

We need greater transparency, more aggressive negotiation, no more pay-for-delay on generic drugs, and more. Democrats have a better deal to offer the American people.

#### IN MEMORY OF PETER HUIZENGA

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today in celebration and commemoration of the life of Peter Huizenga from Oak Brook, Illinois, who passed away last Wednesday at the age of 79.

A businessman, entrepreneur, and philanthropist, Peter Huizenga is best known for building Waste Management, Inc., into the largest waste disposal company in the world with his cousin Wayne. Upon immigrating to the United States in the 1800s, his Dutch ancestors saw a need for sanitation services in their community west of Chicago. Their humble family garbage collection business would become a Fortune 500 company under Peter's management, employing 75,000 workers worldwide. However, Peter once said: My goal is not to make money but to make a better world.

Following the sale of the company, Peter devoted his life to philanthropic work in the community through organizations such as Big Shoulders Fund; his alma mater, Timothy Christian School; and many more. His family was always his first priority, and he will be greatly missed by his wife, Heidi; his 4 children; and his 10 grandchildren. All of Illinois will miss him.

#### HONORING MIGNON CLYBURN

(Mr. McNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McNERNEY. Mr. Speaker, today I rise to honor and thank Federal Communications Commissioner Mignon Clyburn for her 9 years of service at the Federal Communications Commission. During her tenure, she fought tirelessly for consumers. She has been a staunch defender of the public interest and a critical voice in the fight for a free and open Internet.

Over the last year, thousands of constituents reached out to me expressing their concerns about rolling back net neutrality provisions. When Chairman Pai denied my request to appear at the Commission's open meeting during which they would be voting to eliminate net neutrality, Commissioner Clyburn offered to submit my written statement for the record so my constituents' voices would be heard. Additionally, she came to my district to hear firsthand from my constituents about net neutrality.

I am also grateful for her work to protect the Lifeline program. Over 56,000 households in my district rely on this crucial program. Connectivity is a

gateway for economic opportunity. It is an equalizer. And Commissioner Clyburn's leadership has been vital.

Thank you, Commissioner Clyburn, for your incredible work and public service.

#### THE PENSION CRISIS

(Mrs. DINGELL asked and was given permission to address the House for 1 minute.)

Mrs. DINGELL. Mr. Speaker, I rise to discuss the pension crisis facing American workers and businesses across the country and the urgent need for Congress to act.

Men and women in my home State of Michigan and across the country worked a lifetime to retire with the dignity and security promised by their pensions. They earned their retirement with blood, sweat, tears, and many sacrifices along the way. They played by the rules, they put money into their pension, and now they are scared to death about how and what they will live on. They are worried about whether they will have a safe and secure retirement.

A few months ago, we created the Joint Select Committee on the Solvency of Multiemployer Pension Plans with the goal of coming up with a bipartisan solution to the pension crisis by year's end. This is an urgent task because, if we do not act this year, the major multiemployer plans will start going under, and it could drag the entire economy down with it. Not only would we face staggering benefit cuts for retirees, but it will mean less money flowing in local economies and more people relying on the social safety net for support. It could be the perfect storm.

#### NUCLEAR WASTE POLICY AMENDMENTS ACT OF 2017

##### GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 3053.

The SPEAKER pro tempore (Mr. KUSTOFF of Tennessee). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 879 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3053.

The Chair appoints the gentleman from Pennsylvania (Mr. ROTHFUS) to preside over the Committee of the Whole.

□ 0910

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the consideration of the bill (H.R. 3053) to amend the Nuclear Waste Policy Act of 1982, and for other purposes, with Mr. ROTHFUS in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Illinois (Mr. SHIMKUS) and the gentleman from New York (Mr. TONKO) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SHIMKUS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I am going to have a lot of people wanting to come to the floor, so I will abbreviate my opening remarks and just address a few questions that are going to be raised.

First, I just want to highlight the fact that you are going to hear a lot about local, consensus-based decision-making, and then you are also going to hear about closeness of proximity. This chart kind of highlights what we are talking about.

