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6 NUCLEAR SPENT FUEL POLICY:  
7 EXAMINING NUCLEAR LIFECYCLE INNOVATION CAMPUSES  
8 TUESDAY, SEPTEMBER 15, 2026  
9 House of Representatives,  
10 Subcommittee on Energy,  
11 Committee on Energy and Commerce,  
12 Washington, D.C.  
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16 The subcommittee met, pursuant to call, at 10:16 a.m.  
17 in Room 2123 of the Rayburn House Office Building, Hon.  
18 Robert E. Latta [chairman of the subcommittee] presiding.

19 Present: Representatives Latta, Weber, Palmer, Allen,  
20 Balderson, Pfluger, Harshbarger, Miller-Meeks, Fry, Lee,  
21 Rulli, Goldman, Fedorchak, and Guthrie (ex officio); Castor,  
22 Peters, Menendez, McClellan, Matsui, Tonko, Veasey, Schrier,  
23 Auchincloss, and Pallone (ex officio).

24 Staff Present: Andrew Furman, Professional Staff  
25 Member; Sydney Greene, Director of Finance and Logistics;  
26 Calvin Huggins, Clerk; Megan Jackson, Staff Director; Olivia  
27 Jensen, Staff Assistant; AT Johnson, Special Advisor; Mary

28 Martin, Chief Counsel; Madeline Martinez, Staff Assistant;  
29 Ben Mullany, Press Secretary; Brice Ogle, Special Assistant;  
30 Seth Ricketts, Clerk; Jake Riith, Staff Assistant; Chris  
31 Sarley, Member Services/Stakeholder Director; Peter Spencer,  
32 Senior Professional Staff Member; Timothy Trimble, Staff  
33 Assistant; Matt VanHyfte, Communications Director; Darwin  
34 Denny, Minority Intern; Tiffany Guarascio, Minority Staff  
35 Director; Brendan Lopez, Minority Press Assistant; Kristopher  
36 Pittard, Minority Professional Staff Member; Emma Roehrig,  
37 Minority Legislative Clerk; Andrew Souvall, Minority Director  
38 of Communications, Outreach, and Member Services; Medha  
39 Surampudy, Minority Professional Staff Member; and Tuley  
40 Wright, Minority Staff Director, ENG.

41

42           \*Mr. Latta. The Subcommittee on Energy will now come to  
43 order, and the chair recognizes himself for five minutes for  
44 an opening statement.

45           Today the Energy Subcommittee will examine the  
46 Department of Energy's work to develop Nuclear Lifecycle  
47 Innovation Campuses. These campuses represent a new effort  
48 by the DoE and the Administration to "transform the nuclear  
49 fuel cycle.'" The program intends to support the nation's  
50 nuclear policy ambitions as well as begin to address the  
51 Federal Government's statutory responsibility for disposal of  
52 nuclear waste. This involves taking spent fuel from reactors  
53 around the nation to a state that volunteers to host a campus  
54 where the fuel can be stored, recycled, and related waste  
55 disposed.

56           When it comes to increasing reprocessing, my view is it  
57 is about time. Our policy should be to use our technological  
58 abilities to take full advantage of the remaining usefulness  
59 of spent fuel. And this, in turn, reduces the waste that  
60 must be placed in a permanent repository. Maximizing the  
61 remaining energy and other useful isotopes from spent fuel  
62 presents an attractive financial incentive for taking a more  
63 holistic look at the fuel cycle. This explains why six  
64 states so far are stepping up to negotiate how to develop in  
65 partnership with the DoE.

66           Lifecycle Innovation Campuses additionally may offer a

67 workable path for updating our nuclear waste policy. But of  
68 course, there is a long way to go to develop durable state  
69 agreements, and durability is the key.

70       The idea of consolidating spent fuel from sites under a  
71 Federal program with voluntary host states is not a new one.  
72 Congress authorized the nuclear waste negotiator to set up  
73 something like that in the early 1990s. For various reasons  
74 that did not work out, as have other efforts with respect to  
75 attracting durable state support, but must be done  
76 differently this time around.

77       There are also commercial and economic realities when it  
78 comes to our fuel cycle that factor into what may eventually  
79 develop. This hearing will help identify what Congress must  
80 do to enable continued work on these campuses, given their  
81 potential. Our focus should be on policies that complement  
82 existing law and the designated Federal disposal site at  
83 Yucca Mountain and protect the interests of ratepayers and  
84 taxpayers under this law. This means not rushing to restart  
85 fees on nuclear power generation or irresponsibly raiding the  
86 Nuclear Waste Fund.

87       We should not forget our bipartisan legislative work in  
88 2018 that provided substantial changes to the law that would  
89 have incentivized completion of Yucca license, enhanced host  
90 state benefits, and accelerated the type of program  
91 envisioned in the current proposal. These reforms passed the

92 House by a vote of 340 to 72. Unfortunately, politics  
93 obstructed the potential for the reforms. Perhaps the  
94 tremendous support of nuclear in recent years means we are in  
95 a different place today.

96 We will take testimony from two panels. On the first  
97 panel we will hear from the Department of Energy; the second  
98 is the Assistant Secretary of Energy, Ted Garrish, who heads  
99 the Office of Nuclear Energy and can explain the program,  
100 state interactions, and what Congress may do to help enable  
101 its progress forward.

102 Our second panel will provide perspective from key  
103 stakeholders. We will hear from Stacey Paradis, an Illinois  
104 public utility commissioner, speaking on behalf of the  
105 National Association of Regulatory Utility Commissioners.  
106 Electric ratepayers under the law are responsible for paying  
107 for the ultimate disposal of nuclear waste, and she can speak  
108 to the importance of protecting ratepayer funding and the  
109 Nuclear Waste Fund.

110 Maria Korsnick will provide the perspective of the  
111 Nuclear Energy Institute, NEI, on the fuel cycle, and on  
112 policies surrounding storage and disposition of spent nuclear  
113 fuel.

114 Jared des Rosiers will speak on behalf of the  
115 Decommissioned Plants Coalition which represents closed  
116 nuclear plants that continue to store spent fuel.

117           And finally, Greg White, also a former state utility  
118 commissioner, will provide the perspective of the Nuclear  
119 Waste Strategy Coalition which represents a range of  
120 stakeholders that seek to get our nuclear waste policy back  
121 on track.

122           We welcome the witnesses that are with us today. We  
123 really appreciate your testifying.

124           [The prepared statement of Mr. Latta follows:]

125

126           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

127

128           \*Mr. Latta. And I yield back the balance of my time,  
129 and at this time the chair recognizes the gentlelady from  
130 Florida's 14th district, the ranking member of the  
131 subcommittee, for a five-minute opening statement.

132           \*Ms. Castor. Well, thank you, Mr. Chairman, and welcome  
133 to our witnesses this morning.

134           Today's hearing addresses an important bipartisan topic:  
135 how we deal with the issues of spent nuclear fuel. When we  
136 passed the ADVANCE Act last Congress we recognized that the  
137 Department of Energy must do more to safely manage, recycle,  
138 and to store this fuel, particularly as we work to revitalize  
139 America's nuclear energy industry.

140           Yet as our country and our neighbors back home grapple  
141 with an energy crisis and exorbitant cost, it is frustrating  
142 that this will be the only hearing of the Energy Subcommittee  
143 for six months. This subcommittee last had a hearing in June  
144 and, after this week, won't meet again until at the earliest  
145 in November. That is one hearing in 21 weeks. Meanwhile,  
146 the average household in the United States has had to pay an  
147 additional \$3,800 more due to the rising costs under this  
148 Administration and this Congress.

149           Thanks to the President's reckless war in Iran, the  
150 average family back home in my community in Tampa Bay has  
151 paid an additional \$471 for gas, farmers are facing diesel  
152 prices above \$6 a gallon, on top of increased costs for

153 inputs like fertilizer right as we enter harvest season  
154 across the country. Electricity bills are way up, too, up 15  
155 percent in the last 18 months, and that is before the  
156 utilities requested even more rate increases to fund at least  
157 \$1.4 trillion in capital expenditures by 2030, largely driven  
158 by the demands of AI data centers and the rising costs due to  
159 illegal and arbitrary tariffs.

160       This committee should be working to address these  
161 issues. We need to advance bipartisan permitting reform,  
162 particularly to plan, permit, and pay for the transmission  
163 needed to build a 21st century electric grid. If we are  
164 serious about scaling all forms of energy, including nuclear,  
165 and connecting large loads to the grid, then we need to  
166 reform our broken interconnection queues. But this committee  
167 has been absent in that.

168       Nuclear energy is important, but the President's own  
169 Energy Information Administration has told us what energy is  
170 coming online this year: 86 gigawatt of generation made up  
171 of 51 percent solar, 28 percent batteries, 14 percent wind,  
172 and 7 percent gas. Unfortunately, the Administration's  
173 policies are making it harder for those -- for many of those  
174 resources to connect, meaning that prices are going to  
175 continue to go up for our neighbors back home. I know these  
176 are challenging issues, but Republicans on this committee  
177 cannot keep running away from them. You cannot play ostrich.

178 The costs are too high on the people we represent back home.

179 Now, under this Administration the Department of Energy  
180 has taken some creative approaches to dealing with the  
181 challenge of nuclear waste. In July DoE announced it had  
182 signed MOUs with five states interested in hosting nuclear  
183 lifecycle innovation campuses and a sixth state just signed  
184 on last week. The United States has more than 90,000 metric  
185 tons of spent fuel, some of which could be recycled to  
186 produce power again and has -- like has been done in other  
187 countries. While this progress is notable, I am concerned  
188 that it may come at the expense of proper safety and  
189 environmental guardrails.

190 And let me be clear. Any efforts to find new sites for  
191 long-term nuclear waste disposal requires congressional  
192 approval. I worry that the Administration is also ill-  
193 equipped to carry out this work after DOGE forced out experts  
194 across the Department of Energy, the Nuclear Regulatory  
195 Commission, and the Environmental Protection Agency. Last  
196 year President Trump illegally fired NRC Commissioner Hansen  
197 and then dismissed seven of the eight commissioners of the  
198 Nuclear Waste Technical Review Board which is supposed to  
199 provide independent oversight.

200 We are responsible for protecting our communities that  
201 host nuclear plants and spent fuel like in Citrus County,  
202 Florida, about 90 miles north of Tampa Bay, which began

203 retiring its Crystal River nuclear plant in 2013 following  
204 safety concerns about its containment facilities. When  
205 nuclear projects are not properly maintained, retired, and  
206 cleaned up, those costs are often paid by ordinary families  
207 in the form of higher electric bills, and that is not right.  
208 These communities are counting on us to keep them safe and  
209 make life more affordable.

210       So I look forward to hearing from our witnesses today so  
211 this committee can conduct better oversight of the  
212 Administration's progress and chart a path forward that  
213 protects our neighbors back home while advancing America's  
214 leadership in nuclear energy.

215       [The prepared statement of Ms. Castor follows:]

216

217 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

218

219           \*Ms. Castor. Thank you, and I yield back.

220           \*Mr. Latta. Thank you. The gentlelady yields back and  
221 the chair now recognizes the gentleman from Kentucky, the  
222 chairman of the full committee, for five minutes for an  
223 opening statement.

224           \*The Chair. Thank you, Chair Latta. I appreciate the  
225 opportunity to be here.

226           Thank you, Secretary, for being here today. We  
227 appreciate seeing you again.

228           And so as momentum grows in support of nuclear energy,  
229 so do economic opportunities and potential new options for  
230 durable nuclear fuel and waste policy. States have been  
231 stepping up to expand to develop nuclear programs while  
232 working to provide the sites, the supply chains, and the  
233 fuels for the reactors we will need to secure our energy  
234 future.

235           Today we will be examining a Department of Energy  
236 proposal relating to spent nuclear fuel and nuclear waste.  
237 Packaging nuclear waste disposal obligations within a broader  
238 economic development program has prompted several states to  
239 come forward voluntarily to express interest in learning more  
240 about what it would mean to become a host site. The economic  
241 benefits of the proposed Nuclear Lifecycle Innovation Campus  
242 program could amount to billions of dollars over decades, and  
243 include workforce and tax base benefits that could transform

244 communities.

245       Under current law, which I continue to support, the  
246 community surrounding Yucca Mountain and the host state  
247 already stand to benefit from a \$90 billion project to  
248 provide a permanent repository for nuclear waste. Yet even  
249 under current law the need to develop alternative  
250 repositories and new technologies to deal with spent fuel and  
251 waste has always been on the horizon. This project is in its  
252 beginning stages, so I look forward to discussing what may be  
253 done to enable an important opportunity while protecting the  
254 long-term interests of ratepayers who fund the nuclear waste  
255 program, and taxpayers.

256       [The prepared statement of The Chair follows:]

257

258       \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

259

260           \*The Chair. Thank you, and I yield back.

261           \*Mr. Latta. Thank you. The gentleman yields back, and  
262 the chair now recognizes the gentleman from New Jersey, the  
263 ranking member of the full committee, for five minutes for an  
264 opening statement.

265           \*Mr. Pallone. Thank you, Mr. Chairman.

266           Nearly 70 years ago the U.S.'s first-ever commercial  
267 nuclear power plant opened. And ever since, nuclear energy  
268 has been an important source of carbon-free electricity  
269 generation. Unfortunately, while many things have changed,  
270 one thing was true back then that is still true today, and  
271 that is that we have no real plan about what to do with the  
272 spent fuel that comes out of nuclear reactors.

273           Today we find ourselves on the edge of a potential  
274 nuclear renaissance. I have spent a lot of time this year  
275 discussing the risks that renaissance poses by declining  
276 public confidence in the industry, especially after the Trump  
277 Administration spent last year attacking our safety framework  
278 for nuclear energy. But just as important to public  
279 confidence, especially in the communities that actually host  
280 nuclear plants, is figuring out what to do with the waste.

281           For years the answer was that we would find a single  
282 location in the country to house all the waste. But after  
283 decades we are no closer to achieving that goal than we were  
284 back when Congress passed the Nuclear Waste Policy Act in

285 1982. That is why recent proposals to get buy-in from states  
286 have much more promise than a top-down approach. However, at  
287 the end of the day, any agreement with a state will live and  
288 die by trust. And frankly, it has been impossible to trust  
289 the Trump White House or the Trump Administration's  
290 Department of Energy. DoE has admitted in court that it has  
291 canceled investments in states for political reasons, so I am  
292 concerned that they could pull the same nasty, illegal trick  
293 with states that commit to the nuclear innovation campuses.  
294 DoE has also had an astonishing lack of transparency when it  
295 comes to its plans to authorize nuclear reactors for research  
296 purposes.

297 I also have deep concerns with some of the specifics of  
298 the legislative proposal the administration has put forward  
299 to enable the innovation campuses. The proposal declared  
300 that the innovation campuses would automatically receive any  
301 environmental permits, and that none of the activities  
302 related to the innovation campuses would be subject to  
303 judicial review. And I want to be clear, that is an absolute  
304 non-starter and those provisions cannot and will not become  
305 law.

306 I am also cautious about the Administration's focus on  
307 reprocessing of spent nuclear fuel. Reprocessing  
308 technologies have potential, and I was happy to support a  
309 bill to clarify the licensing pathway for some reprocessing

310 facilities just a few weeks ago at our markup. But the  
311 reality is that right now it is simply not economic, and we  
312 don't know if it ever will be. I don't want states,  
313 taxpayers, or ratepayers to get stuck with the bill for a  
314 technology that isn't proven or doesn't pan out. And while  
315 there may be a place for reprocessing in the nation's spent  
316 fuel disposal strategy, we must be strategic and thoughtful  
317 about what that place is, and I am concerned that the  
318 Administration isn't quite there yet.

319 But I don't want to be overly negative about these  
320 initiatives, Mr. Chairman. I want to work with you and  
321 Assistant Secretary Garish and my colleagues to get this  
322 right. These innovation campuses represent a once-in-a-  
323 generation opportunity to make progress on an issue that our  
324 nation has struggled with for 70 years. Things are going to  
325 have to change if this is going to work. The Department of  
326 Energy will have to become much more transparent about all  
327 its activities in the nuclear space. It will also have to  
328 make credible commitments that all interference with the  
329 Nuclear Regulatory Commission will stop and never return.

330 But perhaps most important, we don't have to solve all  
331 these issues in one proposal. Just getting something on the  
332 table that would allow communities which shut down nuclear  
333 plants like Oyster Creek in my home state to start moving the  
334 fuel away and to a central site, even if it is temporary,

335 will be more progress than we have ever seen.

336 [The prepared statement of Mr. Pallone follows:]

337

338 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

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340           \*Mr. Pallone. So with that, Mr. Chairman, I yield back  
341 the balance of my time. Thank you.

342           \*Mr. Latta. Well, thank you very much. The gentleman  
343 yields back and this concludes member opening statements.

344           The chair would like to remind members that, pursuant to  
345 the committee rules, all members' opening statements will be  
346 made part of the record.

347           We thank our witness for appearing before us today and  
348 taking time to testify. The witness will have the  
349 opportunity to give an opening statement, followed by a round  
350 of questions from our members. Our witness today is the  
351 Honorable Theodore J. Garrish, the Assistant Secretary for  
352 Nuclear Energy, the United States Department of Energy.

353           And Mr. Garrish, we really appreciate you being here and  
354 you are recognized for five minutes for an opening statement.

355

356 STATEMENT OF THE HON. THEODORE J. GARRISH, ASSISTANT  
357 SECRETARY FOR NUCLEAR ENERGY, U.S. DEPARTMENT OF ENERGY  
358

359       \*Mr. Garrish. Thank you very much, Mr. Chairman and  
360 Subcommittee Ranking Member Castor and Chairman Guthrie and  
361 Ranking Member Pallone. It is an honor to be back in front  
362 of the committee.

363       I have spent many years in a bipartisan manner dealing  
364 with exactly the issues that we have today. I do want to  
365 focus on one word that you used that is very important, and  
366 that is "partnership.'" I come here to the committee. This  
367 is going to have to be a cooperative effort between the  
368 Administration and the Congress to move forward, and this is  
369 extremely important for us to do that. I thought it would be  
370 helpful to begin today with a conversation.

371       Let me start. I think the first question is, why are we  
372 here now? It has been, except for the 1980s and the Vogtle  
373 plants, we haven't had much activity in nuclear. But now,  
374 with the new demand -- electricity has been flat up until now  
375 -- we see a tremendous growth in nuclear. And what that is  
376 going to mean is we are going to need nuclear, and nuclear's  
377 day is about to start.

378       The President has set forth several executive orders,  
379 and he really started some new enthusiasm for nuclear. And I  
380 want to talk about, first, the three criticalities that were

381 set for July 4. I think none of us thought that that was  
382 going to be possible for any of us to do that, but we went to  
383 work on the authorizations, and new entrepreneurs came in  
384 and, with their new designs, got to work. I think we  
385 surprised ourselves. Instead of three, we got four, and now  
386 we have five, and we have more coming, and this has really  
387 set the path to the future for nuclear. And we proved that  
388 we could do this safely.

389       This led to our next element, which was the launch pad  
390 which -- we are going to try to institutionalize this  
391 approach for new designs and move them forward. Then the  
392 Department of War launched its microreactor programs, and now  
393 the interest from countries all over the world to protect  
394 their bases from unreliable electricity so that they would  
395 have support for that. We are doing that in the United  
396 States, we plan to do that, and this is very important.

397       We also needed other things which we have started with  
398 this Administration. The second item was the new domestic  
399 enrichment. With the Russian ban we have three projects and  
400 we have Urenco also expanding. Very important. We have the  
401 Advanced Reactor Development Program, which is mainly  
402 involving TerraPower and X-energy, two really unique advanced  
403 reactors. We have the Gen III plus with -- we awarded for  
404 TVA and GE and Holtec.

405       These are all important, and important steps. But there

406 has been one really new surprise to me, and that is we have  
407 seen new technologies and interest in reprocessing and  
408 recycling. At least six companies and maybe more have come  
409 forward with advanced reprocessing, and want to develop  
410 systems. And some of this includes what I would refer to as  
411 circular plants.

412 In other words, they will actually make the electricity,  
413 they will take the product that comes out, they will recycle  
414 it to some degree, and they will actually, amazingly, burn  
415 their own radionucleides that come out and the transuranics  
416 that come out of this process. This is completely new and  
417 completely different, and what it does is it reduces the  
418 amount of waste and it reduces the toxicity.

419 So these are all some new ideas that have come, and it  
420 has given us a huge advantage now because, in addition to  
421 everything else, with the development of these new businesses  
422 everyone wants to be in the same location. And there are  
423 huge advantages to doing that. We have reduced  
424 transportation, we have shared security in these areas that  
425 will include -- it will include reprocessing, but it will  
426 also include enrichment, fuel fabrication, and potentially  
427 the circular processes for the reactors.

428 What has happened then, another factor has been the  
429 disposal technologies have changed to instead of having a  
430 gold-plated Yucca Mountain, there are some new techniques in

431 terms of deep borehole, which have allowed us additional  
432 methodologies to move forward to complete and dispose of  
433 nuclear waste. Much simpler.

434         So the industry is moving on, and this led us to the  
435 concept of the Nuclear Lifecycle Innovation Campuses.  
436 Twenty-six states have responded to our RFI. They said that  
437 they were all interested, twenty-six states. And this was  
438 reduced after discussions to six states. And we are now down  
439 to -- and we have signed MOUs with each of those states and  
440 are moving forward.

441         The interest in these campuses is extremely broad in  
442 terms of economics. We anticipate 51 billion in outside  
443 private investment -- this does not include the Federal  
444 Government's investment in whatever the waste aspect is -- 10  
445 billion in tax --

446         \*Mr. Latta. Pardon me, Mr. Assistant Secretary, we are  
447 over time. Could you just wrap up real quick, please?

