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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

July 10, 2026

#### MEMORANDUM

To: Subcommittee on Energy Members and Staff  
From: Committee Majority Staff  
Re: Subcommittee on Energy Markup on July 14, 2026

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#### I. INTRODUCTION

The Subcommittee on Energy will hold a markup on Tuesday, July 14, 2026, at 10:15 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 (Rep. Castor)

#### II. LEGISLATION

##### A. H.R. 3978, Nuclear REFUEL (Recycling Efficient Fuels Utilizing Expedited Licensing) Act

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. (Rep. Latta introduced this legislation on June 12, 2025.)

### **B. H.R. 9612, American Enrichment Deployment Act**

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. (Rep. Fry introduced this legislation on July 9, 2026.)

### **C. H.R. 5549, Efficient Nuclear Licensing Hearings Act**

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. (Rep. Griffith introduced this legislation on September 23, 2025.)

### **D. H.R. 9613, Nuclear Advisory Committee Reform Act**

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. (Rep. Harshbarger introduced this legislation on July 9, 2026.)

### **E. H.R. 9614, NRC Staff Pay Alignment Act**

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. (Rep. Menendez introduced this legislation on July 9, 2026.)

#### **F. H.R. 9084, Department of Energy Nuclear Transparency Act**

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. (Rep. Castor introduced this legislation on June 2, 2026.)

#### **III. STAFF CONTACTS**

If you have any questions regarding this markup, please contact Peter Spencer, Calvin Huggins, or Mary Martin of the Majority Committee Staff at (202) 225-3641.