The red is Federal Government land. The Federal Government land is larger than 31 countries on the Earth. You have three different sections. You have the national test and training range. You have the national security site. You have also some Fish and Wildlife/Interior land, bigger than many of our States in our Union. So, to my colleagues, I want to make sure they have in perspective the size of the area that we are talking about: bigger than the State of Connecticut and areas that people are going to talk about.

That is one question that will be addressed. Another question will be the fear of tourism, because Las Vegas gets 42 million tourists a year, and they seem to be concerned that this might affect that industry. And then it dawned on me that the city of Chicago gets 55 million tourists a year—55 million—and they have over 10,000 metric tons of spent nuclear fuel in Chicagoland.

So I want to make sure that my friends in Nevada understand that that should not be a terrible concern when Chicago seems to be doing well with tourism on that issue.

Also, there will be a debate about transportation. I just want to call attention, Mr. Chairman, through you to my colleagues that we operate a nuclear Navy. That nuclear Navy has to have the power systems refueled. That means new nuclear fuel goes there. That means spent nuclear fuel goes off the nuclear Navy ships. That is on the ocean. That is either on the Atlantic Ocean or on the Pacific Ocean. This spent fuel goes to Idaho, which means that we transport, safely, spent nuclear fuel, and we have done it for decades.

Those are the three main contentions you will hear with this bill. I am going to allow my colleagues to talk about all the great benefits of this bill.

Mr. Chair, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, October 6, 2017.  
Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR CHAIRMAN BISHOP: On June 28, 2017, the Committee on Energy and Commerce ordered favorably reported H.R. 3053, the Nuclear Waste Policy Amendments Act of 2017. This bill was additionally referred to the Committee on Natural Resources.

I ask that the Committee on Natural Resources not insist on its referral of the bill so that H.R. 3053 may be scheduled for consideration by the Majority Leader. This concession in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Natural Resources represented on the conference committee. Finally, I would be pleased to include this letter and your response in the bill report and in the Congressional Record.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,

GREG WALDEN,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, October 6, 2017.

Hon. GREG WALDEN,  
Chairman, Committee on Energy and Commerce,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 3053, the Nuclear Waste Policy Amendments Act of 2017, which was additionally referred to the Committee on Natural Resources.

In the interest of permitting you to proceed expeditiously to floor consideration, I will allow the Committee on Natural Resources to be discharged from further consideration of the bill. I do so with the understanding that the Committee does not waive any jurisdictional claim over the subject matter contained in the bill that fall within its Rule X jurisdiction. I also request that you support my request to name members of the Committee on Natural Resources to any conference committee to consider such provisions. Finally, please include this letter in the report on the bill and into the Congressional Record during consideration of the measure on the House floor.

Thank you again for the very cooperative spirit in which you and your staff have worked regarding many issues of shared interest over the Congress.

Sincerely,

ROB BISHOP,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, October 13, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY,  
Chairman, Committee on Armed Services,  
Washington, DC.

DEAR CHAIRMAN THORNBERRY: Thank you for your letter concerning H.R. 3053, Nuclear Waste Policy Amendments Act of 2017, which was additionally referred to the Committee on Armed Services.

I appreciate your willingness to waive your committee's further consideration of H.R. 3053, and I agree that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claim over the subject matters contained in the legislation which fall within its Rule X jurisdiction. I will urge the Speaker

to name members of your committee to any conference committee which is named to consider such provisions.

In addition, I agree that the DOE Record of Decision concerning rail corridor siting will not impinge on the activities of the Department of Defense and Department of Energy at the Nevada Nuclear Security Site and the Nevada Test and Training Range.

Finally, I will place a copy of your letter and this response into the committee report on H.R. 3053 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

GREG WALDEN,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 13, 2017.