448         \*Mr. Garrish. Okay, to wrap up very quickly, let me  
449 tell you how I think we need to start. We need to do several  
450 things that we were asking the committee to take a look at.

451         We would like to eliminate the exclusivity of Yucca  
452 Mountain.

453         We would like to see a Federal authorization of the  
454 Administration to allow these lifecycle campuses.

455         We would like reprocessing to be the policy of the

456 United States.

457       We would like to provide storage at sites and then work  
458 out the mechanism for the first fuel that would travel and  
459 resolve the financial aspects.

460       These are the ideas we would like to start in this  
461 program, and thank you for the opportunity to appear today  
462 and respond to your questions. Thank you.

463       [The prepared statement of Mr. Garrish follows:]

464

465       \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

466

467           \*Mr. Latta. Well, thank you very much. This will  
468 conclude the testimony of our witnesses, and we will begin  
469 the questioning from our members, and I will begin with  
470 recognizing myself for five minutes.

471           You know, you mentioned something a little bit earlier,  
472 and I think it is really important because one of the great  
473 things about serving in the Energy and Commerce Committee is  
474 that when you set up on this dais, we are actually looking  
475 over the horizon 5 to 10 years. And so we want to make sure  
476 that, you know, we are helping the entrepreneurs and  
477 innovators out there to be able to succeed. And just hearing  
478 what your testimony said today, hopefully we have been  
479 helping out there to make sure these things are coming to  
480 pass.

481           And something else I always ask our witnesses,  
482 especially when we are dealing with energies, you answered it  
483 in your testimony. I always ask, do we have to have more  
484 energy in this country or less? And you answered in your  
485 testimony that -- on page two you said the country continues  
486 to need more energy, which is absolutely correct.

487           And what I would like to ask, my first question,  
488 especially on the advanced reactor developments out there --  
489 because, again, this is a lot of the future. You know, we  
490 were going forward with our larger facilities, but it is the  
491 SMRs out there that are really where there is so much

492 technology. And, you know, how is it that now -- because,  
493 you know, if you sat in this committee five, six, seven years  
494 ago, this is something like pie in the sky that people said,  
495 oh, it is never going to happen or it is going to take too  
496 long. And here we are today.

497         So how is it all of a sudden now we are talking about  
498 SMRs and advanced reactors?

499         \*Mr. Garrish. Well, they are the future. In other  
500 words, some of these new technologies are extremely advanced.  
501 They, in many ways, are safer than even our currently safe  
502 reactors. And they are easier to operate. They are what we  
503 refer to as walk-away safe. These are very important  
504 developments. We have several that are currently coming  
505 along. They are being supported by the Department, and this  
506 is the future.

507         And the fuels that they are going to need are all new,  
508 everything is new, and this is the future.

509         \*Mr. Latta. Well, and I think that is so important  
510 because one of the things I have looked at -- and we know  
511 what the French have been doing -- is on recycling. And, you  
512 know, the estimates out there are we have between 100 to 150  
513 years of fuel just in the spent rods we have all across the  
514 country. And, you know, when you are talking about these new  
515 technologies, what again has spurred so many companies  
516 wanting to get involved in this today?

517           Because again, just looking back just a few years it is  
518   just like, well, it is never going to happen, and here we are  
519   on the cusp today of what -- especially when you look on the  
520   Nuclear Lifecycle Innovation Campuses, recycling is going to  
521   be such a big part.

522           \*Mr. Garrish. There are a couple of things that are  
523   important to these new technologies. One is that we are able  
524   to do a variety of new uses that are smaller, where they can  
525   be placed in locations easier or they can be put together.  
526   And some of these technologies, especially the circular  
527   programs, look like the real future.

528           In other words, they will be able to not have to go  
529   through a complete recycling, but do much to reduce the  
530   toxicity and quantities and move forward. So there is so  
531   much to do when we are testing each of these right now, and  
532   that is what the job of the energy department at the Idaho  
533   National Laboratory is, to really do the research to make  
534   sure that these are viable, economic, and safe.

535           \*Mr. Latta. Well, and just to follow up on that,  
536   because up in Canada, in Darlington in Ontario, you know,  
537   they are talking about in 2029 that that will be up and that  
538   it will be in full operation in 2030. How far in advance do  
539   you think it will be before the United States is at that  
540   point?

541           \*Mr. Garrish. Well, that particular reactor has also

542 been granted some funds in our TVA, GE program to develop  
543 that reactor.

544 In addition to that, the Commerce Department has looked  
545 at developing 10 more of those reactors at TVA and getting  
546 them into place in the next couple of years to move that  
547 forward. So that has also been extremely good for the  
548 process of regulation because it has been a cooperative  
549 effort between the Nuclear Regulatory Commission and the  
550 Canadian Authority to help regulate that.

551 \*Mr. Latta. Well, you know, we are talking -- I have  
552 been talking about on the recycling, but, you know, this  
553 committee has also been very active about making sure that we  
554 are not relying on Russia. And in the last 38 seconds that I  
555 have, how important is it to make sure that, you know, the  
556 United States has its own uranium and not rely on other  
557 countries? In 30 seconds.

558 \*Mr. Garrish. It is the -- one of the most important  
559 aspects of this is we must have our own fuel cycle, we must  
560 enrich our own fuel, we must have our own uranium and our own  
561 reactors. This is an extremely important program.

562 \*Mr. Latta. Well, again, thank you very much for being  
563 here, and I will yield back the balance of my time and  
564 recognize the gentlelady from Florida, the ranking member,  
565 for five minutes for questions.

566 \*Ms. Castor. Thank you, Mr. Chairman.

567           Thank you, Assistant Secretary Garrish, for being here.

568           In January the Department of Energy said it wanted  
569   initial Nuclear Lifecycle Campuses online in the 2027  
570   timeframe, and you referenced that the department has signed  
571   six MOUs. Can you clarify what those MOUs are?

572           It looks like they are memorandums of understanding to  
573   continue conversations between the states and DoE. It is not  
574   necessarily the identification of specific host communities  
575   or construction funding, is that right?

576           \*Mr. Garrish. Yes. Well, we are asking the communities  
577   to commit to certain things. And one is to co-locate their  
578   nuclear facilities, number one. And number two, to designate  
579   a site for final disposition within the state.

580           So in other words, we will work through with them the  
581   manner in which -- that they would like to develop these. In  
582   other words, there is economic benefit for the states to do  
583   this, and we believe that they can develop their own process  
584   to make this work, and we are going to then encourage the co-  
585   location and the centralization of this within the state  
586   because of the tremendous economic advantages.

587           \*Ms. Castor. So explain what you envisioned with the  
588   timeline, working with those communities and with this  
589   committee and Congress.

590           \*Mr. Garrish. Well, the timeline will depend a lot on  
591   what our authorities are to move forward. And one of the

592 things that we need most at this time is to allow the  
593 Department of Energy and the Secretary to work with the  
594 states to authorize us to do it. Currently, we cannot move  
595 forward on that because of the exclusivity of Yucca Mountain.

596 In other words, that is the only area that we are  
597 currently authorized, and we would like the authority to move  
598 forward to --

599 \*Ms. Castor. And move forward, you mean things like  
600 groundwater testing, geological screening, independent site  
601 characterization?

602 I mean, there is a lot of work that has to be --

603 \*Mr. Garrish. All of the things that the states will be  
604 very interested in doing to -- in order to promote these  
605 facilities.

606 \*Ms. Castor. So earlier this month the committee passed  
607 my bill, the DoE Nuclear Transparency Act, in response to  
608 some bipartisan concerns we have had over the past year with  
609 changes at DoE and the nuclear safety rules and the reactor  
610 pilot program. You mentioned in your opening remarks that  
611 you view this as a partnership with Congress, and I  
612 appreciate that. Will you commit that the -- commit to the  
613 committee that the Department will be more transparent with  
614 the Congress as it runs the Nuclear Energy Launchpad  
615 Initiative?

616 \*Mr. Garrish. I hope that we are transparent as opposed

617 to "more.'" I hope we are fully transparent with you. We  
618 were able to put all of those regulations and those changes  
619 on the public record, and those materials are available now,  
620 and those decisions are made -- always notified to the  
621 Congress when we move forward with these.

622 \*Ms. Castor. Well, because we have also heard from  
623 former Department of Energy staffers, they have raised  
624 concerns that this is an overly rapid pace. Coupled with  
625 this deregulatory crusade by this Administration, they think  
626 this would increase the risk of these projects. And when it  
627 comes to nuclear, you have bipartisan support, but what would  
628 put it in peril would be cutting corners on safety and  
629 transparency.

630 And these campuses are going to require community buy-  
631 in, which will need to last beyond any one administration.  
632 Given that this Administration has gutted certainty for  
633 communities invested in other forms of energy, such as the  
634 arbitrary illegal cancellation of fully permitted energy  
635 projects, why should communities trust that the Federal  
636 Government and the Department of Energy is a trusted partner  
637 now?

638 \*Mr. Garrish. Public engagement is our number-one  
639 priority right now to make sure that the public understands,  
640 number one.

641 Number two, all of these activities will be done safely

642 to the highest standards. And I believe what we did in --  
643 with the pilot program was mainly to eliminate redundancies  
644 and things that were -- these regulations had grown and grown  
645 over the years, and what we did is simplify them. We  
646 emphasized safety.

647 And I think if you will ask anyone that participated on  
648 the other side, they will tell you we were the toughest  
649 regulators that they had the experience, and they learned a  
650 lot in the process. And I think you will see a change in the  
651 entrepreneurs that are coming forward now and understanding  
652 that.

653 \*Ms. Castor. Can you do this with the staff that you  
654 have right now? Because we know that an independent analysis  
655 found in January that DoE's Office of Nuclear Energy has lost  
656 about one-third of its staff.

657 \*Mr. Garrish. It is always nice to have a larger staff.  
658 What we are trying to do is make a judgment now of how to do  
659 that going forward, and I think we will be making some  
660 announcements through our regular appropriations process.

661 \*Ms. Castor. Thank you.

662 I yield back.

663 \*Mr. Latta. Thank you very much. The gentlelady's time  
664 has expired, she yields back, and the chair now recognizes  
665 the vice chair of the subcommittee, the gentleman from Texas,  
666 for five minutes for questions.

667           \*Mr. Weber. Thank you, Mr. Chair.

668           Assistant Secretary Garrish, as DoE considers the role  
669 of NLICs, do you do you see privately-owned nuclear fuel  
670 recycling facilities as an important component of these  
671 campuses?

672           And are there areas perhaps where additional  
673 congressional authority could help support that very  
674 commercial development? Or I should say deployment.

675           \*Mr. Garrish. Absolutely. These are -- these will be  
676 private facilities, and they will need licensing assistance.  
677 We need to help the entire process, and that going forward is  
678 -- will be a top priority for us.

679           \*Mr. Weber. Well, thank you for that. In listening to  
680 your discussion with Ranking Member Castor, I was reminded  
681 that it is important to note, obviously, that reprocessing  
682 now is proving out, actually, in our opinion, to be  
683 economical. Companies -- there are some companies like the  
684 Curio company I am familiar with is leading the way on spent  
685 fuel recycling innovation. It can be done safely and  
686 cleanly. I have said that for a long time. The -- we had a  
687 nuclear plant in -- when I was in -- a state representative  
688 back in Matagorda County, and they did it cleanly and safely,  
689 changed out spent fuel rods. So I hope that we are all  
690 paying attention.

691           I also want to focus on something you said in earlier

692 testimony. You said something about limiting the exclusivity  
693 of Yucca Mountain. So are you -- we are paving the way for a  
694 company's individual processors to come in and do that very  
695 thing, and do it cleanly and safely. Would you agree?

696 \*Mr. Garrish. Yes. Well, we can't do these campuses  
697 and authorize these campuses by the Department. The way the  
698 law currently sits is we must do that at Yucca Mountain.

699 \*Mr. Weber. Well --

700 \*Mr. Garrish. What we need to do is allow us the  
701 flexibility to have an additional method --

702 \*Mr. Weber. Right.

703 \*Mr. Garrish. -- to move forward.

704 \*Mr. Weber. We would like to know -- now, Texas  
705 applied, and I think it was one of the 21 states you named.  
706 Do you know -- are you familiar with what -- how they either  
707 rated or didn't rate?

708 \*Mr. Garrish. They -- these were self-rated. In other  
709 words, they came to us and said that they were interested,  
710 and they came to talk to us about what is needed. And we  
711 went down the line.

712 And one of the important elements was that not only did  
713 they get the economic benefits in the front end from the  
714 front end of the fuel cycle, but they had to be able to  
715 complete the back end of the fuel cycle and dispose of the  
716 materials. And that took more discussion and more

717 understanding. And we now have some additional technologies  
718 and some advancements that are improving that.

719       \*Mr. Weber. Along those lines, will authorizing  
720 secondary disposal pathways in the law actually enable DoE to  
721 continue to negotiate with those various states that came  
722 forward?

723       \*Mr. Garrish. Yes. We can't do it without it.

724       \*Mr. Weber. Okay. Will the DoE ensure that there is  
725 linkage to permanent disposal in any negotiations?

726       \*Mr. Garrish. That is -- all this cannot be temporary.  
727 We must go to a final solution. We must close the fuel  
728 cycle.

729       \*Mr. Weber. Well, "final solution" was a bad term in  
730 World War II. Some of us are old enough to remember that.

731       Under the law, users of nuclear power pay a fee into a  
732 Nuclear Waste Fund to pay for a program of permanent  
733 disposal. That fee was set to zero under court order because  
734 DoE dismantled its program. Would you agree that Congress  
735 should not raise rates on electric customers for a program  
736 that is still being developed?

737       \*Mr. Garrish. This is a question that Congress is going  
738 to have to work with us on. Obviously, this program needs to  
739 be paid for, and we do have sufficient funds to start. We  
740 have 56 billion in the Nuclear Waste Fund, so we have money  
741 to start.

742           I understand the reluctance of anyone to start the fee  
743 up again if we do not have a program that actually moves  
744 waste. So I am very cognizant of the problem, but we need to  
745 work with the Congress on how we resolve that in the long  
746 run.

747           \*Mr. Weber. Well, thank you for that, and the law  
748 requires the Nuclear Waste Fund to be spent on programs  
749 linked to permanent disposal. I am assuming DoE supports  
750 that.

751           \*Mr. Garrish. That is how that money is to be used.  
752 That is the way the law is currently worded, and that is also  
753 subject to some discussion as to what is needed to make this  
754 successful. What we want to do is make it successful, and we  
755 want to work with you to determine how to do that.

756           \*Mr. Weber. So this may be getting a little  
757 procrastinating -- or maybe we are -- prognosticating is what  
758 it is.

759           Should Federal policies be updated to include  
760 reprocessing as part of a -- of the very system we are  
761 discussing for permanent disposal of waste? Do we need to do  
762 something with those policies?

763           \*Mr. Garrish. I think it would be helpful to have that  
764 actually demonstrated as a policy of the United States in  
765 favor of reprocessing where it is technically and  
766 economically feasible.

767           \*Mr. Weber. Well, I don't have much time, so -- I am  
768 down to four seconds. Thank you for your testimony.

769           \*Mr. Garrish. Thank you.

770           \*Mr. Latta. Thank you so much. The gentleman yields  
771 back, and the chair now recognizes the gentleman from  
772 California's 50th district for five minutes for questions.

773           \*Mr. Peters. Thank you, Mr. Chairman, for holding this  
774 hearing.

775           One key aspect of our nuclear strategy that has been  
776 consistently ignored as we build new nuclear power is a  
777 solution to the question of nuclear waste, specifically the  
778 long-term storage of spent nuclear fuel. We need to regain  
779 our ability to build nuclear power in this country. And as  
780 we move toward a long-term solution for nuclear waste, it is  
781 not an either/or. We have to do both.

782           We can and should build more nuclear power while  
783 encouraging innovation in advanced nuclear that can generate  
784 power while producing less waste. That is why I was  
785 encouraged to see my Nuclear REFUEL Act which Chair Latta  
786 passed last month, and that would do just that.

787           You mentioned, Mr. Secretary, uranium. By the way,  
788 General Atomics, which is headquartered in my district, has  
789 been working on developing a uranium production facility that  
790 will be critical for national security, and by itself would  
791 replace 15 percent of our uranium imports. I hope you are

792 taking a good look at that project, and that you will let me  
793 know your thoughts on that at a later date.

794 \*Mr. Garrish. We are looking at all mechanisms to  
795 really reduce importation of uranium, and that is one that we  
796 will examine.

797 \*Mr. Peters. Thank you. I am also encouraged that  
798 these proposed Nuclear Lifecycle Innovation Campuses -- they  
799 can be an important part of our domestic nuclear strategy, as  
800 well as our strategy for addressing the question of waste  
801 disposal.

802 And I would just say finally that Congress needs to be a  
803 partner in making this idea a reality. The Trump  
804 Administration can't do it alone. This is especially  
805 important for members in districts like mine, whose  
806 constituents are very concerned about spent nuclear fuel at  
807 shut-down plants.

808 I seek unanimous consent, Mr. Chairman, to add to the  
809 record this article entitled, "As the Coast Begins to  
810 Crumble, the Clock Ticks on Moving San Onofre's Radioactive  
811 Waste.''

812 Without objection, so ordered.

813 [The information follows:]

814

815 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

816

817           \*Mr. Peters. Experts agree that the nuclear waste  
818 stored at San Onofre is stored safely. However, it was never  
819 meant to be there in perpetuity, so we need to get moving.  
820 We need to get this right.

821           Mr. Secretary, you say in your written testimony that  
822 your mission with these campuses is not just to manage the  
823 nation's nuclear waste, but to maximize its beneficial use.  
824 How does the Department plan to prioritize what nuclear waste  
825 is getting transported to these campuses?

826           And can you commit to working with Congress to ensure  
827 that waste at shut-down plants in high-risk areas like San  
828 Onofre can get prioritized?

829           \*Mr. Garrish. This is a very complex question because  
830 it has a lot to do with which waste can be most easily  
831 reprocessed. And what I see is a combination program where  
832 we will look for ways that is the easiest to do first, but we  
833 also need to take into account waste that currently exists at  
834 shut-down plants and at all plants. And I think we need a  
835 combination, what we refer to as the Q, which is which comes  
836 first and who actually goes to the site.

837           My suggestion is that we will come up with some kind of  
838 rulemaking that the Department -- this is -- we probably will  
839 need some provisions in whatever is done here on the  
840 committee, or we could do it in some rulemaking to determine  
841 which waste goes first and how we do it. It is a combination

842 of both the old waste and the new waste, but first we have to  
843 get started.

844 The most important thing right now is to get something  
845 moving.

846 \*Mr. Peters. I agree. What kind of timing are you  
847 thinking of for that rulemaking that you mentioned?

848 \*Mr. Garrish. Well, as soon as we have the authority I  
849 think we could probably do it in less than six months, I  
850 would think.

851 \*Mr. Peters. That is great. I also understand the  
852 Department's long-term plans for the waste involves  
853 reprocessing and drilling deep boreholes into the ground  
854 where waste could potentially go. But one strategy that is  
855 proven and being used internationally is deep geological  
856 storage. What are the Department's plans for finding a  
857 permanent geological storage site for this waste as part of  
858 the Nuclear Lifecycle Innovation Campuses?

859 And are you seeing success through the collaborative  
860 siting process the Department is employing?

861 \*Mr. Garrish. That is the concept behind these  
862 campuses. In other words, these states have agreed for final  
863 disposal, and that could be either technology. And what we  
864 will look at is what the geology will work -- which geology  
865 will work best.

866 The type of mined repository would be along the lines of

867 what is currently in Finland, which is a much simpler  
868 repository. However, the deep borehole is -- it can be just  
869 as effective as a methodology to do that, and the only  
870 difference is mining or drilling holes, and it is just the  
871 size of the final area that receives the waste. So either  
872 one will work, and the states, as part of their arrangement  
873 with us, this will be agreed to as a collaborative process  
874 with us.

875 \*Mr. Peters. Great. Thank you for being with us today.  
876 And I yield back.

877 \*Mr. Latta. Thank you. The gentleman's time has  
878 expired and he yields back. The chair now recognizes the  
879 gentleman from Kentucky, the chair of the full committee, for  
880 five minutes for questions.

881 \*The Chair. Thank you, Mr. Chair. Thanks for the  
882 recognition.

883 Thank you, Secretary, for being here.

884 So six states have already voluntarily stepped up to  
885 express initial interest in hosting these campuses. The  
886 concept of gaining consent for disposing of spent fuel is not  
887 a new one, but is vulnerable to shifting politics. Can you  
888 describe what will be different with your approach, and what  
889 are the roles of governors and state legislators, and what  
890 will require to them to ensure any agreements will be  
891 durable?

892           \*Mr. Garrish. Durability is essential for this process.  
893   And what we would like to do is make the arrangements and get  
894   the understanding with the states in a collaborative method,  
895   as opposed to what I refer to as consent-based sites, which  
896   sounds like you are going to require something that will then  
897   be consented in. We want states to want to do this.

898           And the thing that we will ask as we go forward is the  
899   location, what it is going to cost, and what our arrangements  
900   are going to be for us to do -- the Federal Government will  
901   actually do this part of the project, but we need the site  
902   and the local community's agreement to move forward with  
903   this. This will be an extremely economic and useful process  
904   for the local communities, and they will find this very  
905   economically beneficial.

906           \*The Chair. Thank you. You know, a lot of local  
907   communities debate a lot of things that a lot of us up here  
908   think are economically beneficial, and they don't think they  
909   are economically beneficial or want them in their  
910   communities, so we need to be careful with that. So -- and  
911   it should be their decision. That is kind of my view on it.

912           But what -- so we want to be careful about rushing any  
913   policy that would undermine our obligation to ratepayers who  
914   have paid into the fund to ensure permanent disposal of fuel.  
915   Your proposal includes significant non-waste-related economic  
916   development. What will states and others bring to the table

917 in terms of financial support for these campuses?

