2) COMMISSION.—The term “Commission”  
25 means the Nuclear Regulatory Commission.

1           (3) LICENSEE.—The term “licensee” means a  
2           person that holds a license issued under section 103  
3           or section 104 of the Atomic Energy Act of 1954  
4           (42 U.S.C. 2133; 2134).