Hon. GREG WALDEN,  
Chairman, Committee on Energy and Commerce,  
Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 3053, the "Nuclear Waste Policy Amendments Act of 2017." There are certain provisions in the bill which fall within the Rule X jurisdiction of the Committee on Armed Services.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important legislation, I am willing to waive this committee's further consideration of H.R. 3053. I do so with the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claim over the subject matters contained in the legislation which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

The decision to waive this committee's consideration is also based, in part, on an agreement with the Committee on Energy and Commerce that the DOE Record of Decision concerning rail corridor siting will not impinge on the activities of the Department of Defense and Department of Energy at the Nevada Nuclear Security Site and the Nevada Test and Training Range.

Please place a copy of this letter and your response acknowledging our jurisdictional interest, and our mutual understanding that a rail siting will not impede DoD and DoE sites, into the committee report on H.R. 3053 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
Chairman.

Mr. TONKO. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of H.R. 3053, the Nuclear Waste Policy Amendments Act.

First, let me recognize the hard work done by Mr. SHIMKUS on this bill. He has been tireless in this effort. And to his and his staff's credit, he has worked with us to make what I believe are a number of improvements to the given bill. Regardless of your position on nuclear energy, we have to acknowledge the reality that tens of thousands of tons of waste already exist. This is a problem for over 120 host communities across our country, and it will not be solved by continuing to ignore it.

□ 0915

But even if you do not represent one of those communities, all of our con-

stituents are paying for this waste. Decades ago, the Federal Government entered into agreements to remove it from nuclear plants. Deadlines have been missed, and now all taxpayers have a legal liability of over \$34 billion, which is being paid from the Treasury's Judgment Fund.

In my view, the most important thing this bill does is set up a path forward on interim storage, which will allow spent nuclear fuel to be stored in a consolidated location on a temporary basis while a permanent repository is pursued.

The bill includes language based upon a proposal developed by our colleague, DORIS MATSUI, to allow the Secretary of Energy to enter into an agreement to establish an interim storage pilot program, which can move forward directly after enactment.

Consolidating waste at a small number of sites instead of 121 communities across our country will help ensure waste is managed more safely and securely while allowing those 121 sites to begin to be redeveloped for other purposes.

I know a number of our colleagues have concerns with this bill, and I understand their position. And many Members that support this bill, including myself, have not passed judgment on the merits or final disposition of the Yucca Mountain project. That is why Members of the minority demanded a number of troubling Nevada-related provisions be removed from the bill during the committee process.

This bill will not rubber-stamp the Yucca permitting application. The Nuclear Regulatory Commission will still need to adjudicate the many remaining issues with the application, and it will need appropriations in order to do so.

I know we will hear about the challenges of transporting spent fuel to a final repository, but the reality is nuclear material is already moved around our country today without incident due to strict safety requirements. The only alternative to not moving this waste is keeping it spread out in 121 locations for tens of thousands of years.

Overall, this bill is a step in the right direction toward beginning to address our Nation's very difficult nuclear waste issues, which is why it was reported out of committee by a vote of 49-4.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield as much time as he may consume to the gentleman from Oregon (Mr. WALDEN), the chairman of the full Energy and Commerce Committee.

Mr. WALDEN. Mr. Chairman, first of all, I want to thank the chairman on the Subcommittee on Environment, Mr. SHIMKUS, whose, I think, life's work is on the floor today in many respects. Nobody has been more tenacious in this effort to get permanent,

safe, and secure nuclear waste storage for America than JOHN SHIMKUS, and so I thank Mr. SHIMKUS for his good work there.

The bill we are considering today reinforces the promise that the United States Congress, on behalf of the Federal Government, made to our constituents a generation ago. Today, we are keeping that promise. We will accept responsibility for and properly dispose of radioactive waste.

This is long overdue. Americans across the country, from Maine to southern California, from Florida to the Pacific Northwest, are watching today, and they are expecting us to act.

The Department of Energy's Hanford site is just up the mighty Columbia River from where I live and where I grew up. That area and those workers helped us win World War II, and the site's nuclear program was instrumental in projecting peace through strength throughout the Cold War.

While the community has been a constructive partner in support of our vital national security missions, it did not agree to serve as a perpetual storage site for the resulting nuclear waste. Fifty-six million gallons of toxic waste sitting in decades-old metal tanks at Hanford—these are those tanks that were being constructed to hold this waste. They are now buried in the ground. The only entry point is right here.

