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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Nuclear Energy Innovation and Modernization Act to make certain improvements relating to mandatory Nuclear Regulatory Commission hearings, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. SPARTZ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Nuclear Energy Innovation and Modernization Act to make certain improvements relating to mandatory Nuclear Regulatory Commission hearings, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nuclear Regulatory
5 Modernization Act of 2026”.

1 **SEC. 2. IMPROVEMENTS RELATING TO MANDATORY NU-**
2 **CLEAR REGULATORY COMMISSION HEAR-**
3 **INGS.**

4 (a) HEARINGS AND JUDICIAL REVIEW.—Section 189
5 a. of the Atomic Energy Act of 1954 (42 U.S.C. 2239(a))
6 is amended—

7 (1) in paragraph (1)(A)—

8 (A) by striking “In any proceeding under
9 this Act” and inserting the following:

10 “(i) In any proceeding under this Act”; and

11 (B) in clause (i) (as so designated), by
12 striking “The Commission shall hold a hearing”
13 and all that follows through “upon a determina-
14 tion by the Commission that the amendment in-
15 volves no significant hazards consideration.”
16 and inserting the following:

17 “(ii) The Commission may, in the absence of a re-
18 quest for a hearing by any person whose interest may be
19 affected, issue a construction permit, an operating license,
20 a combined construction permit and operating license, an
21 amendment to a construction permit, an amendment to
22 an operating license, or an amendment to a combined con-
23 struction permit and operating license under section 103,
24 104 b., 104 c., or 185 b. for a facility or a testing facility,
25 without a hearing, but upon thirty days notice and publi-
26 cation once in the Federal Register of its intent to do so.

1 The Commission may dispense with such thirty days no-
2 tice and publication with respect to any application for an
3 amendment to a construction permit, an amendment to
4 an operating license, or an amendment to a combined con-
5 struction permit and operating license upon a determina-
6 tion by the Commission that the amendment involves no
7 significant hazards consideration.

8 “(iii) The Commission may use informal adjudicatory
9 procedures for any hearing held by the Commission pursu-
10 ant to this subparagraph.”;

11 (2) in paragraph (1)(B)(iv)—

12 (A) by inserting “informal” before “hear-
13 ing procedures”; and

14 (B) by striking “, whether informal or for-
15 mal adjudicatory,”; and

16 (3) in the second sentence of paragraph (2)(A),
17 by striking “required hearing” and inserting “hear-
18 ing held by the Commission under this section”.

19 (b) CONSTRUCTION PERMITS AND OPERATING LI-
20 CENSES.—Section 185 b. of the Atomic Energy Act of
21 1954 (42 U.S.C. 2235(b)) is amended by striking “After
22 holding a public hearing under section 189 a. (1)(A),” and
23 inserting “After the thirty days notice and publication pe-
24 riod or holding a hearing, as applicable, under section 189
25 a. (1)(A),”.

1 (c) APPLICABILITY.—The amendments made by this
2 section shall apply to all applications and proceedings
3 pending before the Nuclear Regulatory Commission on or
4 after the date of enactment of this section.

5 **SEC. 3. CONSTRUCTION-AT-RISK AUTHORIZATION FOR**
6 **URANIUM ENRICHMENT FACILITIES.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that—

9 (1) the prohibition on the importation of ura-
10 nium from the Russian Federation pursuant to the
11 Prohibiting Russian Uranium Imports Act (Public
12 Law 118–62; 42 U.S.C. 2011 note et seq.) should
13 continue to apply; and

14 (2) this section, and the amendments made by
15 this section, should be carried out in a manner con-
16 sistent with such prohibition.

17 (b) AUTHORIZATION.—Section 193 of the Atomic En-
18 ergy Act of 1954 (42 U.S.C. 2243) is amended—

19 (1) by amending subsection (a) to read as fol-
20 lows:

21 “(a) AT-RISK CONSTRUCTION.—

22 “(1) IN GENERAL.—Commencement of con-
23 struction of a uranium enrichment facility prior to
24 the issuance of a license under sections 53 and 63
25 for that facility shall be permitted under the same

1 terms and conditions applicable to other fuel cycle
2 facilities licensed under such sections.

3 “(2) RULE OF CONSTRUCTION.—Nothing in
4 this subsection shall be construed to affect—

5 “(A) the authority of the Nuclear Regu-
6 latory Commission to regulate construction as
7 necessary for issuing a license under sections
8 53 and 63 for a uranium enrichment facility,
9 including the authority to deny an application
10 for such a license for the failure of an applicant
11 to construct such a facility in accordance with
12 regulatory requirements; or

13 “(B) the right of any person whose inter-
14 est may be affected by a proceeding under this
15 Act to a hearing under section 189.”;

16 (2) by striking subsection (b);

17 (3) by redesignating subsections (c) through (f)
18 as subsections (b) through (e), respectively; and

19 (4) in the first sentence of subsection (b), as so
20 redesignated, by striking “construction and”.

21 (c) REGULATIONS REQUIRED.—Not later than 180
22 days after the date of enactment of this Act, the Nuclear
23 Regulatory Commission shall issue or revise regulations
24 to carry out this section and the amendments made by
25 this section.