918       \*Mr. Garrish. Well, in terms of -- if you are referring  
919 to the discussion draft, there was a suggestion made as to  
920 how the -- some of these funds would be used. Generally  
921 speaking, the idea is unless it is useful to reduce the  
922 amount of the waste or the toxicity of the waste, it would  
923 not be supported by the Federal Government. So in other  
924 words, we would have to devise the mechanisms for expenditure  
925 of the Nuclear Waste Fund. And currently that is only for  
926 waste disposal.

927       The issue would be before the Congress: Are there other  
928 things that you may want to use it for in terms of, if you  
929 have got a reprocessing plant that reduces either the  
930 quantity or toxicity, is it useful for some of those monies  
931 to be paid out of the fund? Those are questions that are  
932 still to be answered, and I would look to the Congress for  
933 their opinions on this. And this is an extremely important  
934 area that we will have to resolve.

935       \*The Chair. All right, thanks. Can you update us on  
936 the timeline for any negotiations with states?

937       \*Mr. Garrish. Well, right now what we would like to do  
938 is we are going to have a more formalized host agreement by  
939 the end of September. We anticipate that we are going to try  
940 and reach some kind of contractual methodology. We are  
941 looking for December 15, if possible.

942           The thing I want to avoid are handshakes and MOUs. In  
943 other words, I would like to have some contractual  
944 arrangement with the Federal Government and an agreement to  
945 do so, and that would include necessarily some type of state  
946 legislation to basically lock that in.

947           So in other words, what you were referring to in terms  
948 of durability is extremely important. And once this gets  
949 started and the economic benefits begin, I think that you  
950 will see a tremendous approval from the states in allowing to  
951 do this. Generally speaking, the communities that are  
952 closest to nuclear facilities are the most positively  
953 inclined to support because they understand the safety  
954 elements and the risks and also the financial benefits for  
955 that particular project.

956           So generally speaking, it is the communities that are  
957 closest that we want to deal with, and we want to deal with  
958 that first. And that is what we want to do now, once we get  
959 the authority for the states to designate these areas.

960           \*The Chair. Thanks. So everything we need to be doing  
961 here needs to be focused on how do you raise the standard of  
962 living for all Americans, or how does it improve our national  
963 security or our leadership in the strategic relationship with  
964 our friends around the globe.

965           So how does the current nuclear technology development  
966 and the increased focus on reprocessing help the United

967 States regain leadership in nuclear technology?

968 And what does this mean for us in a global race?

969 \*Mr. Garrish. Homegrown, reliable nuclear power is  
970 affordable and economic and reliable. This is exactly what  
971 we need in the country. And some of these new technologies,  
972 like either the micros or the small modular reactors, allow  
973 us to spread this around the country and -- so that many  
974 communities can get the advantages of this type of affordable  
975 electricity.

976 \*The Chair. Thanks. I asked you a long question as my  
977 time was expiring, I apologize. I am sure we will hear more,  
978 and my time has expired. So I appreciate your answer. Thank  
979 you.

980 \*Mr. Latta. Well, thank you very much. The gentleman  
981 yields back and the chair now recognizes the gentleman from  
982 New Jersey's 8th district for five minutes for questions.

983 \*Mr. Menendez. Thank you, Chairman.

984 For decades the United States has struggled to address  
985 the storage of nuclear waste. Communities are highly  
986 cautious of hosting waste storage facilities, and it is easy  
987 to understand why. Families want to know that their energy  
988 infrastructure is safe.

989 Mr. Garrish, is it fair to say that nuclear waste, if  
990 not handled properly, can create serious risk of the health  
991 of our communities and the environment?

992           \*Mr. Garrish. It needs to be handled properly, and we  
993 know how to handle it properly, and we can do that and we  
994 have done that.

995           \*Mr. Menendez. Is it correct that you testified before  
996 Congress more than 20 years ago as deputy director of DoE's  
997 Radioactive Waste Office?

998           \*Mr. Garrish. I may have done that, yes.

999           \*Mr. Menendez. I believe you did. I believe you told  
1000 Congress that the Yucca Mountain program was "poised for  
1001 success.'" Twenty-one years later we still don't have a  
1002 permanent repository for commercial spent nuclear fuel. You  
1003 are now back before Congress proposing a new approach. What  
1004 specifically did DoE get wrong then and what are you doing  
1005 differently today?

1006           \*Mr. Garrish. This project, we went and did file a  
1007 license application with the Nuclear Regulatory Commission.  
1008 However, the implementation of that was never funded by the  
1009 Congress. So what we need to do is have the foresight to  
1010 make sure that whatever we start we finish. And the problem  
1011 was lack of funding at the time.

1012           \*Mr. Menendez. I appreciate that.

1013           As the Trump Administration, states, and tech companies  
1014 increasingly turn toward nuclear energy to meet growing  
1015 energy demands from AI data centers, it is essential that we  
1016 figure out how to safely and correctly handle nuclear waste.

1017 Mr. Garrish, at every hearing we have had on nuclear power,  
1018 witnesses have testified that community trust is essential  
1019 when it comes to building nuclear power plants. Would you  
1020 agree or disagree?

1021 \*Mr. Garrish. Well, waste handling in other countries  
1022 is extremely important. And the way this works is each  
1023 country must handle its own waste.

1024 \*Mr. Menendez. My question was specifically about  
1025 community trust being essential to this process. Do you  
1026 agree or disagree? Just yes or no.

1027 \*Mr. Garrish. Community trust is absolutely essential.  
1028 Safety is the number-one priority. Community understanding  
1029 of the risks and having a complete understanding of what this  
1030 is in their community. And I have always found that all of  
1031 these nuclear projects, as we mentioned here previously, the  
1032 people that are closest understand it best and are the most  
1033 supportive.

1034 \*Mr. Menendez. So will you commit that the DoE will not  
1035 site a nuclear waste facility in a community without the  
1036 community's consent?

1037 \*Mr. Garrish. That is what we intend to do at this  
1038 time. That is our plan.

1039 \*Mr. Menendez. I appreciate that, and I will take that  
1040 as a commitment.

1041 And trust is built through independent regulators that

1042 keep safety at the center of their work. Is that accurate?

1043 \*Mr. Garrish. I didn't understand the question.

1044 \*Mr. Menendez. I apologize. And trust is built through  
1045 independent regulators that keep safety at the center of  
1046 their work. Is that accurate?

1047 \*Mr. Garrish. The regulators must be -- have high  
1048 integrity and independence. And I am certain that the  
1049 Nuclear Regulatory Commission will adopt those.

1050 \*Mr. Menendez. I appreciate that. And so just yes or  
1051 no, would you say that turning the Nuclear Regulatory  
1052 Commission into a "rubber stamp," would that foster trust  
1053 with communities?

1054 \*Mr. Garrish. That is an incorrect statement as to what  
1055 has happened.

1056 \*Mr. Menendez. That is a direct quote in terms of what  
1057 the intent of this Administration was to do with the NRC.

1058 \*Mr. Garrish. It is not a direct quote from me, and I  
1059 can tell you --

1060 \*Mr. Menendez. I appreciate that, but you have to  
1061 understand that there are other people in the Administration  
1062 who are saying those things.

1063 \*Mr. Garrish. We have spent a considerable amount of  
1064 time to make sure that the Nuclear Regulatory Commission and  
1065 the Department of Energy, in the process of doing these pilot  
1066 programs, had their own independent systems of how you

1067 evaluate --

1068       \*Mr. Menendez. Okay. So on independence again, just  
1069 yes or no: Do NRC commissioners expressing fear of being  
1070 fired if they fail to approve a reactor foster trust and  
1071 foster the idea of independence?

1072       \*Mr. Garrish. They need to be independent. I cannot  
1073 tell you what it takes to make them independent. They have  
1074 to make --

1075       \*Mr. Menendez. I think not having political pressure  
1076 and a president's pressure over them allows them to be  
1077 independent. You have served in multiple administrations. I  
1078 think you would agree with that statement.

1079       \*Mr. Garrish. I am not -- there is no pressure being  
1080 exerted on these commissioners.

1081       \*Mr. Menendez. That is not what they testified to here  
1082 in Congress.

1083       \*Mr. Garrish. Well, I listened to some of the  
1084 testimony, and I did not hear that.

1085       \*Mr. Menendez. Well, I would urge you to listen to it  
1086 once again.

1087       And what about a mass exodus of staff and safety  
1088 officers at NRC and in your own office, does that foster  
1089 trust?

1090       \*Mr. Garrish. That was done because of the incentives  
1091 that were provided to reduce the amount of employment in the

1092 Federal Government. That was done for other purposes, and  
1093 many people took advantage of that. And --

1094 \*Mr. Menendez. I would say because there was this  
1095 looming political pressure of this Administration, where they  
1096 didn't feel like they would be able to fulfill their mission  
1097 at the DoE or the NRC, and that is why they resigned or were  
1098 forced out, because there were a number of forced  
1099 retirements.

1100 And so, listen, we got to get this right. And I think  
1101 you know that we have to get this right, but we need folks to  
1102 feel like they can operate independently to put safety at the  
1103 center of everything that we do. So I thank you for being  
1104 here.

1105 And I yield back.

1106 \*Mr. Latta. Thank you very much. The gentleman's time  
1107 has expired, he yields back. The chair now recognizes the  
1108 gentlelady from North Dakota, the at-large member, for five  
1109 minutes for questions.

1110 \*Mrs. Fedorchak. Good morning, sir. Thank you for your  
1111 expertise, your time here, and your recognition of the  
1112 important tone we need to take when we are dealing with this  
1113 important issue, one that is of great concern to the public  
1114 and deserves, you know, complete transparency and the utmost  
1115 professionalism -- which you are providing today, so I  
1116 appreciate that.

1117           I am curious about -- I am a former utility regulator,  
1118   so I have -- we don't have any nuclear in the State of North  
1119   Dakota. It is something that our legislature is looking at  
1120   and communities in North Dakota are looking at because we do  
1121   have a long history of power generation, generating a lot of  
1122   power for the region: coal-fired power, natural gas-fired  
1123   power, and wind power. So we are very familiar with that  
1124   industry.

1125           One of the issues, of course, one of the big challenges,  
1126   is the disposal and the waste disposal. So I am very  
1127   intrigued by this campus approach, and excited that you guys  
1128   are pursuing the whole lifecycle of the fuel. So you have  
1129   mentioned one of the big things that Congress needs to do is  
1130   authorize more than one campus. Is that correct? What else  
1131   do we need to do to help facilitate the growth of this  
1132   concept?

1133           \*Mr. Garrish. Well, let me just go back to the first  
1134   part of what you were saying. It seems to me that in your  
1135   state you can take advantage of nuclear power and you don't  
1136   have to have a campus. In other words, many states, that is  
1137   the way -- the current arrangement.

1138           So what needs to be done is there is a tremendous  
1139   economic benefit to these states that determine to do this.  
1140   So what is happening is that they are looking at those  
1141   benefits and judging what the risks are. And they see the

1142 risks as low and are moving forward to doing that.

1143         So nuclear is not a risky enterprise. There are risks  
1144 and they are taken care of appropriately.

1145         \*Mrs. Fedorchak. Do we need to do anything else besides  
1146 authorizing more than one campus to help facilitate the  
1147 growth of these campuses?

1148         \*Mr. Garrish. I would allow us to authorize as many as  
1149 in the end we need.

1150         \*Mrs. Fedorchak. Okay.

1151         \*Mr. Garrish. I think it is more than one and it may  
1152 not be more than three. But in other words, I wouldn't want  
1153 to necessarily limit the amount and the numbers and the  
1154 characteristics, because each of these states have different  
1155 characteristics and could potentially take different types  
1156 of, ultimately, disposal --

1157         \*Mrs. Fedorchak. Sure.

1158         \*Mr. Garrish. -- materials.

1159         \*Mrs. Fedorchak. How -- you mentioned earlier that you  
1160 are going to have to at some point create rules to prioritize  
1161 which waste is processed and moved first. How will you go --  
1162 and I want to get to a couple other questions, so kind of  
1163 briefly -- how will you go through that process of  
1164 prioritizing the waste?

1165         \*Mr. Garrish. It will probably be done through a  
1166 rulemaking in which we will inquire of the people that want

1167 to take the waste for reprocessing. Then we want to take a  
1168 look at the locations, where it would go and how that would  
1169 fit together.

1170 \*Mrs. Fedorchak. And how will this waste be transported  
1171 from -- like, I know there is a lot of ways stored outside of  
1172 nuclear power generating facilities in the Minneapolis area.  
1173 How will that get to the place for processing?

1174 \*Mr. Garrish. Largely by rail.

1175 \*Mrs. Fedorchak. Okay. And how will that be handled?  
1176 Will that be publicly known, or do you -- can you provide any  
1177 insight on that?

1178 Do you have concerns about that at all?

1179 \*Mr. Garrish. Transportation of nuclear waste is one of  
1180 the items that -- most Americans don't really realize there  
1181 is a tremendous amount of transportation currently of these  
1182 materials, and it is done completely safely. And there has  
1183 been virtually no incidents. And this is an ongoing activity  
1184 that happens every day.

1185 \*Mrs. Fedorchak. Perfect. So it is a proven, well-  
1186 established, safe process. Okay.

1187 What percent of the waste do you envision will  
1188 ultimately be recycled?

1189 And then how much will ultimately have to be stored  
1190 permanently?

1191 \*Mr. Garrish. I can't even give you an estimate of

1192 that. It is going to depend on the technologies by the  
1193 reprocessing folks. Some waste is of a particular type that  
1194 -- it is more difficult to reprocess and will then be taken  
1195 in its form, put into a cask, and then disposed of in that  
1196 form. That is a very straightforward method. That is the  
1197 way that we have always thought it was going to be done  
1198 anyway without the reprocessing.

1199 \*Mrs. Fedorchak. Okay. And then I just have, like, 30  
1200 seconds left.

1201 What country is currently kind of leading the way in the  
1202 recycling of the waste, and who are we kind of emulating?

1203 \*Mr. Garrish. Well, there is probably more recycling  
1204 done in France than anywhere else currently.

1205 \*Mrs. Fedorchak. And what percent do they recycle  
1206 versus --

1207 \*Mr. Garrish. Oh, I don't have --

1208 \*Mrs. Fedorchak. Okay.

1209 \*Mr. Garrish. I can get you that answer.

1210 \*Mrs. Fedorchak. Okay, very good. Thank you, sir.

1211 That is all my questions.

1212 I yield back.

1213 \*Mr. Fry. [Presiding.] The gentlelady yields and the  
1214 chair now recognizes the gentleman from Texas, Mr. Veasey.

1215 \*Mr. Veasey. Thank you. We have -- the nuclear spent  
1216 fuel policy is, I think, one of the really central,

1217 unresolved questions standing between the United States and  
1218 serious nuclear power expansion, and we really do need to  
1219 come up with a path on how we do this. And we have had our  
1220 issues even in Texas, where I think that we have probably  
1221 balanced energy probably better than any other state. We  
1222 have -- we had the controversy in Andrew County over the  
1223 years, part of it going and being resolved all the way up to  
1224 the Supreme Court, at least a portion of it being resolved,  
1225 and I think that the Nuclear Lifecycle Innovation Campuses  
1226 are the Department of Energy's latest attempt to build that  
1227 path forward.

1228         But we have to make sure that we get this policy right,  
1229 and this is why I think this hearing is really important  
1230 today. And I wanted to ask you, Mr. Secretary, before the  
1231 Federal Government selects a new site for a repository, it  
1232 needs to first establish a generic, technology-neutral public  
1233 health standard against which potential designs and geologies  
1234 can be evaluated. How do you suggest regulations best be  
1235 updated?

1236         \*Mr. Garrish. This is going to be a subject that the  
1237 Congress will want to be involved with, I am sure. However,  
1238 there are several methodologies that -- how this could be  
1239 done.

1240         My personal view is that it needs to be done by the  
1241 Nuclear Regulatory Commission in the manner in which we would

1242 license plants in the same identical framework. In other  
1243 words, we are the applicant and we must prove our case, and  
1244 they must provide adequate assurance of public safety in the  
1245 process of approving our ability to move forward. That is  
1246 the way I would do it, and that is the way we do it  
1247 throughout the country for plants. And I think that that is  
1248 exactly the same methodology that should be used.

1249       \*Mr. Veasey. Yes, yes. How will the Department of  
1250 Energy pursue the site selection under the NLIC program  
1251 compared to how Yucca Mountain was selected in 1987?

1252       And what methods do you think DoE will use?

1253       \*Mr. Garrish. Before we proceed in any of these  
1254 campuses and determine, we will have some look at the geology  
1255 that we are dealing with. So we will have some understanding  
1256 as to the feasibility of that.

1257       Now, the process that the Congress went through was --  
1258 took years and years to actually do the science in order to  
1259 make that determination. And then, at the end of the day, it  
1260 was Congress that made the determination as to how to  
1261 proceed. I am hoping that we can do this voluntarily with  
1262 the states and work through what needs to be done and make  
1263 sure it is safe at the time before we proceed.

1264       \*Mr. Veasey. Yes. I want to ask you, in your opinion,  
1265 do you think that the Nuclear Waste Policy Act provides  
1266 enough flexibility for modern spent -- for a modern spent

1267 fuel system that includes interim storage and reprocessing  
1268 and eventual permanent disposal, or does Congress need to  
1269 clarify the statute before the Nuclear Lifecycle Innovation  
1270 Campuses can function as envisioned?

1271       \*Mr. Garrish. We need clarification and we need a  
1272 provision to -- so that we don't have exclusivity to only  
1273 Yucca Mountain as the only solution. But we need to work on  
1274 that bill eventually to change several aspects of it to make  
1275 it work for the new program.

1276       \*Mr. Veasey. Yes. And just to give the American public  
1277 a more clear picture of what that looks like, can you explain  
1278 that if we were to be able to move forward with the  
1279 innovation campuses plan, what would success look like 10, 20  
1280 years from now?

1281       Because I think with a lot of the issues that we are  
1282 having around energy -- you know, now you can throw, you  
1283 know, data centers in there and their energy consumption -- I  
1284 think that people want to have a better and clearer  
1285 understanding of, you know, what that looks like in the  
1286 immediate future. But as you know, the nuclear process has -  
1287 - obviously takes some time. So what does success look like  
1288 10, 20 years from now?

1289       \*Mr. Garrish. Three four successful campuses operating  
1290 the complete aspects of the nuclear fuel cycle from  
1291 enrichment and reprocessing and all of the other elements,

1292 and including some campuses that have circular programs for  
1293 power and waste together. And I would say that three or four  
1294 campuses operating successfully, and there would be waste  
1295 disposal at those sites.

1296 \*Mr. Veasey. Yes, wow. Wow, that is amazing. Okay.  
1297 Thank you very much. I appreciate your testimony.

1298 I yield back my time.

1299 \*Mr. Fry. The gentleman yields. The chair now  
1300 recognizes the gentleman from Texas -- or Georgia, Mr. Allen.  
1301 Excuse me.

1302 \*Mr. Allen. Good. Thank you.

1303 \*Mr. Fry. Sorry. Not Texas.

1304 [Laughter.]

1305 \*Mr. Allen. Well, we are both having fun right now,  
1306 Georgia and Texas. But anyway, I want to thank Chair Latta  
1307 for holding this important hearing to discuss the Federal  
1308 Government managing spent fuel. And I thank you, Mr.  
1309 Garrish, for being here from the Department of Energy to talk  
1310 about this important subject and what current law offers.

1311 As you work to expand nuclear energy capabilities in the  
1312 United States, it is imperative that we address the  
1313 management of spent nuclear fuel. I think we all agree on  
1314 that. This issue is particularly significant for my district  
1315 and state, given that both Plant Vogtle, the largest nuclear  
1316 energy-producing plant in the country, and Savannah River

1317 Site located across the Savannah River, which 40 percent of  
1318 my district works at, currently house spent nuclear fuel.

1319 Congress briefly -- previously took action to address  
1320 spent nuclear fuel by amending the Nuclear Waste Policy Act  
1321 of 1982 and selecting Yucca Mountain in 1987 as the site for  
1322 that permanent repository, and set up a trust fund to do  
1323 this.

1324 In your testimony, Mr. Garrish, you are offering an  
1325 option for nuclear waste that involves new host states taking  
1326 up some of the burden for disposing of fuel. I want to be  
1327 real clear. You and the Administration are not walking --  
1328 that you and the Administration are not walking away from  
1329 existing law for a repository at Yucca Mountain. You are  
1330 offering a -- are you offering a supplementary path, and is  
1331 that the right direction to go?

1332 \*Mr. Garrish. Well, we are offering and would like to  
1333 have a collaborative approach. Nevada says they don't want  
1334 it, and I have six yeses that said that they are willing to  
1335 do it along with the rest of the fuel cycle in their areas.  
1336 So what I would like to do is say okay to the yes folks and  
1337 follow through and develop a program that makes it work for  
1338 them.

1339 \*Mr. Allen. So we are kind of starting all over here,  
1340 and you would agree that even a supplementary path requires a  
1341 lot of work to prove itself. And where are you in the

1342 process of signing agreements with the host states that you  
1343 say have said yes?

1344       \*Mr. Garrish. We have had very positive discussions  
1345 with most of the governors and the governors' staffs in these  
1346 states. These are extremely positive.

1347       And I just want to emphasize that they want to move  
1348 forward with this approach. There is tremendous economic  
1349 benefit to these states, and they recognize that, and they  
1350 are anxious to conclude an arrangement to make this work.

1351       \*Mr. Allen. And so how time-consuming and how difficult  
1352 is this process going to involve?

1353       \*Mr. Garrish. It is going to be very time-consuming for  
1354 us, but we need, as a first element, the authority to do it  
1355 and to eliminate the exclusivity question with Yucca  
1356 Mountain.