The amount of waste stored at Hanford would fill this entire House Chamber 20 times over. According to a recent Government Accountability Office report, the oldest of these tanks, some of which date back to the 1940s, have single-layer walls or shells. They were built to last 20 years. They will be almost 100 years old by the estimated end of their waste treatment.

The Department of Energy has reported that 67 of these tanks are assumed or known to have leaked waste into the soil. There is an understandable sense of urgency in the Northwest behind the cleanup efforts that are under way at Hanford.

H.R. 3053 will provide the pathway to clean up the contaminated Hanford site. You see, the waste from Hanford will end up in a secure permanent storage site that we believe will be Yucca Mountain. These tanks will be drained and cleaned out, the waste classified and put away.

This bill keeps our commitment to energy consumers, too, who are legally bound to pay for a nuclear waste management program. These consumers in 34 States, including Oregon, have paid the Federal Government in excess of \$40 billion. Even after the last administration stalled the project, ratepayers continued to hand over nearly \$800 million annually to develop the repository, until finally the courts stepped in and directed the fee collection be halted because no repository was being constructed. That money was paid to the U.S. Treasury for a specific pur-

pose. We have a legal and moral obligation to advance the program for which ratepayers paid.

Now, my friends in Nevada should have confidence the Yucca Mountain repository will protect public health and the environment. The completion of the Nuclear Regulatory Commission's impartial safety review will answer the many questions raised by the State of Nevada and provide an independent determination if the site meets the required 1-million-year environmental protection standard. That is right, 1 million years.

Consolidating the Nation's nuclear material for disposal is better for the environment than the status quo, where these materials sit around in 121 communities in 39 States, or tanks like this.

The legislation authorizes the Department of Energy to contract with private companies to store nuclear waste while DOE finishes the rigorous scientific analysis of the repository design and the associated Nuclear Regulatory Commission licensing process. An interim storage facility can bring added flexibility to DOE's disposal program and may provide a more expeditious near-term pathway to consolidate spent nuclear fuel.

The longer the government delays, the greater the potential consequences. The legal cost of inaction, a bill paid by every American taxpayer, is staggering. Today, taxpayers pay an average of \$2 million every day—every day—in legal claims because we as a government have not done what was promised decades ago. We are doing that today with this legislation.

Cumulatively, we are on the hook for nearly \$134 billion. That increases every day we delay action. Instead of contributing to an escalating national debt, this money could be better spent to support our men and women in uniform, deal with the opioid crisis, or a whole myriad of other things. By acting today, we will eventually turn off that penalty phase and start the productive phase.

At the end of the day, this bipartisan legislation is good for our communities around the country and their safety. It is good for consumers and fiscal sanity. It is good for the environment for secure storage. It is good for taxpayers, and it is good for national security as well.

So I thank my colleagues on both sides of the aisle who have put so much work into this—Mr. TONKO and certainly Mr. SHIMKUS. I urge all our colleagues to support H.R. 3053. Let's put an end to these tanks before they put an end to us.

Mr. TONKO. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE), our outstanding ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Chairman, I want to thank our ranking member, Mr. TONKO.

I rise in support of H.R. 3053. Congress first passed the Nuclear Waste

Policy Act back in 1982, but more than 35 years later, we still do not have a national solution to address the safe storage of spent nuclear fuel. Instead, it continues to sit on site at our Nation's nuclear power plants.

This becomes a concern as more and more nuclear power reactors are scheduled to shut down in the coming years, including the Oyster Creek Nuclear Generating Station in New Jersey. As these reactors shut down, the surrounding communities are realizing that the nuclear waste currently stored at these sites will be there indefinitely when the plant closes, absent a workable national solution. This situation underscores the need for interim storage solutions to bridge the gap until a permanent repository is licensed and constructed.

The bill before us today is a bipartisan compromise that was reported out of the Energy and Commerce Committee by a vote of 49–4. Democrats on the committee, especially Representative MATSUI, worked with Mr. TONKO to craft a bipartisan compromise that establishes an interim storage pilot program, which will allow for consolidated temporary storage of spent nuclear fuel, with priority given to waste currently stored at decommissioned nuclear power plants.

This will allow us to consolidate waste at a single site instead of 121 sites in communities around the country. One consolidated site will help ensure it is managed more safely and securely, while allowing communities with decommissioned plants to begin working towards redeveloping those sites.

Now, some of the opponents of this bill have focused on claims that spent nuclear fuel could be transported through many congressional districts across the country, and that is true. Spent nuclear fuel will ultimately need to be transported from power plants to an interim storage facility or repository. But moving nuclear material by rail and truck has occurred frequently for decades, and the NRC notes that thousands of shipments have occurred over decades without incident.

So regardless of your position on the Yucca Mountain project—I know people feel strongly on both sides of that, but regardless, spent nuclear fuel will need to be transported somewhere in the U.S. unless all of the spent fuel is to be left at the site of a nuclear power plant that may no longer even produce power.

Mr. Chairman, this bill is a balanced bill that I support, just as it is also supported by the AFL–CIO, the IBEW, and the other building trades. It will begin the process of moving waste out of communities, particularly those home to a shut down nuclear power plant. It will also help fulfill the commitment to taxpayers who have paid more than \$50 billion dollars into the nuclear waste program.

So I urge my colleagues to vote for this bill. I thank both Mr. SHIMKUS, the

main sponsor who worked so hard; obviously, Mr. TONKO; Ms. MATSUI; and, of course, the chairman of our committee, Mr. WALDEN, as well.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON), the former chairman of the Energy and Commerce Committee.

Mr. UPTON. Mr. Chairman, I particularly commend JOHN SHIMKUS, the chairman of the subcommittee, who helped shepherd this bill through; Chairman WALDEN; Ranking Member PALLONE and others; Mr. TONKO. It is truly a bipartisan work of art; 49-4 is what this bill passed in our committee.

I can remember way back when when President Reagan was in office and signing the Nuclear Waste Policy Act in the Rose Garden. He said: We are going to keep our promise. The Federal Government is going to take care of nuclear waste. That is going to happen.

Well, here we are now nearly 50 years later. I can remember the Upton-Towns bill back in the 1990s, a bill that did very much along the lines of what this bill does. We came within just a vote or two of having it overridden by the U.S. Senate, stopping it in its tracks. So, decades later, here we are again.

In my district, we have two nuclear plants. Both of them have run out of room in their storage, so they have dry casks that are literally a JOHN SHIMKUS baseball throw away from Lake Michigan.

Every one of these 100-some sites across the country is in an environmentally sensitive area, and at some point they are going to run out of room. In Michigan, we have got two other sites that also have dry casks in addition to the two in my district.

So we spent nearly \$40 billion. Enough time has gone by. We need to deal with this. And for those who are against this bill, your alternative is just keeping it there—just keeping it in California, just keeping it on that pristine river, just keep it on the Great Lakes for however long. That is not the answer. This bill is.

Because it is bipartisan, I am confident that not only will we have the votes to get this thing through today, but we are going to get it ultimately to the President.

So, again, I want to thank our leadership on both sides of the aisle for getting this thing done.

Mr. TONKO. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, I rise today in support of H.R. 3053. I thank Ranking Member TONKO and Chairman SHIMKUS for their hard work on this very difficult subject.

This is a bipartisan bill that seeks a solution on how to remove and dispose of spent nuclear fuel and high-level radioactive waste. This bill recognizes the need to consolidate interim storage in an integral waste management program.

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H.R. 3053 authorizes the Department of Energy to either develop its own consolidated interim storage facility or contract with private entities for such development. The bill also authorizes the development of one pilot CIS facility that is not linked to the Nuclear Regulatory Commission's decision on the Yucca Mountain license application, and provides a solution for nuclear waste stranded at sites without an operating reactor.