1357       \*Mr. Allen. Well, Congress has supported DoE developing  
1358 a pilot consent-based program for interim storage. How does  
1359 the work of that program inform what you are proposing to do  
1360 today?

1361       \*Mr. Garrish. That was a start, but it did not include  
1362 -- that was just for waste. In other words, they weren't  
1363 around to see if they could find other states that would do  
1364 consent-based siting. The Department has spent a lot of  
1365 money with a lot of states with very little positive results.

1366       What we want to do is put the incentives in to allow the

1367 states the benefits of the entire fuel cycle, including the  
1368 waste end. And when we do that, we get people that want to  
1369 say yes, not just take our money and say, okay, let's do some  
1370 studies.

1371       \*Mr. Allen. Well, we know spent fuel is completely safe  
1372 being stored on site, and will be for the foreseeable future,  
1373 even as we all hope the nuclear campuses are capable of  
1374 dealing with both the front end and back of the fuel cycle.

1375       What is the urgency to move forward when the  
1376 reprocessing technologies haven't been demonstrated on a  
1377 commercial site scale?

1378       \*Mr. Garrish. They are being demonstrated at -- in our  
1379 labs, and they are being demonstrated in smaller capacities.  
1380 I believe that these technologies will work, and what we need  
1381 to do is give them a chance to make it work. And I think  
1382 that they are going to invest their own money in doing this.  
1383 So I say let's bring it on.

1384       \*Mr. Allen. Okay. Well, I am out of time. So Mr.  
1385 Chairman, I have some further questions. I will submit those  
1386 for the record.

1387       [The information follows:]

1388

1389       \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1390

1391           \*Mr. Allen. And I would appreciate your response on  
1392 that.

1393           And with that I yield back.

1394           \*Mr. Fry. The gentleman yields. The chair now  
1395 recognizes the member from Massachusetts, Mr. Auchincloss,  
1396 for five minutes.

1397           \*Mr. Auchincloss. Thank you, Chair.

1398           Assistant Secretary, I appreciate your testimony. I  
1399 strongly support nuclear power as a clean, sovereign,  
1400 reliable and, when built to scale, affordable power source  
1401 for the American people. And I understand that whether we  
1402 are talking about microreactors that are forward deployed at  
1403 military sites, whether we are talking about small modular  
1404 reactors, whether we are talking about grid-scale, utility-  
1405 scale, large reactors, this issue of fuel, both as an  
1406 operating expense and as a recycling issue, is critical.

1407           For that reason I visited just last week Project Omega,  
1408 which is a start-up company in my district in Fall River that  
1409 is doing incredible work on next-generation nuclear recycling  
1410 technology, and they are partnering with ARPA-E with some  
1411 grants to demonstrate how they can continue to reprocess  
1412 nuclear waste to capture economically valuable fuel in a way  
1413 that releases us from dependency on Russia and also saves  
1414 taxpayer dollars because the Department of Energy spends  
1415 billions of dollars every year on handling this stuff, and it

1416 is a lot cheaper to manage 1,000 kilograms than 100 million  
1417 kilograms of nuclear waste.

1418 So this is promising technology. They are working with  
1419 ARPA-E. They could be, I think, a very valuable stakeholder  
1420 in the Nuclear Lifecycle Innovation Campuses, which concept I  
1421 do support. How can the Department of Energy help, in  
1422 addition to ARPA-E grants, Project Omega and other similar  
1423 start-ups applying technology to help solve this problem?

1424 \*Mr. Garrish. We met with Omega, and I too was  
1425 impressed with their technology and what they intended to do  
1426 and they intend to bring their own funds to make this happen.  
1427 And that was -- the entire presentation was very impressive.

1428 I think we -- what we need -- they are just asking for a  
1429 chance --

1430 \*Mr. Auchincloss. That is right.

1431 \*Mr. Garrish. -- to actually do this in the United  
1432 States.

1433 \*Mr. Auchincloss. They are asking for a chance to save  
1434 taxpayers dollars and deliver cheaper energy.

1435 \*Mr. Garrish. That is exactly it, and I -- this company  
1436 and others have come to us, and it is amazing to me to see  
1437 five or six companies just like them for different  
1438 technologies. Sometimes they complete recycling, sometimes  
1439 for medical isotopes --

1440 \*Mr. Auchincloss. Right.

1441           \*Mr. Garrish. -- sometimes a combination of all these  
1442 things. And I think, to me, what we should do is give them a  
1443 chance to do this because I think this is really going to be  
1444 a tremendous future business, and it is going to help the  
1445 nuclear industry be successful.

1446           \*Mr. Auchincloss. Agreed, yes. I think we want to just  
1447 unlock a lot more entrepreneurship and investment into this  
1448 industry. I think we have the rules largely in place now,  
1449 and we need to now just build some stuff, and build it fast.

1450           On that point I want to pivot on you for these last two  
1451 minutes and ask you about India, actually. You know, this  
1452 week we are likely to pass legislation that would levy  
1453 tariffs, maybe even sanctions on India for importing Russian  
1454 oil, which I think is appropriate. We don't want India  
1455 importing Russian oil and funding that war machine.

1456           But there is also an opportunity, at the same time as we  
1457 are telling them, "Hey, less Russian oil," we could also be  
1458 saying, "and more American nuclear." The Indians want to  
1459 build more nuclear. They have got to, you know, air  
1460 condition one billion people, and they have got to do so in a  
1461 scalable way. I have heard from industry that there is  
1462 increasing interest in building out nuclear power in India in  
1463 a collaborative way. How is your Department thinking about  
1464 partnership with India to go from one of N -- to go from N of  
1465 one to one of N scale of nuclear deployment?

1466           \*Mr. Garrish. Without getting into the sanctions  
1467 question, which is out of my expertise, I have followed India  
1468 for a long time. They have the potential of being an  
1469 extremely large nuclear country. The question has always  
1470 been liability. And they have passed law, a recent law --

1471           \*Mr. Auchincloss. Yes.

1472           \*Mr. Garrish. -- which has been reported to me by the  
1473 industry that they see a lot of improvements in the risks  
1474 that they would take in working with India.

1475           So I look at this as a huge potential for American  
1476 industry, for export. And they have -- we have got to make  
1477 sure that the non-proliferation aspects and the 123 aspects  
1478 are taken care of --

1479           \*Mr. Auchincloss. Yes.

1480           \*Mr. Garrish. -- as we move forward, but it has  
1481 tremendous potential.

1482           \*Mr. Auchincloss. Well, I intend to be going there on a  
1483 delegation in February, and I want to make this the issue I  
1484 raise. So perhaps we could talk ahead of time and figure out  
1485 how we can drive that relationship.

1486           \*Mr. Garrish. I would be happy to work with you on the  
1487 liability question. I know the industry is very interested  
1488 in that, so --

1489           \*Mr. Auchincloss. Great. I yield back.

1490           \*Mr. Fry. The gentleman yields. The chair now

1491 recognizes the member from Ohio's 12th district, Mr.  
1492 Balderson.

1493       \*Mr. Balderson. Thank you, Mr. Chairman.

1494       \*Mr. Fry. For five minutes.

1495       \*Mr. Balderson. Mr. Garrish, thank you again, good to  
1496 see you again, sir. I will kick off with reprocessing has  
1497 operated for decades in France, but under government subsidy.  
1498 Given the current market for fresh fuel, what are the  
1499 Department of Energy's thoughts on commercial feasibility of  
1500 reprocessing in the United States?

1501       \*Mr. Garrish. Well, it appears to be economic. In  
1502 other words, we have companies coming to us to say, "Let us  
1503 try, we are willing to put our money in to make this work.'"   
1504 And I believe that we should allow them the opportunity to do  
1505 that.

1506       The French use a slightly different system, and there is  
1507 new technologies out now that look like they are going to be  
1508 more economic. They, the French, have invested huge amounts  
1509 of money into reprocessing of a particular technology. And  
1510 we have the opportunity now to look at some new technologies,  
1511 to see other ways to do this. And I would just like to have  
1512 the industry allowed to do that. Let them get in here and  
1513 show us how it works.

1514       \*Mr. Balderson. Thank you. In a previous hearing in  
1515 this subcommittee witnesses' testimony suggested that

1516 allowing reprocessing in the Nuclear Waste Policy Act as part  
1517 of a system of disposal may help the private sector access  
1518 commercial viability. Would you agree with that assessment?

1519       \*Mr. Garrish. Yes.

1520       \*Mr. Balderson. Thank you. Families and businesses  
1521 across the country are already concerned about rising  
1522 electricity cost. As we are examining the Nuclear Lifecycle  
1523 Innovation Campuses, how can we achieve the benefits of a  
1524 modernized nuclear fuel cycle and expand nuclear development  
1525 while ensuring that increased costs are not simply shifted  
1526 onto our ratepayers?

1527       \*Mr. Garrish. Well, we are going to take the materials  
1528 within the nuclear products, and we are going to recycle  
1529 them, and these companies are going to make money from that  
1530 process. So they are going to help us reduce the costs  
1531 ultimately of what is left of the disposal. So I think in  
1532 the long run this is advantageous to a more economic fuel  
1533 cycle.

1534       \*Mr. Balderson. Okay, thank you. Some testimony from  
1535 the second panel on today's hearing indicates concern about  
1536 tapping the waste fund to prove viability, and that it should  
1537 be used only for viable projects. Assistant Secretary, how  
1538 can the private sector step up to accelerate reprocessing for  
1539 fuel production?

1540       \*Mr. Garrish. Well, it seems to me -- I understand

1541 where the industry comes on this point, and this is a matter  
1542 that is going to have to be dealt with the Congress. And the  
1543 question is whether or not there are aspects of the fuel  
1544 cycle that could be facilitated with some of the funds. But  
1545 this is a matter that is going to be debated in the Congress,  
1546 and I am sure will be resolved here.

1547       \*Mr. Balderson. Thank you. Last question: How does  
1548 increased U.S. nuclear growth, especially with advanced  
1549 reactors, affect the prospects of new approaches to spent  
1550 fuel management, especially for new fuel forms and  
1551 reprocessing?

1552       \*Mr. Garrish. Well, one of the more interesting aspects  
1553 to me is the -- these recycle campuses, where you have the  
1554 power, the recycling, the re-fabrication of the materials  
1555 right directly there in one location. Some of these -- I am  
1556 waiting to see some of these plants in operation, but I think  
1557 that this is a tremendous opportunity to have everything in  
1558 one place and save tremendous dollars from transportation,  
1559 security, and all the aspects to make this a more efficient  
1560 process.

1561       \*Mr. Balderson. All right. Thank you very much.

1562       Mr. Chairman, I yield back.

1563       \*Mr. Fry. The gentleman yields. The chair now  
1564 recognizes the gentlelady from Washington, Ms. Schrier, for  
1565 five minutes.

1566           \*Ms. Schrier. Thank you, Mr. Chairman.

1567           Thank you, Assistant Secretary Garrish, for being here  
1568 to discuss potential solutions for nuclear spent fuel and  
1569 weapons waste.

1570           There are some important lessons to learn from Yucca  
1571 Mountain and the ongoing -- still ongoing -- Hanford cleanup  
1572 that the Federal Government should never make decisions about  
1573 where to store this waste all by itself in a vacuum.  
1574 Communities have got to be at the table right from the start  
1575 when it comes to nuclear waste disposal.

1576           And we Washingtonians, we know the cost all too well  
1577 when they are not part of the decision-making. In the 1970s  
1578 and 1980s the Department of Energy mishandled its  
1579 relationships with state -- people in my state, resulting in  
1580 endless lawsuits, delayed action, and escalating clean-up  
1581 costs. And it has taken decades to rebuild that trust needed  
1582 to move forward. And then recent stalling by this  
1583 Administration on the vitrification plant and proposed cuts  
1584 on funding has now brought up -- stirred the pot again on the  
1585 exact kind of doubt that slows progress.

1586           And so, although I am happy DoE is leading with a  
1587 voluntary Federal-state partnership model for this  
1588 initiative, I just want to set things straight and make sure  
1589 of a couple of things with Hanford. Can you just confirm  
1590 that the Department of Energy does not view this new

1591 initiative as altering the agreed-upon, legally binding tri-  
1592 party agreement governing waste disposal at Hanford?

1593 \*Mr. Garrish. That has not been discussed that I have  
1594 heard. That is not my intention to deal with it.

1595 Let me -- I do want to mention one thing. The  
1596 environmental management waste will be included in this  
1597 program so that those wastes will also be moved, potentially,  
1598 to these campuses. However, there are some assets at some of  
1599 the sites, and I think -- and I am not sure about Hanford  
1600 completely -- where reprocessing -- some of the materials are  
1601 extremely valuable for reprocessing.

1602 \*Ms. Schrier. So this is my concern. Like, there was  
1603 an agreed-upon deal. We got public support, lawsuits ended.  
1604 I just want to make sure that this is an ironclad agreement,  
1605 and that this Administration is not trying to shift the  
1606 ground.

1607 \*Mr. Garrish. That is not our intention with --

1608 \*Ms. Schrier. Okay, thank you.

1609 \*Mr. Garrish. That is not my intention with Hanford.  
1610 That has not ever been discussed.

1611 \*Ms. Schrier. I cannot overstate the importance of that  
1612 to making progress and continue to have good will from our  
1613 state.

1614 In addition, I wanted to ask about the storage of  
1615 defense-level waste and how that is going to be incorporated

1616 into this initiative. Like, do you anticipate that the  
1617 geologic repositories through this initiative will also  
1618 accept weapons waste?

1619 \*Mr. Garrish. Yes.

1620 \*Ms. Schrier. Great. Thank you. And then we also have  
1621 the Columbia Generating Station that is increasing generating  
1622 capacity with new advanced reactors, and we are very excited  
1623 about that. I am pleased to see that this initiative is  
1624 designed to attract enthusiastic state partners on a  
1625 voluntary basis, rather than having the siting done by DoE.  
1626 Can you tell me what measures the Department of Energy is  
1627 taking to ensure that state partners are working in good  
1628 faith with their own stakeholders to avoid hiccups, just to  
1629 make sure everybody is at the table? Because we should all  
1630 feel enthusiastic about nuclear energy.

1631 \*Mr. Garrish. That is what we are trying to do.

1632 \*Ms. Schrier. Great, thank you. I appreciate that.  
1633 And I yield back.

1634 \*Mr. Latta. [Presiding.] Thank you. The gentlelady  
1635 yields back the balance of her time. The chair now  
1636 recognizes the gentleman from Texas's 11th district for five  
1637 minutes for questions.

1638 \*Mr. Pfluger. Thank you, Mr. Chairman.

1639 Assistant Secretary, welcome. Thank you for being here.  
1640 I think a lot of the questions today seem to be revolving

1641 around the confidence in DoE to take either spent fuel or  
1642 materials that have been used in the lifecycle of nuclear  
1643 energy and use them in some way, shape, or form. And  
1644 despite, you know, me wanting to ask you about Yucca  
1645 Mountain, I am actually going to skip into other questions.

1646         What do you need to get this full lifecycle as  
1647 productive as possible and to have the least amount of  
1648 liability and the maximum amount of use so that new start-ups  
1649 like the ones that are in Texas at Abilene Christian  
1650 University, Natura can benefit?

1651         And eventually we can add electrons to the grid. What  
1652 do you need?

1653         \*Mr. Garrish. We are very supportive of your school  
1654 down there and their needs. So let me tell you, I think we  
1655 need the elimination exclusivity of Yucca Mountain. We need  
1656 Federal authorization to allow the Secretary to begin to  
1657 negotiate with these states and have the states lay out the  
1658 methodology that they would like to do, the campuses.

1659         We would like to eliminate -- or we would like to allow  
1660 interim storage at reprocessing sites or at the sites  
1661 themselves so we can begin movement.

1662         We would like to have the funding re-established  
1663 eventually, and to work through the economic benefits for the  
1664 states in doing this.

1665         \*Mr. Pfluger. What percentage of our grid could be

1666 serviced by nuclear energy if we were to do what you just  
1667 asked?

1668       \*Mr. Garrish. We are at 20 percent now. I would say in  
1669 the future we would want to quadruple it.

1670       \*Mr. Pfluger. So 80 percent?

1671       \*Mr. Garrish. Well, I --

1672       \*Mr. Pfluger. Or 20 --

1673       \*Mr. Garrish. What will happen is, obviously, our --  
1674 the grid requirements will grow. So if we can maybe go  
1675 halfway, that would be -- if we can get up to 50 percent,  
1676 that would be over a period of -- to 2050, that would be  
1677 quite significant.

1678       \*Mr. Pfluger. What role do you see recycled material  
1679 playing in small reactors and, you know, already established  
1680 nuclear power plants?

1681       \*Mr. Garrish. Well, I think it is going to be essential  
1682 for us to have a solution to the complete fuel cycle. So  
1683 these companies, these small companies, will be able to  
1684 participate in however they can do it economically.

1685       In other words, we want to make the materials available.  
1686 Some may want -- smaller needs. For instance, isotopes.  
1687 They can use medical isotopes for whatever their particular  
1688 process is, and that may be less than someone that wants to  
1689 actually recycle and make uranium hexafluoride that is --  
1690 then be re-enriched. So these could be all sizes, depending

1691 on what the needs of the company are.

1692       \*Mr. Pfluger. Talk to me about challenges related to  
1693 transportation, the classification of the material that you  
1694 are transporting, and issues that we have seen in the public  
1695 sphere and how we overcome those.

1696       \*Mr. Garrish. Well, transportation is the one part of  
1697 nuclear that is well established and currently underway and  
1698 has virtually no incidents. So there is concern about  
1699 transportation, but I believe that, generally speaking, that  
1700 has been well handled by the industry over many years.

1701       \*Mr. Pfluger. We want to see this lifecycle much more  
1702 efficient and used properly. This is -- I believe you when  
1703 you say you could quadruple it from the current amount of  
1704 electrons that are being produced by nuclear energy at 20  
1705 percent of our current usage, but demand is going to continue  
1706 to grow. Nuclear has a big piece in that, and we want to see  
1707 this industry flourish because it is a gift that we have.

1708       There are concerns in west Texas, obviously, of storing  
1709 high-level waste in and around the production of oil and gas.  
1710 And, you know, let's find a solution that allows that to be  
1711 used prior to getting to that point.

1712       \*Mr. Garrish. I am with you. We -- nuclear, the future  
1713 of nuclear, is really almost unlimited. So this is homegrown  
1714 energy and can be affordable and reliable. This is what we  
1715 need.

1716           \*Mr. Pfluger. Thank you, Mr. Secretary.

1717           I yield back.

1718           \*Mr. Latta. Thank you. The gentleman yields back and  
1719 the chair now recognizes the gentleman from Texas -- or,  
1720 sorry, pardon me -- from New York's 20th district for five  
1721 minutes for questions.

1722           \*Mr. Tonko. Thank you, Mr. Chair, and welcome,  
1723 Secretary.

1724           If we are serious about encouraging a bigger role for  
1725 nuclear in our future energy mix, then it should be our  
1726 responsibility to come up with a solution for our waste  
1727 issues. It is clear that we have not been on the path toward  
1728 a permanent solution for some time. I think it is good that  
1729 the Administration is exploring a new approach.

1730           So Secretary Garrish, based on the responses you  
1731 received to the Nuclear Lifecycle Innovation Campus proposal,  
1732 can you discuss how important it is for these sites to  
1733 embrace the full fuel lifecycle, including storage and  
1734 disposal, as part of an agreement?

1735           \*Mr. Garrish. That is the essence of the plan. In  
1736 other words, they must accept the full fuel cycle in order to  
1737 be part of our program.

1738           \*Mr. Tonko. Okay, thank you. And have you found that  
1739 the potential incentives being offered by the Department and  
1740 other aspects of the fuel lifecycle -- maybe the potential

1741 for fuel production or recycling -- have improved states'  
1742 willingness to accept the less desirable parts of the  
1743 lifecycle?

1744       \*Mr. Garrish. Absolutely.

1745       \*Mr. Tonko. I tend to believe that robust, long-term,  
1746 and certain incentive packages are needed for a consent-based  
1747 approach to work. In the past several Congresses I have  
1748 proposed legislation to establish a national cap and invest  
1749 program which would allocate a portion of the revenues raised  
1750 to any state that permanently stores spent nuclear fuel. It  
1751 seems like the Administration agrees that providing benefits  
1752 is an important part of an agreement that will include states  
1753 consenting to some form of storage and some form of disposal.

1754       I think it is worth us trying to get creative about just  
1755 how we can encourage states to voluntarily commit to being  
1756 part of the solution, but it seems to me that certainty is  
1757 incredibly important for this arrangement to work, both  
1758 certainty for the states and their campus partners to know  
1759 that Federal support will continue as agreed upon, as well as  
1760 certainty that states will follow through with their  
1761 commitments.

1762       So is it possible -- it is possible, I believe, that  
1763 with changes in political leadership, energy markets, or even  
1764 a potential safety incident, that public and political  
1765 opinion could also change and states could decide they no

1766 longer want responsibility for waste storage and disposal.

1767         So Secretary Garrish, what could this process look like,  
1768 moving forward?

1769         \*Mr. Garrish. Well, I agree with your basic statement  
1770 that benefits, I think, are essential in the ultimate  
1771 program.

1772         I should, however, point out that one of the benefits is  
1773 not necessarily from the government. It comes from the  
1774 private sector and the investments that they will make in the  
1775 community and the number of jobs because you are looking at  
1776 22,000 to 25,000 jobs, collectively, we believe, from this  
1777 program. So yes, benefits directly into the state for  
1778 accepting the waste, I personally believe, is an essential  
1779 element. But there are benefits beyond simply the Federal  
1780 Government payments. But the jobs that are created and the  
1781 private investment are also important.

1782         \*Mr. Tonko. Thank you. And I am sure there would be a  
1783 period of technical review and feasibility studies, but at a  
1784 certain point will a binding commitment be made?

1785         \*Mr. Garrish. That would be my approach, a final  
1786 commitment and a binding commitment. We want continuity, and  
1787 we don't want to start and stop this program.

1788         \*Mr. Tonko. And when would you imagine -- envision that  
1789 happening in this process as defined?

1790         \*Mr. Garrish. It is hard for me to give you an exact

1791 date, but let me just put it this way. We need to start.

1792 In other words, I would like to start this year with  
1793 some kind of commitments with the states to begin to move the  
1794 process along, and then these campuses will have to be  
1795 developed. But to me, the most important thing that the  
1796 Congress can do for us right now is authorize us to begin the  
1797 process.

1798 \*Mr. Tonko. I appreciate that.

1799 With that, Mr. Chair, I yield back and thank you.

1800 \*Mr. Latta. Well, thank you very much. The gentleman  
1801 yields back. The chair now recognizes the gentleman from  
1802 Alabama's 6th district for five minutes for questions.

1803 \*Mr. Palmer. Thank you, Mr. Chairman.

1804 Assistant Secretary Garrish, both Japan and France have  
1805 operated commercial reprocessing facilities for decades. The  
1806 U.S. has the technical knowledge and the industrial  
1807 capability to invest in reprocessing commercialization, but  
1808 does not have the regulatory framework to do that. Do you  
1809 think developers have the adequate standards and legal  
1810 clarity they need to pursue licensing for a Nuclear Lifecycle  
1811 Innovation Campus?

1812 \*Mr. Garrish. I believe they do, and they have told us  
1813 that they believe that they do.

1814 I should point out that some of this is new  
1815 technologies. They are using pyroprocessing as opposed to

1816 the way that it has been done in the past. And some of these  
1817 new technologies are more efficient and will lead to results  
1818 in a quicker fashion, especially some of these circular  
1819 processes with plants and reprocessing and fabrication built  
1820 in.

1821       \*Mr. Palmer. One of the concerns that I have -- and I  
1822 constantly talk about the need to recycle spent fuel. As you  
1823 know, it retains 90 percent of its energy capacity and we  
1824 could recover 95 percent of it. It is obviously very  
1825 expensive, a lot more expensive than mining raw uranium and  
1826 processing and refining it for use.

1827       But I have had a number of meetings with -- here in the  
1828 U.S. there is a huge push toward small modular reactors. We  
1829 are reopening a full-scale reactors in different places  
1830 around the country. But I have also had a number of meetings  
1831 with people from around the world that want small modular  
1832 reactors. I had a meeting with representatives from Poland.  
1833 They want a Vogtle-scale, full-scale reactor. So the demand  
1834 for processed and refined uranium is going to increase  
1835 substantially, to a point where we could potentially exhaust  
1836 the current known reserves by 2080.

1837       Is -- in the context of recycling, doesn't it make sense  
1838 that we invest more in the recycling as the demand for  
1839 uranium goes up?

1840       \*Mr. Garrish. I agree completely. I mean, that has

1841 been the -- one of the problems has always been it is cheaper  
1842 to buy fresh uranium than it is to recycle. But I believe  
1843 that, with the increased demand -- and the other thing I  
1844 believe is when the reprocessers come in and tell me, "Let us  
1845 have a chance to invest our own money, we know how to do this  
1846 and we can make money at it," I believe them. So if they  
1847 want to do it, I want to help them.

1848       \*Mr. Palmer. Well, you just used a word that has, I  
1849 think, compromised our national security and economic  
1850 security, and that word is "cheaper." Consequently, we no  
1851 longer have the capacity to meet our supply of critical  
1852 minerals, processed and refined critical minerals, processed  
1853 and refined rare earth elements. And it has put us in a very  
1854 difficult situation in terms of our economic security, our  
1855 national security.

1856       And I would ask you, are you concerned that because we  
1857 have pivoted the same -- in the same direction with uranium,  
1858 that we could find ourselves in the same situation in terms  
1859 of reliance on adversarial nations to supply us with fresh  
1860 uranium?

1861       \*Mr. Garrish. Fresh uranium, unobligated uranium in the  
1862 United States is essential for national security. We have to  
1863 have it. And it also is a domestic enrichment. We need  
1864 domestic enrichment in the United States. That was, to me,  
1865 when I started this job, that was the most important problem

1866 that we faced, especially with the cut-off of the Russian  
1867 uranium. We are -- a large portion of our enrichment, it  
1868 comes from overseas.

1869       These are extremely important processes, and we need to  
1870 make sure that it is all domesticated. And domestic uranium,  
1871 domestic enrichment, and reprocessing all kind of go  
1872 together. So I agree with you completely.

1873       \*Mr. Palmer. Well, I think in this pursuit of cheaper  
1874 this, cheaper that, we put ourselves in a really bad place.  
1875 We need to reindustrialize the country, and not only here but  
1876 our European allies, our Western Hemisphere allies need to be  
1877 thinking the same way because we will all be in the same  
1878 bucket.

1879       \*Mr. Garrish. Well, it doesn't necessarily have to be  
1880 more -- that more expensive either, because fuel is a very  
1881 small part of the cost --

1882       \*Mr. Palmer. Right.

1883       \*Mr. Garrish. -- of electricity. So I am not of the  
1884 view that this is going to raise the cost of electricity  
1885 unreasonably. I do not believe that necessarily has to be  
1886 true.

1887       \*Mr. Palmer. And I really like the fact that you think  
1888 there are people in the private sector that can do this and  
1889 do it economically so that we can -- we will no longer have  
1890 that dependance, but we will have the fuel supply we need.

1891           Thank you, Mr. Chairman. I yield back.

1892           \*Mr. Latta. Thank you. The gentleman yields back, and  
1893 the chair now recognizes the gentlelady from Virginia's 4th  
1894 district for five minutes for questions.

1895           \*Ms. McClellan. Thank you, Chair Latta and Ranking  
1896 Member Castor, for holding this hearing today. And thank you  
1897 to our witness for being here.

1898           The United States has produced over 90,000 tons of spent  
1899 nuclear fuel and produces 2,000 tons of nuclear waste every  
1900 year. And despite establishing the nuclear waste policy in  
1901 1982, we have yet to establish a facility that can safely  
1902 store and manage this waste long-term. That is completely  
1903 unacceptable, especially as this committee takes steps to  
1904 expand nuclear energy generation in the United States and  
1905 improve the efficiency of nuclear energy safety protocol.

1906           As my colleagues and I have said repeatedly in this  
1907 committee, nuclear energy must be safe, reliable, and well  
1908 regulated, and that includes when nuclear fuel has reached  
1909 the end of its usable lifecycle and must be stored long-term  
1910 while it slowly breaks down into less toxic material, which  
1911 is a process that can take thousands of years.

1912           The current Administration proposes significant changes  
1913 to how we have historically approached nuclear spent fuel  
1914 through the creation of the Nuclear Lifecycle Innovation  
1915 Campuses. And while I have significant concerns and

1916 disagreements with the legislative specifics of the current  
1917 proposal, and questions about how these facilities would  
1918 function in practice, I agree that our nuclear waste policy  
1919 needs significant updates and changes.

1920         So Mr. Garrish, the White House sent legislative texts  
1921 to Congress that would eliminate the Nuclear Waste Technical  
1922 Review Board. As this Administration is proposing to upend  
1923 over four decades of nuclear waste policy, it seems  
1924 counterintuitive to silence the expert, independent advice  
1925 from NWTRB that could prove invaluable in getting these  
1926 facilities set up in a safe and effective manner.

1927         Why has the Administration sought to cut out independent  
1928 expert review from the development of the Nuclear Lifecycle  
1929 Innovation Campus, as opposed to seeking ways to update the  
1930 board so that it can work more effectively for this new  
1931 direction?

1932         \*Mr. Garrish. Well, I believe the technical review  
1933 board originally was set up to deal with the Yucca Mountain  
1934 experience, which was a very different type of approach.  
1935 There was considerable evaluations of various states and  
1936 various geologies, and it was kind of the first time through.

1937         We are at a different position now. That is not to say  
1938 that we don't need independent review; I think those are  
1939 important. But I believe that the appropriate agency to  
1940 really do this is the Nuclear Regulatory Commission, and to

1941 have them do it in a totally independent manner so that they  
1942 would judge whether or not it is appropriate for a particular  
1943 location to have some sort of fuel disposition.

1944         So I appreciate your position. That paper was sent out  
1945 as a policy paper with a number of ideas in it, and a lot of  
1946 people have had thoughts on it, and that is one thought. I  
1947 mean, these are issues that the Congress is going to have to  
1948 ultimately deal with because these bodies still exist and we  
1949 need to determine what makes sense today.

1950         \*Ms. McClellan. Thank you.

1951         \*Mr. Garrish. Yes.

1952         \*Ms. McClellan. Thank you. The Administration's  
1953 legislative proposal would allow DoE to use money from the  
1954 Nuclear Waste Fund to support purposes other than final  
1955 storage of nuclear waste, such as for nuclear waste recycling  
1956 and reprocessing. Given that this technology, while  
1957 promising in some regards, still comes with many concerns  
1958 around increased output of plutonium and costs to make it  
1959 feasible, how does the Administration justify these changes?

1960         And what safeguards, if any, would we see to ensure that  
1961 the money still goes towards final storage for spent nuclear  
1962 fuel and not to provide a fund for other nuclear priorities  
1963 that the DoE Secretary might deem of interest?

1964         \*Mr. Garrish. Well, as I said, the -- this was a policy  
1965 draft for discussion. And that is one of the ideas that we

1966 have received a considerable amount of reaction to. To me,  
1967 the important thing is that the fund be used for the purpose  
1968 that it was intended, primarily, and that is to bury the  
1969 waste or the final disposition.

1970       There has been some discussion as to whether or not, if  
1971 we are going to have reprocessing and it reduces the amount  
1972 of waste, whether or not there is any logic to having other  
1973 things covered for that purpose. So I think that there are  
1974 some benefits to doing that, but I am not here necessarily to  
1975 say that that is a program that we are going to support. I  
1976 really would like to know how the Congress feels about that  
1977 and the allocation of these funds, and we would like to  
1978 cooperatively work through a program to do that with you to  
1979 determine what makes the most sense.

1980       \*Ms. McClellan. Okay, thank you.

1981       And I yield back.

1982       \*Mr. Latta. Well, thank you very much. The gentlelady  
1983 yields back. The chair now recognizes the gentlelady from  
1984 Tennessee's 1st district for five minutes for questions.

1985       \*Mrs. Harshbarger. Thank you, Mr. Chairman, and thank  
1986 you, Secretary Garrish, for being here today.

1987       I applaud the efforts of the Department to tackle our  
1988 nation's spent nuclear fuel policy, you know, and it is a  
1989 challenge we have had for decades. And unfortunately, we  
1990 still haven't found a durable solution. So what is different

1991 about the Nuclear Lifecycle Innovation Campus model that  
1992 gives you confidence that it can finally progress on this  
1993 issue? Because Tennessee is one of the six states that  
1994 signed an MOU with the Department of Energy this year, sir.

1995       \*Mr. Garrish. First, let me just congratulate  
1996 Tennessee. It has been unbelievably helpful, and we have  
1997 worked through all of these issues with the state, and it has  
1998 just been remarkable. And I really do appreciate their  
1999 support.

2000       The -- one of the things that is really different -- and  
2001 I know that Tennessee is very interested in this -- and it is  
2002 reprocessing for health.

2003       \*Mrs. Harshbarger. Yes.

2004       \*Mr. Garrish. In other words, isotopes and the types of  
2005 things that you have in your medical facilities in Tennessee  
2006 that are really unique. And I think that they have looked at  
2007 some of these aspects to help us reduce the quantity of  
2008 waste, and to take the valuable portions out of it and use it  
2009 for other purposes. And health was --

2010       \*Mrs. Harshbarger. Yes.

2011       \*Mr. Garrish. -- was one of the aspects. So I think,  
2012 to me, Tennessee's approach has been really quite across the  
2013 board --

2014       \*Mrs. Harshbarger. Yes.

2015       \*Mr. Garrish. -- in terms of how do we use these

2016 materials, what is the best way to do this. Tennessee has  
2017 tremendous nuclear expertise.

2018       \*Mrs. Harshbarger. Yes.

2019       \*Mr. Garrish. Working together with the state, there is  
2020 a lot of things that we can do together with you on making  
2021 this work.

2022       \*Mrs. Harshbarger. So I guess that is why you picked  
2023 Tennessee to be one of the spots. Basically, you know, we  
2024 have got Oak Ridge. I have east Tennessee, which has NFS.  
2025 You know, we talk about the spent fuel and some of the  
2026 innovations they are doing with HALEU and some of that. But,  
2027 you know, it is really -- we want it to be a hub for nuclear  
2028 advancements. And to be chosen as one of the spots, that is  
2029 pretty remarkable.

2030       And isotopes -- you know, I have been a compounding  
2031 pharmacist my whole life, and it will be 40 years, and that  
2032 is something that you can't replace. You have to have that.  
2033 It is the only thing I haven't done in my career.

2034       But what is the single biggest thing Congress can do  
2035 right now to remove uncertainty for states like Tennessee  
2036 that have made a good-faith commitment by signing that MOU?

2037       \*Mr. Garrish. Provide us some mechanism to help us with  
2038 the authority to work with the states to begin to do  
2039 contracts with the states that are durable.

2040       \*Mrs. Harshbarger. Okay. How important is it to give

2041 those willing host states the latitude to establish their  
2042 priorities?

2043 \*Mr. Garrish. That is exactly -- everyone needs to come  
2044 together on this.

2045 \*Mrs. Harshbarger. Yes.

2046 \*Mr. Garrish. There is advantages not only to the host  
2047 states, there is advantage to the other states because you  
2048 need to move the waste out and it needs to have a final home.

2049 \*Mrs. Harshbarger. Yes.

2050 \*Mr. Garrish. And the host states will get the economic  
2051 benefits of the reprocessing and the other aspects of the  
2052 nuclear fuel cycle. Tennessee understands that well because  
2053 you do it now, you do it very well already.

2054 \*Mrs. Harshbarger. Yes.

2055 \*Mr. Garrish. So it is a combination of both -- from  
2056 the states that give up the waste, the states that it is  
2057 brought to. It is mutually beneficial to everyone.

2058 \*Mrs. Harshbarger. Well, it totally is. You have Oak  
2059 Ridge National Laboratory, you have everything you need right  
2060 in one part of Tennessee, and everything to carry the project  
2061 through. So I appreciate your work on that. And whatever we  
2062 could do to help you in the future, all you have to do is  
2063 call me.

2064 \*Mr. Garrish. Thank you.

2065 \*Mrs. Harshbarger. Okay. Thank you, sir.

2066           And with that I yield back, Mr. Chairman.

2067           \*Mr. Latta. Well, thank you. The gentlelady yields  
2068 back, and the chair now recognizes the gentlelady from  
2069 California's 7th district for five minutes for questions.

2070           \*Ms. Matsui. Thank you, Mr. Chairman. I want to thank  
2071 you and the ranking member for having this hearing today.

2072           And Mr. Secretary, thank you for testifying before this  
2073 committee today.

2074           Developing a safe and effective solution for our  
2075 country's nuclear waste has long been a top priority for me.  
2076 The Rancho Seco nuclear power plant in my district is one of  
2077 several decommissioned nuclear plants across the country that  
2078 have been forced to store and manage nuclear waste  
2079 indefinitely. The Federal Government made a promise to come  
2080 and collect that nuclear waste almost 20 years ago, but we  
2081 are still waiting. So I am glad to see the Department of  
2082 Energy is proposing to build nuclear waste storage and  
2083 disposal facilities at these Nuclear Lifecycle Innovation  
2084 Campuses. But it is unclear from what has been shared  
2085 publicly what kind of disposal activities you expect to  
2086 happen at these sites.

2087           Secretary Garrish, can you share exactly what the six  
2088 states have committed to with regards to storing and  
2089 disposing of nuclear waste?

2090           \*Mr. Garrish. Well, it is still early in the process of

2091 discussions with the states, but there -- it will be one of  
2092 two methods, most likely.

2093         Well, first is reprocessing. We will get the beneficial  
2094 elements as much as we can out of the materials that we can.  
2095 And then there will be a couple of different disposal  
2096 methods. One will be a mined repository and the second will  
2097 be a deep borehole, arrangements both of which will be  
2098 effective methods of isolating the waste safely for  
2099 millennia.

2100         \*Ms. Matsui. Sure. And has any state committed to host  
2101 a deep geological repository?

2102         \*Mr. Garrish. Well, one of the potentials is a mined  
2103 deep geological repository.

2104         \*Ms. Matsui. Okay. Will you commit to making any host  
2105 agreements public?

2106         \*Mr. Garrish. I didn't understand that exactly.

2107         \*Ms. Matsui. Yes. Would you commit to make any host  
2108 agreements public from any of these sites?

2109         \*Mr. Garrish. We will do that at the appropriate time,  
2110 but we want to negotiate in good faith with the states and  
2111 make sure we can have very frank and candid discussions early  
2112 on.

2113         \*Ms. Matsui. Okay. The Department of Energy has  
2114 proposed to amend the Nuclear Waste Policy Act to allow the  
2115 Department to build long-term storage and disposal sites

2116 other than at Yucca Mountain.

2117         Mr. Garrish, do you believe that the Nuclear Lifecycle  
2118 Innovation Campuses can entirely replace Yucca as the final  
2119 resting place for all commercial nuclear waste?

2120         \*Mr. Garrish. Yes, it could.

2121         \*Ms. Matsui. Okay. The reason I am asking for clarity  
2122 about how these sites will store and dispose of nuclear waste  
2123 is because the Department has really focused on the potential  
2124 to recycle waste at these sites, rather than long-term  
2125 storage and disposal. But these recycling technologies are  
2126 unproven at scale, so I think we need to acknowledge that  
2127 long-term storage and disposal will still be a necessity.

2128         What happens to these sites if the new recycling  
2129 technologies don't develop as planned?

2130         \*Mr. Garrish. Well, I believe that -- I have confidence  
2131 that -- these companies that are coming in with these  
2132 technologies now, and they are putting substantial funds in  
2133 it. They will be successful, I believe. And there is  
2134 reprocessing technology that does work currently. So that is  
2135 not a question in terms of its ability.

2136         Now, I think we will do it all. In other words, we will  
2137 not only do the recycling, but we will do the final  
2138 disposition because there is some materials that will require  
2139 final disposition that cannot be either technically or  
2140 economically recycled.

2141           \*Ms. Matsui. Okay. You are also proposing to use a  
2142 Nuclear Waste Fund to build these sites, but that money is  
2143 set aside for one purpose: to develop long-term storage and  
2144 disposal facilities and transport waste to those facilities.  
2145 What exactly do you plan to use the Nuclear Waste Fund for,  
2146 beyond storage and disposal?

2147           \*Mr. Garrish. Well, this is a matter that is going to  
2148 be, much of this, up to Congress. In other words, our  
2149 intention is right now to use the funds for the purpose of  
2150 disposal. And potentially, there is a possibility of  
2151 reduction. In other words, if we can reduce the amount of  
2152 waste through reprocessing, there could be some potential to  
2153 assist the reprocessing in some fashion.

2154           For instance, it has been suggested that loans could be  
2155 used that would be repaid back into the fund if someone has a  
2156 technology that will reduce either the toxicity or the  
2157 quantity of the nuclear waste so it does not have to be  
2158 disposed. They get the benefit from selling the materials,  
2159 but the process by which they set up could potentially be  
2160 assisted through some kind of guaranteed loans of some type.  
2161 That has been suggested. That is a question that Congress is  
2162 going to have to pass on to determine whether or not we can  
2163 do that.

2164           \*Ms. Matsui. Thank you, and I ran out of time, and I  
2165 yield back, Mr. Chairman.

2166           \*Mr. Latta. Thank you very much. The gentlelady's time  
2167 has expired and she yields back. The chair now recognizes  
2168 the gentleman from South Carolina's 7th district for five  
2169 minutes for questions.

2170           \*Mr. Fry. Thank you, Mr. Chairman.

2171           Mr. Garrish, thank you for being here. South Carolina  
2172 has long been a nuclear state, and our ratepayers have more  
2173 than done their part when it comes to the Federal  
2174 Government's nuclear waste program. South Carolina  
2175 ratepayers have paid \$1.5 billion to the Nuclear Waste Fund,  
2176 and all together, with the interest attributable to those  
2177 contributions, that investment represents more than \$3  
2178 billion. Yet decades after the Federal Government committed  
2179 to taking responsibility for spent nuclear fuel, the  
2180 Department of Energy still has not begun accepting that fuel  
2181 as promised. I think 1998 -- I was 13 years old in 1998. I  
2182 am 41 now, so it has been a long time.

2183           That history should inform how we approach, I think, the  
2184 Nuclear Lifecycle Innovation Campuses. I think there is a  
2185 tremendous opportunity to strengthen America's domestic  
2186 nuclear fuel cycle, encourage private investment, and find  
2187 innovative solutions to our longstanding spent fuel  
2188 challenge. The Administration's campus initiative has the  
2189 potential to advance all three of those. As this effort  
2190 moves forward, Congress has an important role in ensuring the

2191 Nuclear Waste Fund continues to support its intended disposal  
2192 mission while also identifying the right mix of Federal,  
2193 state, and private investment to support the broader  
2194 activities envisioned by these campuses.

2195         Mr. Garrish, real quick, the Nuclear Waste Policy Act  
2196 was very specific in the authority that DoE has to spend  
2197 money from the fund. How is DoE ensuring that ratepayers'  
2198 investment in the Nuclear Waste Fund is protected as it  
2199 pursues these innovation campuses?

2200         \*Mr. Garrish. Well, the Department of Energy will --  
2201 whatever the Congress eventually puts in as the requirements  
2202 for the Nuclear Waste Fund, we will adopt and implement.  
2203 There is no question about that in my mind.

2204         Currently, right now, the fund is in the Treasury and  
2205 earns interest, and that interest goes back into the fund.  
2206 For those particular companies that have waste currently now  
2207 within your state, they do have the right to go into the  
2208 court of claims and -- for anything after the failure of the  
2209 government to pick up waste in 1998, they can get paid for  
2210 the cost for that -- materials and the failure of the  
2211 government to meet its contractual duties.

2212         \*Mr. Fry. Yes, at what point does the, I guess, the  
2213 return here not make sense? I mean, at what point is the  
2214 Federal Government going to do what it is supposed to do,  
2215 which is to take that material?

2216           \*Mr. Garrish. They need to do it as soon as we can  
2217 physically do it. I mean, that is what we are here for.  
2218 That is what this idea was. We wanted to break the logjam.  
2219 We have been going for too many years without a solution. We  
2220 go through these consent-based siting exercises, we send  
2221 money to states, and we get nowhere. We have a lot of good  
2222 talk. We have right now six states that have said yes, and I  
2223 want to pursue those states, and we want to get this done.  
2224 So that is the difference.

2225           \*Mr. Fry. Should Congress, in that same vein,  
2226 modernized the way -- or give the Department of Energy  
2227 greater flexibility to use the Nuclear Waste Fund in ways  
2228 that measurably would reduce the government's long-term used  
2229 fuel management disposal obligations?

2230           \*Mr. Garrish. That is a possibility, yes.

2231           \*Mr. Fry. Should Congress also modernize the Nuclear  
2232 Waste Policy Act to give the Department greater flexibility  
2233 to use that -- I just asked that, I am sorry, I am re-reading  
2234 my stuff here.

2235           South Carolina, obviously, was not selected as a nuclear  
2236 innovation campus state, despite us having the Savannah River  
2237 site and the national lab. Even though South Carolina was  
2238 not selected in this initial group, how can the Department of  
2239 Energy continue leveraging the expertise in South Carolina as  
2240 this initiative develops?

2241           \*Mr. Garrish. Well, the expertise at Savannah River is  
2242 well known and will be utilized by the Department in all  
2243 matters nuclear. So we will continue to use the Savannah  
2244 River expertise.

2245           The reason that South Carolina was not selected was that  
2246 at the time the governor's office was not prepared to say yes  
2247 at the time. So that is the reason why South Carolina is not  
2248 in among these campuses.

2249           Now, at -- currently, the expertise within the state  
2250 could be used in other places, just the way we do it at Idaho  
2251 National Laboratory, and we do that around the country and we  
2252 do it also with Oak Ridge. So there is a lot of expertise  
2253 that could be utilized. But right now South Carolina is not  
2254 a selected --

2255           \*Mr. Fry. Right now. Like, so you are saying that  
2256 other states -- it could be later?

2257           \*Mr. Garrish. That is open to discussion. We have not  
2258 reached that decision, but the first part of that decision  
2259 would be the governor would need to say other than what he  
2260 has said to date.

2261           \*Mr. Fry. All right. Thank you for that, Mr. Chairman.  
2262 I see my time is expired, but I have many more questions, so  
2263 I hope we can visit soon. Thank you.

2264           \*Mr. Latta. Well, thank you very much. The gentleman's  
2265 time has expired and he yields back. The chair, seeing no

2266 other members seeking to ask questions to our witness, Mr.  
2267 Assistant Secretary, we are very glad you were able to appear  
2268 before us today. We are going to take a quick recess to  
2269 allow staff to get the witness table set up for our second  
2270 panel. So thank you very much.

2271 And we will take a brief recess.

2272 [Recess.]

2273 \*Mr. Latta. Well, thank you very much. I would like to  
2274 reconvene our subcommittee hearing today.

2275 And again, we want to thank our witnesses for appearing  
2276 before us today and taking the time to testify before the  
2277 subcommittee. Each witness will have the opportunity to give  
2278 an opening statement, followed by a round of questions from  
2279 our members.

2280 Our witnesses for this second panel are the Honorable  
2281 Stacey Paradis, the commissioner from Illinois Commerce  
2282 Commission; Ms. Maria Korsnick, president and CEO of Nuclear  
2283 Energy Institute; Mr. Jared des Rosiers, the vice president  
2284 for public government and regulatory affairs, and deputy  
2285 general counsel; and Greg R. White, the legacy officer of the  
2286 Nuclear Waste Strategy Coalition.

2287 Again, we appreciate you all being here today, and at  
2288 this time I will recognize Commissioner Paradis for five  
2289 minutes for an opening statement. Thank you.

2290 [Pause.]

2291           \*Ms. Paradis. There we go, sorry about that.

2292

2293       STATEMENT OF STACEY PARADIS, COMMISSIONER, ILLINOIS COMMERCE  
2294       COMMISSION, ON BEHALF OF THE NATIONAL ASSOCIATION OF  
2295       REGULATORY UTILITY COMMISSIONERS; MARIA KORSNICK, PRESIDENT  
2296       AND CEO, NUCLEAR ENERGY INSTITUTE; JARED DES ROSIERS, VICE  
2297       PRESIDENT FOR PUBLIC, GOVERNMENT AND REGULATORY AFFAIRS, AND  
2298       DEPUTY GENERAL COUNSEL, DECOMMISSIONING PLANTS COALITION; AND  
2299       GREG R. WHITE, LEGACY OFFICER, NUCLEAR WASTE STRATEGY  
2300       COALITION

2301

2302       STATEMENT OF STACEY PARADIS

2303

2304           \*Ms. Paradis. Good afternoon, Chairman Latta, Ranking  
2305       Member Castor, and members of the Subcommittee on Energy. My  
2306       name is Stacey Paradis, and I am a commissioner with the  
2307       Illinois Commerce Commission. I am here today to testify on  
2308       behalf of the National Association of Regulatory Utility  
2309       Commissioners, NARUC, in my role as chair of the Subcommittee  
2310       on Nuclear Energy.

2311           NARUC is a non-profit organization with members  
2312       consisting of public utility commissions from all 50 states,  
2313       Washington, D.C., and U.S. territories. NARUC's mission is  
2314       to serve the public interest by improving the quality and  
2315       effectiveness of public utility regulation.

2316           Utility regulators are responsible for ensuring safe,  
2317 reliable, and affordable delivery of essential electric  
2318 utility service. Nuclear energy is a source of baseload  
2319 generation that meets those needs. Unfortunately, the  
2320 Federal Government has not fulfilled its responsibility on  
2321 the final component of the nuclear fuel cycle: the waste  
2322 that is produced.

2323           The program initially envisioned under the Nuclear Waste  
2324 Policy Act was essentially shut down after the Yucca Mountain  
2325 license was abruptly withdrawn in 2010 and the Office of  
2326 Civilian Radioactive Waste Management was disbanded. To  
2327 date, the nation's utility customers have paid billions of  
2328 dollars toward the Federal nuclear waste disposal program  
2329 that does not exist.

2330           Both NARUC and its members have dedicated a tremendous  
2331 amount of time and resources over the past 40 years to ensure  
2332 the electricity consumers receive all the services for which  
2333 they have paid. NARUC has participated in numerous lawsuits  
2334 against DoE, consistently seeking better performance and  
2335 greater accountability from the Federal Government while  
2336 protecting the interests of ratepayers. In 1995 the court  
2337 upheld NARUC's assertion that DoE is obligated to take  
2338 nuclear waste from the plants since 1998.  
2339 In 2013 the court granted NARUC's request that the DoE  
2340 suspend collection of the Nuclear Waste Fund fees.

2341           In fact, ratepayers and taxpayers have paid more than  
2342 they should have for decades because of the Federal  
2343 Government's inaction. Electricity customers have paid over  
2344 \$20 billion into the Nuclear Waste Fund, the balance of which  
2345 currently sits in excess of \$51 billion. In addition to --  
2346 the Federal Government's failure to establish a permanent  
2347 nuclear waste depository costs all U.S. taxpayers nearly \$2  
2348 million a day in legal judgment payments.

2349           NARUC's position remains clear and longstanding: the  
2350 Federal Government must fulfill its statutory and contractual  
2351 obligation to remove spent nuclear fuel from reactor sites;  
2352 provide for safe, permanent disposal; and give nuclear-  
2353 generated electricity customers the nuclear waste management  
2354 program that they have paid for and deserve. In recent  
2355 resolutions NARUC has outlined steps for the nation's nuclear  
2356 waste program to get back on firm footing.

2357           First, Congress must secure one or more geologic  
2358 repositories for the permanent disposal of nuclear fuel and  
2359 high-level radioactive waste. Congress should exercise its  
2360 oversight to ensure that DoE and the Nuclear Regulatory  
2361 Commission are complying with waste programs outlined in the  
2362 Nuclear Waste Policy Act. NARUC agrees that the best and  
2363 long-term solution for permanent disposal is in deep geologic  
2364 repositories, and supports the use of Nuclear Lifestyle [sic]  
2365 Innovation Campuses to site, license, and construct a second

2366 geologic repository.

2367         Recycling may warrant research, demonstration, and  
2368 separate Federal policy consideration. However, no amount of  
2369 reprocessing will eliminate the need for a permanent  
2370 repository. NARUC strongly opposes diverting funds from the  
2371 Nuclear Waste Fund for private recycling, commercialization,  
2372 or fuel cycle ventures that would not -- that would undermine  
2373 the agreement ratepayers have already met.

2374         Second, the Nuclear Waste Fund must be managed  
2375 responsibly and used only for its intended purpose. The  
2376 program must have access to revenues generated by the  
2377 ratepayer fee payments, if they resume, and the balance of  
2378 the Nuclear Waste Fund. Under no conditions should the  
2379 Nuclear Waste Fund fee be restarted until either the Yucca  
2380 Mountain license proceeding is complete or a second permanent  
2381 repository is secured.

2382         Third, if Congress is to make licensing a permanent  
2383 repository, it should make it much easier to site  
2384 consolidated interim storage. Current reactor site spent  
2385 fuel storage is safe, but retaining spent fuel indefinitely  
2386 at working reactor sites was never intended by the Nuclear  
2387 Waste Policy Act and is both inefficient and unacceptable.  
2388 Continued storage at permanent shut-down plants imposes costs  
2389 on ratepayers without equivalent benefits and prohibits  
2390 economic reuse of those sites.

2391           Fourth, Congress should consider assigning the used fuel  
2392 management to a new organization. NARUC greatly supports the  
2393 concept of creating a new organization outside of DoE with  
2394 the sole responsibility to manage nuclear waste, which would  
2395 require new legislation.

2396           Since the former waste management organization was  
2397 disbanded in 2010, a new organization is needed or an old one  
2398 must be reconstituted, even if that responsibility is  
2399 retained by DoE. This new organization should be charged to  
2400 engage with states and local governments in a more  
2401 collaborative manner, whether for storage or disposal of  
2402 nuclear waste. The Nuclear Lifestyle [sic] Innovation  
2403 Campuses seem to be a step forward in such an engagement.

2404           NARUC commends you all for your efforts to break the  
2405 current logjam on nuclear waste, and will assist in any way  
2406 that we can. Thank you.

2407           [The prepared statement of Ms. Paradis follows:]

2408

2409           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2410

2411           \*Mr. Latta. Well, thank you very much.

2412           And Ms. Korsnick, you are recognized for five minutes  
2413 for your opening statement.

2414

2415       STATEMENT OF MARIA KORSNICK

2416

2417           \*Ms. Korsnick. Chairman Guthrie, Ranking Member  
2418 Pallone, Chairman Latta, Ranking Member Castor, and members  
2419 of the subcommittee, thank you for the opportunity to appear  
2420 before you today and for the committee's continued leadership  
2421 to advance nuclear energy.

2422           When I appeared before you earlier this year, I  
2423 described a nuclear industry moving from policy development  
2424 toward project execution, including reactors and fuel cycle  
2425 facilities. That momentum continues. As electricity demand  
2426 rises, nuclear energy will be increasingly important to  
2427 provide clean, reliable, and affordable power and  
2428 strengthening America's energy and national security.

2429           This is also a timely opportunity to make progress on a  
2430 challenge that has remained unresolved for decades: used  
2431 nuclear fuel. Used fuel continues to be stored safely at  
2432 reactor sites across the country, but more than 40 years  
2433 after Congress enacted the Nuclear Waste Policy Act the  
2434 Federal Government still has not begun accepting used fuel as  
2435 required by law and contract.

2436           Today, however, we have an opportunity to change that.  
2437   DoE's Innovation Campus Initiative has generated significant  
2438   interest from states. This interest gives Congress an  
2439   opportunity to establish a durable disposable program while  
2440   supporting innovation across the nuclear lifecycle. The best  
2441   approach is to act now to make meaningful progress, measure  
2442   it against clear milestones, and use what we learn to inform  
2443   longer-term decisions. I want to highlight six areas for  
2444   congressional focus.

2445           First, build durable partnerships with willing host  
2446   states. As projects advance, hosting agreements should  
2447   become increasingly specific and enforceable, clearly  
2448   defining responsibilities, Federal commitments, and host  
2449   benefits, and the ultimate disposal of nuclear materials. If  
2450   states make long-term commitments, they need confidence that  
2451   the Federal Government will keep its commitments as well.

2452           Second, begin Federal performance. Congress should give  
2453   DoE the authority to take title to transport and temporarily  
2454   store used fuel and integrate those activities with  
2455   repository development. It also would begin fulfilling a  
2456   Federal obligation that has gone unperformed since 1998.

2457           Third, create additional pathways to permanent disposal.  
2458   Federal law should allow DoE to investigate and evaluate  
2459   additional repository sites beyond Yucca Mountain. Mined  
2460   geologic repositories must remain a cornerstone of the

2461 Federal disposal program. Other technologies, including deep  
2462 boreholes, may complement that capacity.

2463 Fourth, support recycling innovation. New recycling  
2464 technologies offer promising opportunities to recover useful  
2465 materials, strengthen domestic fuel security, and potentially  
2466 reduce certain disposal burdens. But deployment also  
2467 requires commercially viable technologies, qualified fuels,  
2468 customers for recycled products, and disposal pathways for  
2469 the remaining waste. Congress should support research,  
2470 demonstrations, and early deployment now, and let technical  
2471 and commercial results inform the role recycling ultimately  
2472 plays in the fuel cycle. Recycling should complement, not  
2473 delay or replace, progress on permanent disposal.

2474 Fifth, preserve the Nuclear Waste Fund for disposal.  
2475 The fund was created to support the Federal disposal program,  
2476 and it should be used for that purpose. Repository  
2477 development and transportation and storage integrated with  
2478 the disposal program can appropriately be supported by the  
2479 fund. Consistent with DoE's vision, other activities such as  
2480 recycling, enrichment, and fuel fabrication should have other  
2481 funding sources, primarily private sector supplemented by  
2482 Federal support and state incentives.

2483 Finally, restarting the collection of the nuclear waste  
2484 fee must be based on demonstrated need for additional funding  
2485 and government performance. Commercial nuclear generators

2486 and their customers have already contributed billions of  
2487 dollars to the Nuclear Waste Fund. The fund now has a  
2488 balance of more than \$51 billion and continues to earn  
2489 substantial investment income. Restarting the fee has direct  
2490 implications for electricity affordability. Any resumption  
2491 of fee collection must be based on a well-founded program,  
2492 demonstrated funding need, and considered only after DoE  
2493 begins accepting and moving used fuel. And Congress must  
2494 retain a direct role in approving any collection of the fee.

2495 In summary, Congress should support innovation campuses  
2496 and enable moving fuel and opening additional disposal  
2497 pathways while protecting electricity customers from  
2498 unnecessary costs. We can make future decisions based on  
2499 demonstrated progress. If we do that, the next five years  
2500 can produce more tangible progress on used nuclear fuel than  
2501 the country has seen in decades.

2502 Thank you, and I look forward to your questions.

2503 [The prepared statement of Ms. Korsnick follows:]

2504

2505 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2506

2507           \*Mr. Latta. Well, thank you very much.

2508           And Mr. des Rosiers, you are recognized for five minutes  
2509 for your opening statement.

2510

2511 STATEMENT OF JARED DES ROSIERS

2512

2513           \*Mr. des Rosiers. Good afternoon. I am Jared des  
2514 Rosiers, the vice president of public government regulatory  
2515 affairs and the deputy general counsel of the Yankee  
2516 Companies. I thank Subcommittee Chairman Latta and  
2517 Subcommittee Ranking Member Castor for giving me this  
2518 opportunity to testify on the Department of Energy's efforts  
2519 to establish Nuclear Lifecycle Innovation Campuses. My  
2520 testimony today is offered on behalf of the Decommissioning  
2521 Plant Coalition, the DPC.

2522           The three Yankee Companies once managed single-unit  
2523 nuclear generating stations that provided electricity to the  
2524 New England grid. Given the economics of the electric power  
2525 business at the time, when these facilities needed  
2526 significant additional investment decisions were made to  
2527 decommission the facilities. Indeed, each of the Yankee  
2528 facilities have been shut down for almost three decades, and  
2529 all traces of their nuclear heritage have been removed but  
2530 for 115 dry cast storage systems containing used nuclear fuel  
2531 and 8 additional casks containing greater than class C waste.

2532           Under the standard contract established under the  
2533   Nuclear Waste Policy Act of 1982, the Federal Government is  
2534   legally obligated to remove this fuel from our sites. In  
2535   fact, if the Department had begun removing this material on  
2536   schedule in 1998 at the rates promised, all three of the  
2537   sites would have been available for repurposing to the  
2538   benefit of our local communities more than 15 years ago, and  
2539   our companies would have achieved their goal of going out of  
2540   business.

2541           Unfortunately, our companies and the host communities  
2542   are not alone in this situation. While not all of the 11  
2543   companies that are members of the DPC have completed  
2544   decommissioning, all have moved used fuel and greater than  
2545   class C waste to dry storage systems. Collectively, we  
2546   safely manage more than 6,250 metric tonnes of used fuel.  
2547   Because of the Federal Government's failure to remove this  
2548   waste, our companies have collectively recovered  
2549   approximately \$2.25 billion in damages from the taxpayer-  
2550   financed Judgment Fund. For every year going forward that  
2551   the Federal Government fails to perform, the DPC members will  
2552   incur more than \$100 million more of additional taxpayer-  
2553   financed damages.

2554           We are here today because the DoE's NLIC proposal  
2555   provides a promising pathway for the development of a durable  
2556   solution to this problem. When the NLIC proposal was put

2557 forward in January, we were gratified to see that it sought  
2558 state participation in partnerships and -- I quote --  
2559 "supporting durable pathways for managing used nuclear  
2560 materials in a safe, secure, and fiscally responsible  
2561 manner.'" This approach recognizes what past efforts have  
2562 too often overlooked, that durable solutions required  
2563 informed state leadership, local engagement, transparent  
2564 commitments, and a clear connection between national policy  
2565 goals and the potential host state priorities.

2566         We were further encouraged when the Department announced  
2567 in July and last week that it had entered MOUs with six  
2568 states that had agreed to pursue NLIC hosting agreements.  
2569 We congratulate Secretary Wright and Assistant Secretary  
2570 Garrish on this remarkable achievement. States have said  
2571 yes. We have seen many promising initiatives falter because  
2572 they lack sustained political support, clear authorities,  
2573 adequate funding, and a consent-based path that could  
2574 actually endure across Federal, state, tribal, and local  
2575 governmental administrations. The NLIC initiative holds  
2576 promise that it can avoid these same pitfalls.

2577         Now, the DPC believes the NLIC hosting agreements will  
2578 be an important next step. But even before those agreements,  
2579 we believe that tailored legislation would be beneficial to  
2580 support the NLIC proposal. Legislation that authorizes DoE  
2581 to conduct initial site investigations, to engage in

2582 demonstration projects of disposal and recycling technologies  
2583 that may be employed on NLIC sites, and to take title -- and  
2584 Secretary Garrish spoke of this -- to clear the hurdle or to  
2585 address exclusivity to be able to take title today for the  
2586 movement of used fuel for either interim storage or staging  
2587 of recycling could be useful and important components of the  
2588 NLIC initiative. And we specifically support in any  
2589 legislation clear priority for the removal of the used fuel  
2590 and high-level waste from shut-down sites, consistent with  
2591 the Secretary's authority under the standard contract.

2592 Thank you, and I welcome your questions.

2593 [The prepared statement of Mr. des Rosiers follows:]

2594

2595 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2596

2597           \*Mr. Latta. Well, thank you very much for your  
2598 testimony.

2599           And Mr. White, you are recognized for five minutes for  
2600 your opening statement.

2601

2602 STATEMENT OF GREG R. WHITE

2603

2604           \*Mr. White. Chairman Latta, Ranking Member Castor,  
2605 members of the Subcommittee on Energy, thank you for this  
2606 opportunity to testify today on behalf of the Nuclear Waste  
2607 Strategy Coalition. My name is Greg White, and I serve on  
2608 the executive committee.

2609           The Nuclear Waste Strategy Coalition is an ad hoc  
2610 organization formed back in 1993 to represent the collective  
2611 interests of public and private members to secure a Federal  
2612 repository for spent nuclear fuel in accordance with the  
2613 Nuclear Waste Policy Act of 1982. Our mission has always  
2614 been focused on accountability for the Federal Government to  
2615 meet its longstanding statutory and contractual obligations  
2616 to execute a national nuclear waste disposal program.

2617           We are further focused on protecting electric utility  
2618 customers who have received nothing in return for the  
2619 billions in fees they have paid into the Federal Nuclear  
2620 Waste Fund. This includes those who could be subject to  
2621 reinstated fees without adequate action to establish a

2622 functioning Federal program.

2623       After enduring years of Federal failure, we are  
2624 encouraged by this hearing and by the Administration's  
2625 Nuclear Lifecycle Innovation Campus Initiative that  
2626 reportedly includes a critical waste disposal component.  
2627 Having states as partners should increase the likelihood of  
2628 success. As Congress considers the next steps on nuclear  
2629 waste policy, the Nuclear Waste Strategy Coalition offers the  
2630 following steps that we hope will guide your work.

2631       First, Congress must reestablish a national integrated  
2632 nuclear waste disposal program that includes the removal,  
2633 transportation, storage, and essential permanent geologic  
2634 disposal of spent nuclear fuel now stranded at numerous  
2635 operating and shut-down commercial reactor sites in  
2636 communities across the United States. These are  
2637 interconnected components, and no single element can succeed  
2638 in isolation.

2639       Second, a new independent waste management organization  
2640 should be formed to properly lead the program. That includes  
2641 the interim action by the Department of Energy to reestablish  
2642 an internal dedicated office along the lines of the Office of  
2643 Civilian Radioactive Waste Management that had been  
2644 established under the Nuclear Waste Policy Act. No such  
2645 office has existed since 2010, and we urge this action as  
2646 soon as possible.

2647           Unfortunately, 44 years of experience suggests that the  
2648 DoE, a multi-faceted department, will struggle to sustain a  
2649 program like this. Therefore, over the longer term we  
2650 encourage the creation of a new independent, single-purpose  
2651 waste management organization authorized to implement the  
2652 transportation, storage, and disposal components of an  
2653 integrated U.S. program. As cited in our full testimony,  
2654 this is not a new idea, and more work has been done on these  
2655 concepts this year.

2656           Third, we call on Congress to reform the Federal  
2657 budgetary treatment of the Nuclear Waste Fund such that  
2658 sustainable access to the funds is provided to support the  
2659 development of this multi-generational management and  
2660 disposal program. We further urge the interim step of  
2661 appropriately funding the Department of Energy program  
2662 priorities via annual appropriations.

2663           Regarding the Nuclear Waste Fund, it must only be used  
2664 for its intended purpose, and that is to pay for the Federal  
2665 waste disposal program. The \$51 billion balance currently in  
2666 the Nuclear Waste Fund, along with annual interest accruals,  
2667 provides more than sufficient funding for virtually any  
2668 program work for the foreseeable future. Any initiatives to  
2669 restart the Nuclear Waste Fund fee should be considered only  
2670 after meaningful Federal performance has been verified and a  
2671 demonstrated need has been established.

2672           Finally, the Nuclear Waste Strategy Coalition recognizes  
2673   that a national integrated nuclear waste program could  
2674   include reprocessing or recycling. Please note that while  
2675   reprocessing may reduce waste volume, a repository remains  
2676   necessary under every scenario and will always be needed for  
2677   effective nuclear waste management. Given that fact, it is  
2678   our view that reprocessing and disposal are complementary and  
2679   not competing strategies.

2680           In closing, we note that the permanent geologic disposal  
2681   is foundational to all effective Federal nuclear waste policy  
2682   approaches. The consequences of continuing prolonged Federal  
2683   inaction are significant. The Nuclear Waste Strategy  
2684   Coalition stands ready to help. Thank you.

2685           [The prepared statement of Mr. White follows:]

2686

2687   \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2688

2689           \*Mr. Latta. Well, thank you very much for your  
2690 testimony, and that will conclude our witness testimony for  
2691 the second panel, and we will start the questions from our  
2692 members. And the chair will recognize himself for five  
2693 minutes.

2694           This to the panel in general, and maybe you can answer  
2695 some of these just in a yes or no, and we will just go right  
2696 down the line. The Nuclear Waste Policy Act focuses  
2697 exclusively on a repository at Yucca Mountain. Do you  
2698 support authorizing potential secondary disposal pathways in  
2699 the law to enable DoE to continue to negotiate Nuclear  
2700 Lifecycle Innovation Campuses?

2701           \*Ms. Paradis. So NARUC, I have to work with the  
2702 resolutions that we have passed, and it has been a while  
2703 since we have done one. So let me say this. We do support a  
2704 second repository, we think these campuses have the potential  
2705 to get there, but we need to update our policies anything  
2706 more than that.

2707           \*Mr. Latta. Ms. Korsnick?

2708           \*Ms. Korsnick. Yes.

2709           \*Mr. des Rosiers. Yes.

2710           \*Mr. White. Also yes. We believe that these states are  
2711 offering additional opportunities, and that is a welcome.

2712           \*Mr. Latta. Thank you. The law and this subcommittee's  
2713 work has focused on ensuring an integrated system for

2714 ultimate disposal of waste. Do you believe DoE should ensure  
2715 there is a linkage to permanent disposal in any future  
2716 negotiations?

2717 \*Ms. Paradis. Yes.

2718 \*Ms. Korsnick. I am sorry, can you repeat that?

2719 \*Mr. Latta. The law and this subcommittee's work has  
2720 focused on ensuring an integrated system for ultimate  
2721 disposal of waste. Do you believe DoE should ensure there is  
2722 a linkage to permanent disposal in any negotiations?

2723 \*Ms. Korsnick. Absolutely.

2724 \*Mr. Latta. Okay, thank you.

2725 \*Mr. des Rosiers. Yes.

2726 \*Mr. White. Yes.

2727 \*Mr. Latta. Thank you. Under the law, users of nuclear  
2728 power pay a fee into a Nuclear Waste Fund to pay for a  
2729 program of permanent disposal. This fee was set to zero  
2730 under court order because DoE dismantled its program. Would  
2731 you agree that Congress should not raise rates on electric  
2732 customers for a program that is still being developed?

2733 \*Ms. Paradis. Yes.

2734 \*Ms. Korsnick. Yes.

2735 \*Mr. des Rosiers. Yes.

2736 \*Mr. White. Yes.

2737 \*Mr. Latta. Thank you. The law requires the Nuclear  
2738 Waste Fund be spent on programs linked to permanent disposal.

2739 This might take a little bit more than just a simple yes or  
2740 no. How should Federal policies be updated to include  
2741 reprocessing as part of a system for permanent disposal of  
2742 waste?

2743 \*Ms. Paradis. So under NARUC's current policy, as I  
2744 noted before, we are supportive of using the waste fund fees  
2745 to do anything related to site, license, and construct  
2746 anything related to interim and permanent through a geologic  
2747 repository is our position.

2748 We do believe that what has been proposed on these  
2749 campuses has an ideal opportunity. But as we noted, no  
2750 matter how much reprocessing and recycling that you do, there  
2751 is still at some point in time waste that needs to be  
2752 managed. So I think this is an area of discussion that  
2753 Congress definitely needs to be involved in, but at some  
2754 point in time we need to recognize that under the original  
2755 Nuclear Waste Policy Act, and based on what ratepayers have  
2756 paid, the first priority is disposal.

2757 \*Mr. Latta. Thank you.

2758 Ms. Korsnick?

2759 \*Ms. Korsnick. Yes, I would say similarly there is a  
2760 lot that can be paid from the waste fund in terms of  
2761 activities that are going to help transport this, the  
2762 temporary storage on its way to final disposal and,  
2763 obviously, ultimately a final disposition. But when you get

2764 into some of the other areas -- recycling, some of the other  
2765 things that are in innovation campuses -- we believe that  
2766 should come from other funding sources until it is a proven  
2767 part of the disposal mechanism.

2768 \*Mr. Latta. Thank you.

2769 [Pause.]

2770 \*Mr. Latta. Your mike, please. Thank you.

2771 \*Mr. des Rosiers. I agree with the co-panelists that  
2772 the purpose of the fund is for the removal and disposal of  
2773 the waste. Recycling may play a role, but we need to  
2774 demonstrate that it is both commercially and financially  
2775 viable. And so that is why we are recommending demonstration  
2776 projects to demonstrate that. If and at the time that  
2777 recycling demonstrates that it actually can play a role to  
2778 reduce the overall cost and total cost of the spent fuel  
2779 cycle, then it may be appropriate to be funded. But until  
2780 that time, more needs to be known. And we need to hear and  
2781 see the opportunities that are presented through the NLIC  
2782 campuses.

2783 \*Mr. Latta. Thank you.

2784 Mr. White?

2785 \*Mr. White. Likewise, I support the answers of my  
2786 fellow panelists. If reprocessing can be technologically and  
2787 economically feasible, it could be a very important component  
2788 of an integrated program, so we would support that. But

2789 likewise, funding from the Nuclear Waste Fund, current  
2790 Nuclear Waste Fund, should not be used for that purpose at  
2791 this time.

2792       \*Mr. Latta. Well, thank you, and I know that my time is  
2793 running short so I am going to submit the rest of my  
2794 questions to you all.

2795       [The information follows:]

2796

2797       \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2798

2799           \*Mr. Latta. But again, on the recycling side, you know,  
2800 we have had quite a few discussions and hearings here and,  
2801 you know, it has been -- it is thought, when you look at the  
2802 numbers out there, we could have up to maybe 150 years' worth  
2803 of energy just coming from those spent rods. So as we work  
2804 forward, we are going to need to be working with everybody  
2805 out in the nuclear community, with the states and everyone  
2806 else. So I appreciate you all being here today.

2807           And my time has expired and I recognize the gentlelady  
2808 from Florida, the ranking member of the subcommittee, for  
2809 five minutes for questions.

2810           \*Ms. Castor. Thank you, Mr. Chairman. So let's  
2811 continue this thread.

2812           Mr. des Rosiers, can you give us just a snapshot of what  
2813 you think the potential is? Because right now we have a lot  
2814 of the spent nuclear fuel in dry cask storage across the  
2815 country. What truly is the potential to take any of that  
2816 into reprocessing, recycling compared to what you think the -  
2817 - will the bulk of it go to storage somewhere else?

2818           And maybe, Mr. White, you might have an idea.

2819           \*Mr. des Rosiers. I mean, certainly, as my co-panelists  
2820 have said, there will need to be permanent storage  
2821 facilities. Recycling cannot adequately address all of the  
2822 spent fuel that already exists and that will be created by  
2823 today's generators and those that are added in the future.

2824           Now, we understand -- and I know Congressman from  
2825   Massachusetts spoke of Omega -- some of the processors are  
2826   very focused on the fuel that is stored on the sites like  
2827   ours, the Decommissioned Plant Coalition, that is older fuel  
2828   that is in casks. That is why it is appropriate, we submit,  
2829   to put them out and have them test, have them explore, do  
2830   demonstration projects to see what is viable, all recognizing  
2831   that there still will need to be permanent disposal  
2832   facilities, and hopefully at each of the campuses that are  
2833   developed.

2834           \*Ms. Castor. So do we not have an idea yet what that  
2835   mix could be, what the potential is?

2836           \*Mr. des Rosiers. I think that is where we need to see  
2837   the hosting agreements to understand what the states are  
2838   committing to, what technology they are putting forward, and  
2839   what they are committing to, and what the developers of the  
2840   recycling facilities at each of the campuses is committing  
2841   to.

2842           \*Ms. Castor. Mr. White, do you -- can you give us  
2843   anything more specific on what the potential would be for  
2844   recycling versus just another storage in another geologic  
2845   formation?

2846           \*Mr. White. I am not necessarily an expert on recycling  
2847   technology, but I can tell you that not all current waste  
2848   forms that are being stored are or will be technologically

2849 feasible for recycling. Some will be, and it is certainly  
2850 our hope that a significant component of future nuclear fuel  
2851 could come from recycling, reprocessing. But there will  
2852 still be a significant portion, regardless, that will need to  
2853 be disposed of. And we do know that any form of recycling or  
2854 reprocessing that we know of today creates a waste stream in  
2855 and of itself that also has to be managed appropriately.

2856       \*Ms. Castor. Okay. Ms. Korsnick, I am going to ask you  
2857 that same question too. And you know, I know the committee  
2858 has examined what happens in France, but it seems like if we  
2859 are going to move towards a coordinated national fuel  
2860 recycling strategy, this is going to take a lot of work and a  
2861 lot of investment. What would you advise?

2862       \*Ms. Korsnick. Thank you. Well, I think very much  
2863 pursuing recycling is a smart thing for us to do. I think we  
2864 should establish a milestone approach so it becomes very  
2865 clear which are commercially viable ways to do it.

2866       I think we have seen around the world -- I think we have  
2867 some technologies here in the United States. We can take  
2868 things apart. I don't think that is the question. The  
2869 question is, do you -- are you left with a product that is  
2870 commercially viable, that has customers?

2871       And so I think that is some of the things that need to  
2872 be, you know, looked at over the next few years as people  
2873 bring their technology to more of a commercial level.

2874           And at the same token, you are changing what are you  
2875   recycling for, right? You are building fast reactors. Well,  
2876   we don't have those today. Well, that would be a different  
2877   recycled product. Are you going to feed the reactors that we  
2878   have today? Well no, those are thermal reactors. That would  
2879   be a different approach.

2880           So I know you are asking for a really clear answer, and  
2881   the reason is because we are changing so many pieces at the  
2882   same time, so different style reactors, that is a different  
2883   kind of food. And you would have to decide what food you are  
2884   trying to make in order to figure out how to tune, if you  
2885   will, that recycling process.

2886           And so that is great we have all of this opportunity.  
2887   Let's do it in a stepwise fashion, tune it correctly, and  
2888   have a good idea -- at the end of the day the waste fund  
2889   should feed and should be spent on things that lead to a  
2890   long-term disposal option.

2891           \*Ms. Castor. Okay, it seems like we are going to need a  
2892   lot of technical review, Mr. des Rosiers. You know the  
2893   importance of public trust in this industry. What is your  
2894   view of the Administration's gutting of the Nuclear Waste  
2895   Technical Review Board, perhaps even disbanding it entirely?  
2896   Can you speak to the review board's current role and any harm  
2897   that might arise by disbanding it?

2898           \*Mr. des Rosiers. Well, we certainly recognize it is

2899 important to have confidence in the system, and that any  
2900 storage or recycling or any other facility developed at a  
2901 campus is safe and adequately and securely maintained, and  
2902 that independent advice and feedback on that is important.

2903 \*Ms. Castor. Okay. Thank you very much.

2904 I yield back.

2905 \*Mrs. Harshbarger. [Presiding.] The gentlelady yields  
2906 back, and I recognize Representative Allen for his five  
2907 minutes.

2908 \*Mr. Allen. I thank the lady and thank Chair Latta for  
2909 holding this second panel for this hearing to discuss  
2910 managing our spent nuclear fuel, and I want to thank the  
2911 witnesses for being here in the second panel to testify.

2912 I mentioned this in the first panel. It is imperative  
2913 we address managing spent nuclear fuel as we work to expand  
2914 nuclear energy capabilities in the United States, and that is  
2915 critical. My district is home to Plant Vogtle, the largest  
2916 commercial nuclear energy plant in the U.S. My district also  
2917 is adjacent to the Savannah River Site, with both of those  
2918 facilities housing spent nuclear fuel. So addressing the  
2919 management of spent nuclear fuel is very important to my  
2920 district and the States of Georgia and South Carolina.

2921 The Administration has proposed innovative campuses, and  
2922 I would like to discuss this proposal with you. Ms. Paradis  
2923 and Ms. Korsnick, how important is it to demonstrate that

2924 reprocessing technologies are commercially viable in the  
2925 United States without Federal subsidies like we see in the  
2926 country of France?

2927       \*Ms. Paradis. Thank you for the question. As I noted  
2928 before, NARUC - I work for -- I am representing an  
2929 association here, so I can only work based on the resolutions  
2930 that we have passed. And we haven't given a lot of talk  
2931 because these campuses are so new in all of this.

2932       What I can speak to is the fact that what we know up to  
2933 this date -- and as my colleagues on the panel have said  
2934 today -- any type of reprocessing or recycling always has  
2935 additional waste that is left. And as Ms. Korsnick properly  
2936 identified, it also then -- as we start to work in different  
2937 technologies, then we have all kinds of different types of  
2938 waste and different types of storage technologies.

2939       So I think, as we look going forward, yes, we have to  
2940 understand what is economically viable, what is  
2941 environmentally sound, what is safe and reasonable for our  
2942 communities. But I think the intention, from a regulator's  
2943 perspective, is the commitment that has been made from the  
2944 beginning, which is that our ratepayers, those that generate  
2945 from nuclear energy, they have paid into this fund and they  
2946 have not been met with anything, as I said --

2947       \*Mr. Allen. Right.

2948       \*Ms. Paradis. -- that they have paid in \$20 billion,

2949 and that fund is in excess of \$51 billion now.

2950 \*Mr. Allen. Right.

2951 \*Ms. Paradis. So from a NARUC perspective at this time,  
2952 the priority is we need to understand what is next in  
2953 happening with the waste, and how that is being managed both  
2954 -- including the transportation and the storage of it on the  
2955 way to permanent.

2956 However, there are these other new opportunities that  
2957 are coming, and they definitely should be evaluated.

2958 \*Mr. Allen. Ms. Korsnick?

2959 \*Ms. Korsnick. Yes, I think it is critical that the  
2960 product be commercially competitive.

2961 The challenge that you otherwise have is who bears that  
2962 additional cost, right? So either the customers are going to  
2963 otherwise buy natural uranium and enrich it, and then you  
2964 don't have the product for that recycled. If you say no, you  
2965 have to buy that recycled product, then where does that cost  
2966 go? It would get transferred to the customer, to the  
2967 electric customer, and that means electric bills go up.

2968 And so it is really something we have to balance, which  
2969 is why we should take a stepwise approach. I am very  
2970 confident on the innovation here in the United States, and I  
2971 think we need to, you know, appropriately let that play out.  
2972 But I wouldn't suggest that that funding come from the  
2973 Nuclear Waste Fund.

2974           \*Mr. Allen. Yes, based on the hearings this  
2975 subcommittee held earlier this year, I think we heard that  
2976 reprocessed fuel can't currently compete on price with new  
2977 fuel. Either the cost of reprocessing needs to come down or  
2978 the cost of new fuel would have to go up to make reprocessed  
2979 fuel competitive from a cost perspective.

2980           Once we establish these technologies can be made  
2981 commercially viable, only then should we proceed. I have  
2982 heard from my colleagues that have visited France and have  
2983 seen firsthand the way the French reprocess their spent  
2984 nuclear fuel. Now, I am not suggesting we should follow any  
2985 models from the French. This has been a success in the  
2986 operation of their nuclear fuel fleet. What is the cost of  
2987 French reprocessing operations?

2988           Does the French Government subsidize this, is the  
2989 commercial viability of reprocessing in France the result of  
2990 government subsidies?

2991           To both of you again.

2992           \*Ms. Korsnick. Yes, it is my understanding that, in  
2993 fact, the product that is produced is over the market price,  
2994 and at the same token they have a different system in France,  
2995 right? The utilities are also part of the government --

2996           \*Mr. Allen. I got you.

2997           \*Ms. Korsnick. -- in France.

2998           \*Mr. Allen. So everything is --

2999           \*Ms. Korsnick. So a little bit of a different  
3000 situation.

3001           \*Mr. Allen. Yes. I have got about 17 seconds.

3002           \*Ms. Paradis. I would just echo what my colleague said.

3003           \*Mr. Allen. Okay, all right. Great.

3004           Well, my time is up and I yield back, Madam Chairman.

3005           \*Mrs. Harshbarger. Thank you. The gentleman yields  
3006 back and I will now call on Representative Menendez for his  
3007 five minutes.

3008           \*Mr. Menendez. Thank you. AI data centers have  
3009 dramatically increased energy demand. The Trump  
3010 Administration, states, and tech companies are turning toward  
3011 nuclear power to address these growing demands.

3012           New Jersey recently passed several new laws to increase  
3013 our nuclear power production. Earlier this year Governor  
3014 Sherrill signed a bill that lifted a state ban on new nuclear  
3015 power until the Federal Government establishes a plan for  
3016 dealing with nuclear waste. In July she signed a law to  
3017 direct the New Jersey Board of Public Utilities to solicit  
3018 interest in constructing new nuclear power plants with a goal  
3019 to bring 1,100 megawatts of power to the state.

3020           New Jersey is also home to Oyster Creek, one of the  
3021 country's oldest nuclear power plants. Oyster Creek is in  
3022 the process of decommissioning and is expected to host  
3023 advanced nuclear reactors once the decommissioning process is

3024 complete.

3025           Mr. des Rosiers, can we expect to see more and more  
3026 decommissioned nuclear power plants turned into new, advanced  
3027 nuclear power plants?

3028           \*Mr. des Rosiers. Certainly, there has been a number of  
3029 plants that have decided to repower, and that is moving  
3030 forward. I think there is an opportunity with the  
3031 infrastructure and the technology and the experience at the  
3032 sites of existing plants to invest in repowering or new  
3033 technology.

3034           That said, to do that I think it is important to have an  
3035 answer for the waste that those facilities will produce. And  
3036 that is why it is so important to have a policy that also  
3037 deals with the back end and the waste that will come out of  
3038 -- whether they are existing plants or new plants that are  
3039 created.

3040           \*Mr. Menendez. It would strike me that in terms of  
3041 sequencing, you would want to figure out, since we haven't  
3042 yet, exactly what to do with nuclear -- existing nuclear  
3043 waste before you create more potential generation of nuclear  
3044 power which would also create more nuclear waste. Isn't that  
3045 fair?

3046           \*Mr. des Rosiers. I think that is very fair.

3047           \*Mr. Menendez. Yet we are -- that is not what this  
3048 Administration is doing. It is sort of generation first, and

3049 moving at light speed on that front with having -- without  
3050 having figured out what the plan is and without congressional  
3051 authority for a plan on nuclear waste.

3052       \*Mr. des Rosiers. Well, I will say the concept of the  
3053 Nuclear Lifecycle Innovation Campus is -- and by focusing on  
3054 the complete energy lifecycle is a step forward. It is --  
3055 yes, there is a focus on new generation, but there is a  
3056 recognition by the Department of Energy that we have to deal  
3057 with the back end, too. And that is an important part of the  
3058 process. And we understand, and we are heartened because we  
3059 understand that each of the states that has made it to be a  
3060 finalist has committed to deal with and take waste for  
3061 storage and disposal purposes. So -- and that needs to be a  
3062 part of the energy policy going forward.

3063       \*Mr. Menendez. I appreciate that. And you also in your  
3064 testimony say that the United States cannot fully realize the  
3065 benefits of current and future nuclear energy without a  
3066 credible, sustained, and publicly-trusted program for the  
3067 disposal of nuclear waste materials. Could you expand a  
3068 little more on trust and credibility and how it is built?

3069       \*Mr. des Rosiers. Well, certainly I think it is built  
3070 by transparency, it is built by honoring commitments. And  
3071 the -- our government for a long time has failed to live up  
3072 to its obligations to fully complete and to store the nuclear  
3073 waste. And so honoring those commitments, being transparent

3074 about it and having a proper oversight to ensure safety are  
3075 key all along to have -- so that ratepayers, customers, and  
3076 the public have confidence in the nuclear industry.

3077       \*Mr. Menendez. Yes, and that is what -- the work that  
3078 we have been doing on, you know, this committee and the full  
3079 committee, is trying to ensure that we hold this  
3080 Administration accountable with what we have seen at the NRC,  
3081 you know, in the last 19 months because we want the public to  
3082 have complete confidence, especially as we consider  
3083 increasing nuclear capabilities not just in New Jersey but  
3084 across the country, and why we have been so concerned,  
3085 especially at the NRC, with some of the things that have  
3086 transpired the last several months.

3087       And there was a conversation that we had earlier today  
3088 with the assistant secretary, and we are going to continue to  
3089 be mindful of -- because, you know, these attacks raise some  
3090 concerns about the Administration's ability to build trusting  
3091 partnerships with states and communities who have expressed  
3092 interest in hosting these nuclear lifecycle campuses. The  
3093 Trump Administration has shown over and over again that, in  
3094 my opinion, they can't be trusted. And their legislative  
3095 proposal that erodes at our environmental protections and  
3096 judicial review are serious causes for concern.

3097       We need to have serious bipartisan discussions about  
3098 addressing nuclear waste so that decommissioned plants can be

3099     turned into facilities that serve their communities, where  
3100     they host emerging nuclear technologies or something else  
3101     altogether. And any proposal must center safety, the health  
3102     of our communities, and the environment. That is what we  
3103     will continue to do with this Administration and future  
3104     administrations.

3105             Thank you, and I yield back.

3106             \*Mrs. Harshbarger. The gentleman yields back and I will  
3107     now recognize Representative Weber for his five minutes of  
3108     questions.

3109             \*Mr. Weber. I thank the gentlelady.

3110             Ms. Korsnick, I am going to come to you. Thank you for  
3111     being here today. We had two of these panels, so we  
3112     appreciate you all being here for the second one. Your  
3113     testimony provides meaningful insights into the policy  
3114     complications surrounding the Nuclear Waste Fund.

3115             As you all know, the fee for spent nuclear fuel disposal  
3116     was suspended after significant challenges emerged with the  
3117     federal Nuclear Waste Management Program. So Ms. Korsnick,  
3118     do you think restarting the Nuclear Waste Fund fee is a  
3119     worthwhile policy goal?

3120             \*Ms. Korsnick. I don't think we should restart it now,  
3121     and I think --

3122             \*Mr. Weber. Maybe wait until after lunch tomorrow?

3123             [Laughter.]

3124           \*Ms. Korsnick. I think let's look at how much is in  
3125 that fund, right? Fifty-one billion dollars, that should go  
3126 a long way. When we take a look at that, we feel that that  
3127 money, spent wisely, could take care of all the waste that  
3128 has been generated by the current fleet and all the future  
3129 waste that is going to be generated by the current fleet.

3130           And so I think it should be spent, as we have discussed,  
3131 you know, for the intended final disposal of waste. And  
3132 until you need it -- so somebody has to show us a game plan  
3133 and a need for more money.

3134           \*Mr. Weber. You are reading my script here; that was my  
3135 next question. Who gave her my script, right?

3136           What reforms or assurances should be in place before  
3137 ratepayers are to begin paying the fee again?

3138           And so I thought -- I had kind of a little thought  
3139 myself. Would you live next to one of those facilities?

3140           \*Ms. Korsnick. Would I live next to a waste facility?

3141           \*Mr. Weber. I asked you first.

3142           \*Ms. Korsnick. Yes.

3143           \*Mr. Weber. Okay.

3144           \*Ms. Korsnick. Yes.

3145           \*Mr. Weber. I am just trying to make sure you all are  
3146 paying attention. Okay, thank you for that.

3147           Mr. White, I am coming to you. You highlighted the  
3148 potential need for a new independent organization to manage

3149 the nation's nuclear waste. And I didn't get to be here for  
3150 you all's testimony, okay? I was at another event. But to  
3151 you, Mr. White, what authorities do you envision this  
3152 organization needing to have or having?

3153 And how could it -- or could we help reduce the  
3154 regulatory, the financial, and the liability uncertainties  
3155 that private organizations face while they are storing the  
3156 stuff -- next to Ms. Korsnick, where she lives, right --  
3157 while they are storing this stuff, or they are transporting  
3158 it, or disposing of it, or recycling spent nuclear fuel?

3159 How do you envision this organization having that kind  
3160 of regulatory financial uncertainties, and how do we deal  
3161 with it?

3162 \*Mr. White. Right. Clearly, the -- you know, such an  
3163 organization, being an independent organization -- and there  
3164 are a couple of models, different models that can be  
3165 considered, including a Fed corp, a Federal corporation or a  
3166 public-private corporation, or one that has been considered  
3167 as what we would call a nuclear corporation, where it would  
3168 be owned by the nuclear generators themselves, but they would  
3169 need substantial authority given to them by the Federal  
3170 Government to be able to do these tasks that have currently  
3171 been assigned to the Department of Energy. And eventually,  
3172 they would need access to the funding to be able to carry out  
3173 that mission.

3174           \*Mr. Weber. Do we have that ability right now in terms  
3175 of funding? I know we talked about 81 billion. I think you  
3176 said -- you cited -- was that the figure, 81?

3177           \*Mr. White. Fifty-one.

3178           \*Mr. Weber. Fifty-one billion, thank you. Do we have  
3179 that ability now to have that kind of funding available,  
3180 should we be able to make it happen?

3181           \*Mr. White. Yes, we do. Certainly, in addition to the  
3182 \$51 billion, there was interest that is accrued on an annual  
3183 basis and, in our view, that would provide more than  
3184 sufficient resources to move a long ways down the road on  
3185 such a program.

3186           \*Mr. Weber. Would any of you all -- I will give you all  
3187 a question, I got a minute left yet -- would any of you all  
3188 compare the way France reprocesses their materials? How  
3189 would that help us in this endeavor?

3190           Commissioner, I am going to come to you.

3191           \*Ms. Paradis. So generally -- and I think Ms. Korsnick  
3192 answered this earlier -- France does do it. France is a  
3193 different model. Their utilities are government-owned. They  
3194 actually also still need to process new uranium. Their  
3195 recycling does not fulfill all the needs that they have in  
3196 that country, which is an important part to take note of.

3197           The one thing I would share about the lifestyle [sic]  
3198 campuses from the NARUC perspective is anything that involves

3199 used waste, the waste streams, disposition needs to be very  
3200 transparent and clear about their scope, regulatory  
3201 authority, transportation implications, cost responsibility,  
3202 and how it fits into a national integrated waste management  
3203 program. So even if we go forward with the campuses, we  
3204 still need to have a comprehensive commitment of  
3205 understanding what the Federal Government --

3206       \*Mr. Weber. I appreciate you saying that. I have only  
3207 got 16 seconds left. You said, "cost responsibility," but  
3208 what I didn't hear was the liability. There has got to be  
3209 processes in place that, if something did happen, there is a  
3210 lot of liability involved. So I was going to let you all  
3211 weigh in on that, but I am out of time.

3212       Ms. Korsnick, very quickly.

3213       \*Ms. Korsnick. Well, I was just going to answer your  
3214 first question.

3215       France does aqueous reprocessing. You can do that.  
3216 There is also pyroprocessing. Either one can be done very  
3217 safely. And the waste from either one can be stored very  
3218 safely.

3219       \*Mr. Weber. I thank you for that.

3220       Madam Chair, I yield back.

3221       \*Mrs. Harshbarger. The gentleman yields back and I now  
3222 recognize Representative Palmer for his five minutes of  
3223 questions.

3224           \*Mr. Palmer. Thank you, Madam Chair.

3225           Ms. Korsnick, utilities and your customers have already  
3226 paid about \$59 billion into the Nuclear Waste Fund that the  
3227 Federal Government hasn't done -- hasn't begun disposing of  
3228 the commercial used fuel.

3229           First of all, what concerns should the utilities have  
3230 with reinstating that fee?

3231           \*Ms. Korsnick. Well, reinstating the fee gets passed on  
3232 to customers. So at the end of the day you are raising  
3233 electricity rates on customers.

3234           The challenge really becomes why would you reinstate the  
3235 fee with \$51 billion currently collected and more interest  
3236 accruing? There is more than enough funds, if spent  
3237 responsibly.

3238           \*Mr. Palmer. Well, that -- I am a huge proponent of  
3239 recycling spent fuel. As I have pointed out many times  
3240 before the committee, the spent fuel rods retain 90 percent  
3241 of their energy capacity, and you can recover 95 percent of  
3242 that. I am just wondering what progress -- or given the  
3243 process that has been used in recycling technologies, does  
3244 NEI support recycling and allowing existing nuclear -- some  
3245 of the existing nuclear waste resources to help advance that  
3246 as a broader used fuel management strategy?

3247           \*Ms. Korsnick. Absolutely. We support the concept of  
3248 recycling. As mentioned earlier, I think the challenge

3249 becomes is the product that you end up with a commercially  
3250 viable product, right? Is it cost competitive? And I think  
3251 that is what we have --

3252       \*Mr. Palmer. We have got private-sector companies that  
3253 say they can do this that are cost competitive.

3254       \*Ms. Korsnick. And we have heard that, as well. And so  
3255 I think the challenge is, let's set up a process where you  
3256 can demonstrate that.

3257       \*Mr. Palmer. I think this is something that we really  
3258 need to focus on. In your testimony back in June you said  
3259 workforce development and supply chain expansion are not  
3260 separate challenges. That is a huge issue that I have been  
3261 focused on on the critical mineral rare earth element side,  
3262 but also on the nuclear side. And I have a lot of concerns  
3263 about the workforce because we need to reshore that. There  
3264 has been progress being made in both areas, but it is going  
3265 to be -- more progress is going to be necessary for the long  
3266 term. This is what you said: "Progress in both areas will  
3267 be necessary to support long-term operation of the existing  
3268 fleet and successful deployment of new nuclear  
3269 technologies."

3270       It is not just the -- on the nuclear side. It is on the  
3271 turbine side too, isn't it?

3272       \*Ms. Korsnick. Absolutely, yes. Balanced plan, as  
3273 well.

3274           \*Mr. Palmer. One of the -- going back to the whole  
3275 supply chain issue -- and I raised this issue in the first  
3276 panel -- we are really making a strong move towards small  
3277 modular reactors. I think that is going to be huge for  
3278 increasing our baseload power. But we are also seeing a lot  
3279 of international interest in this. I have met with folks  
3280 from different countries that want SMRs. I met with some  
3281 folks from Poland. They want a Vogtle-scale reactor. And it  
3282 is going to dramatically increase the demand for nuclear  
3283 fuel.

3284           And one of the things that I saw was that, given the  
3285 projected demand, that we could run out of or exhaust the  
3286 current reserves by 2080. I am very concerned about that  
3287 because we are already in a position where we are very  
3288 vulnerable in terms of our dependency on other nations for,  
3289 like I said, critical metals, rare earth elements, but also  
3290 nuclear fuel. Would you agree with that?

3291           \*Ms. Korsnick. I am not certain about the year of 2080,  
3292 but clearly we are not the only ones that want to build  
3293 nuclear power plants and build significant amounts of them.  
3294 So absolutely, I would say long term the situation would need  
3295 to be a combination of resources fresh out of the ground as  
3296 well as using recycled resources. And that is why it is a  
3297 good opportunity for us to explore these and to get good at  
3298 it.

3299           \*Mr. Palmer. But the -- I guess the connecting point I  
3300 want to make -- and I don't mean to ignore the other  
3301 witnesses because all of you could, I think, answer this.  
3302 But if we make a dedicated effort to recycle fuel, I don't  
3303 think we have to have that much concern about the timeline  
3304 for exhausting the known reserves of uranium because we could  
3305 -- as we use up the fuel rods, we could recycle those.

3306           And I asked the director of the National Nuclear  
3307 Laboratory, if we went to recycled recycling spent fuel, how  
3308 long could we operate and he said over 100 years. So by then  
3309 I think our technologies will be so totally different we  
3310 wouldn't even be having this discussion.

3311           But I do thank you for your responses. I appreciate the  
3312 witnesses being here.

3313           Madam Chair, I yield back.

3314           \*Mrs. Harshbarger. The gentleman yields back and I am  
3315 going to go ahead and do my five minutes, so I recognize  
3316 myself for five minutes and let him get ready.

3317           Thank you all for being here today, and it is important  
3318 that we talk about this, you know Lifecycle Innovation  
3319 Campus. It is a big deal.

3320           So Ms. Korsnick, you outlined six principles for a  
3321 congressional framework to make these innovation campuses  
3322 successful, including durable agreements with host states,  
3323 Federal responsibility for spent fuel, and a credible path

3324 toward permanent disposal. So what does Congress need to do  
3325 to put those principles into place to give the states the  
3326 certainty they need to participate?

3327       \*Ms. Korsnick. Well, I would say some of the more  
3328 straightforward things is to enable DoE to begin to move  
3329 forward. You know, if you look at our current construct, as  
3330 we have mentioned earlier, Yucca is, you know, the stated --

3331       \*Mrs. Harshbarger. Yes.

3332       \*Ms. Korsnick. -- location, right? So open some  
3333 flexibility there that more things can be considered than  
3334 just Yucca Mountain. Allow DoE to come into contracts with  
3335 states to help them explore these innovation campuses. I  
3336 believe Tennessee is one of these, as an example.

3337       And I would believe in the beginning you could amount to  
3338 some flexibility, let some states explore what does it mean,  
3339 explore some of the siting. Let DoE apply some of their  
3340 technical expertise. But once some sites are selected, that  
3341 needs to be more of a binding contract that says, okay, if we  
3342 are really going to go forward here, you need the states to  
3343 lock in and you need the Federal Government to lock in so  
3344 that we have a durable solution for the long term.

3345       \*Mrs. Harshbarger. Yes, so --

3346       \*Ms. Korsnick. I think that framework is --

3347       \*Mrs. Harshbarger. You have got to know the rules and -  
3348 - to get it done. So building on that, how could these

3349 campuses strengthen the broader domestic nuclear industry,  
3350 including American fuel production and manufacturing which  
3351 will help us with our growing energy needs?

3352 Commissioner Paradis, from the perspective of state  
3353 regulators, what benefits could innovation campuses provide  
3354 to states and their electricity consumers as we work to  
3355 ensure reliable and affordable electricity to meet these  
3356 growing demands?

3357 [Pause.]

3358 \*Mrs. Harshbarger. Turn your --

3359 \*Ms. Paradis. There we go. Sorry about that.

3360 If the campuses become functioning, they need to take on  
3361 the waste, right?

3362 \*Mrs. Harshbarger. Yes.

3363 \*Ms. Paradis. We have waste that has been stored for  
3364 40-plus years --

3365 \*Mrs. Harshbarger. Yes.

3366 \*Ms. Paradis. -- based on that commitment. So the  
3367 first thing, from a regulator perspective, is these lifestyle  
3368 campuses, if they help the Federal Government meet that  
3369 outstanding commitment, that is the first priority.

3370 \*Mrs. Harshbarger. Yes, exactly, and that leads into my  
3371 question for you, sir, Mr. des Rosiers. You represent the  
3372 communities with nuclear plants that have already shut down  
3373 but continue to store that spent nuclear fuel. So how would

3374 a successful innovation campus program and a Federal  
3375 commitment to moving forward with -- to moving spent fuel  
3376 help those communities to provide decommissioning and moving  
3377 that forward?

3378 \*Mr. des Rosiers. Well, for the members of the DPC, the  
3379 removal of the fuel from our sites will allow the repurposing  
3380 of our facilities to meet the needs of our local communities,  
3381 whether that is for industrial or commercial development or  
3382 for conservation or other public purposes.

3383 \*Mrs. Harshbarger. Yes.

3384 \*Mr. des Rosiers. That can happen, but it can't happen  
3385 when we have spent fuel stored on our facilities. And our  
3386 host communities didn't sign up to be the default permanent  
3387 storage location.

3388 Moving our fuel also -- and you asked about economic  
3389 benefit -- every day that our fuel sits on decommissioned  
3390 sites, the taxpayers of the United States are incurring  
3391 additional liability to our companies to pay for that under  
3392 the standard contract. So getting the fuel off our sites  
3393 will reduce the cost for the Federal Government and the  
3394 taxpayers.

3395 \*Mrs. Harshbarger. Yes. It sounds like we need to get  
3396 these innovation campuses up and going. So make that  
3397 decision. You know, Tennessee is one of them.

3398 So I guess that is it, and with that I will recognize

3399 Representative Tonko for his five minutes.

3400           \*Mr. Tonko. Thank you, Madam Chair.

3401           And Ms. Korsnick, earlier I asked Secretary Garrish  
3402 about the importance of long-term certainty to make DoE's  
3403 Lifecycle Campus proposal work. Now, if we are going to  
3404 pursue a voluntary, consent-based approach for Lifecycle  
3405 Campuses, at what point in this process do states need to  
3406 fully commit and forfeit their ability to change their minds  
3407 on the effort?

3408           \*Ms. Korsnick. Thanks for the question. I think this  
3409 is really something that has to be decided between the states  
3410 and the Federal Government when they actually come together  
3411 with their contracts.

3412           But I will just, you know, give an example. I think  
3413 right in the initial phases you need some flexibility. You  
3414 need some states to explore without feeling that their hands  
3415 are tied until they fully understand. Do they have some  
3416 sites that are suitable? And so I think there is some early  
3417 flexibility, but I think once a site is identified and there  
3418 is going to be commitment to license that facility and to  
3419 move forward, I think in that case you need a much more firm  
3420 relationship between the state and the Federal Government.

3421           \*Mr. Tonko. Thank you. And I think it is an important  
3422 balance, because I do want states to be willing partners in  
3423 accepting waste as well as experience economic benefits

3424 stemming from it. But I also do not want us to fund more  
3425 half-finished projects that will be tied up in litigation for  
3426 years.

3427         So I also believe there is some urgency to begin to  
3428 resolve the spent nuclear fuel question today while we remain  
3429 on the precipice of a major nuclear revival, rather than  
3430 after we have already started to deploy dozens, if not  
3431 hundreds, of new reactors across our country. So Ms.  
3432 Korsnick, do you believe, like the new reactors being  
3433 designed today -- have given more thought to how to reduce or  
3434 otherwise address spent fuel issues?

3435         \*Ms. Korsnick. Well, I think we are going to have many  
3436 different types and sizes of reactors going forward, and they  
3437 have different waste forms, some of it high-assay LEU, some  
3438 of it low-enriched uranium. Some -- again, some fast  
3439 reactors, some thermal reactors. So in any of these cases  
3440 you are still going to have a waste form, right? And so I  
3441 think, as we look forward, we need to have an ultimate  
3442 repository and just figure out the best way we want to do it.

3443         I have been to Finland and I have toured their waste  
3444 repository. I know other countries are getting pretty close  
3445 to finalizing locations for theirs. And I have confidence  
3446 that we in the United States can do the same thing.

3447         \*Mr. Tonko. Thank you. Well, I am certain Mr. des  
3448 Rosiers would say the current situation is untenable and

3449 harms host communities, which I would agree with. But I will  
3450 also acknowledge that, from a safety perspective, on-site  
3451 storage has been a safe, short-term option at the 75 sites  
3452 across the nation. But I think we all agree that this cannot  
3453 be the long-term solution, and I worry what will happen if  
3454 our 75 sites today become hundreds of sites into the future.

3455       Mr. White, do you have any thoughts on that? Should we  
3456 get closer to a long-term storage solution before encouraging  
3457 the development of more sites that may become additional  
3458 locations for on-site storage of spent fuel?

3459       \*Mr. White. Well, sir, I think it was --

3460       \*Mr. Tonko. Yes, Mr. White.

3461       \*Mr. White. Yes. So you noted that we are currently  
3462 storing spent nuclear fuel safely. And we believe that that  
3463 is, you know, a good, safe thing that we can do, okay?

3464       In terms of going forward, I think having a program in  
3465 place will help facilitate the development of new nuclear.  
3466 Do we want to wait until we have a plan or a program in  
3467 place? I think that we would want to try to do that  
3468 concurrently.

3469       \*Mr. Tonko. Okay. Any other comments? Any other  
3470 comments from anyone about -- okay.

3471       Well, with that I appreciate the opportunity and thank  
3472 you, Madam Chair, and I yield back.

3473       \*Mrs. Harshbarger. Thank you. The gentleman yields

3474 back and I want to thank the witnesses for being here today.  
3475 Members may have additional questions for you, and I will  
3476 remind the members that they have 10 business days to submit  
3477 those additional questions for the record. And I ask that  
3478 witnesses do their best to submit responses within 10  
3479 business days upon receipt of those questions.

3480 So I ask unanimous consent to insert in the record the  
3481 documents included in the staff hearing documents list.

3482 And without objection, so ordered.

3483 [The information follows:]

3484

3485 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3486

3487            \*Mrs. Harshbarger. So without objection, the  
3488        subcommittee is adjourned.

3489            [Whereupon, at 1:24 p.m., the subcommittee was  
3490        adjourned.]