This bill will help us create a path toward permanent storage, while also being inclusive and transparent about the process. One of the key additions to this bill is that it will reestablish the Office of Civilian Radioactive Waste Management. It also increases assistance to States and tribes for transportation safety, which is important when transporting radioactive materials.

Mr. Chairman, we cannot continue to put our heads in the sand about nuclear waste. There are about 120 sites across the country that store nuclear waste on a so-called temporary basis. With this situation, a serious accident is virtually inevitable. Nuclear waste can be transported and stored safely for the generations needed. This is really an engineering problem, and America has some of the best engineers in the world. We can do this.

H.R. 3053 is an important step toward safe storage, and I urge my colleagues to support this well-crafted legislation.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Chairman, I rise today in support of Chairman SHIMKUS' bill, the Nuclear Waste Policy Amendments Act of 2018.

This legislation is important not only because of what it means to the future of clean energy opportunities for this country, but also what this means for our communities. Nuclear energy has become a safe and effective way to generate energy, all while not producing greenhouse gas emissions.

The Nuclear Waste Policy Amendments Act would finally put in place a permanent repository for the waste generated by nuclear energy production that powers millions of homes and businesses across the country. We began this process nearly 30 years ago, and today we move it forward.

My good friend's legislation authorizes the disposal of spent nuclear fuel in a safe, permanent place. Right now, spent fuel is sitting on nuclear energy sites around the country, leaving our communities open to larger vulnerabilities and possible attacks or accidents.

Mr. Chairman, I urge my colleagues to support the Nuclear Waste Policy Amendments Act, and I thank the gentleman for his leadership.

Mr. TONKO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Chairman, I rise in support of H.R. 3053, the Nuclear Waste Policy Amendments Act.

Finding a way forward on the future of our Nation's nuclear waste storage is no easy task. But I believe we have arrived at a bipartisan agreement on nuclear waste storage that we need to advance today to address this issue.

I would first like to thank Chairman WALDEN and Ranking Member PALLONE, and Chairman SHIMKUS and Ranking Member TONKO for their outstanding leadership, and thank all of my colleagues who worked on this in committee because it wasn't easy, but we worked together in a bipartisan way.

This bill will authorize the Department of Energy to establish and maintain interim storage facilities to hold nuclear waste until there is a clear decision on the national repository.

Also, included in this bill is an amendment I offered at the full committee with my good friend, FRED UPTON. This important amendment expresses the sense of the Congress that the governments of the United States and Canada should not allow permanent or long-term storage of spent nuclear fuel or other radioactive waste near the Great Lakes.

Mr. UPTON and I were proud to get this amendment included on behalf of every Member of the Great Lakes region.

The Great Lakes account for 20 percent of the world's fresh water supply, and it is absolutely critical for millions of Americans who rely on them for drinking water, jobs, and their way of life.

Nearly 1/10th of the U.S. population lives in the Great Lakes Basin, and more than 35 million people, with approximately 24 million of them being Americans, rely on the Great Lakes.

This provision reinforces the importance of the healthy Great Lakes Basin, free of nuclear storage.

Mr. Chairman, I commend all of my colleagues one more time for their good work in crafting a bipartisan agreement that will ensure nuclear waste is stored at secure storage facilities.

Mr. Chairman, I urge my colleagues to support this bill.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Chairman, I thank Chairman SHIMKUS for his work on this legislation.

I have long been an advocate for nuclear waste policy like this for Yucca Mountain.

Since 1982, when the Nuclear Waste Policy Act was created, ratepayers in this Nation have paid, as part of their utility bill, over \$40 billion. In South Carolina, that means ratepayers have paid \$1.3 billion for the construction and operation of what we now know as Yucca Mountain.

Currently, in South Carolina, there are over 4,500 tons of spent nuclear fuel in temporary storage from commercial reactors. At the Savannah River Site, we have both research and military nuclear waste sitting in vitrified glass ready to go to a long-term repository.

The law of the land, passed in 1992, is for Yucca Mountain to be a long-term repository for this Nation's waste. It is time to move forward and give the ratepayers—not the taxpayers, but the ratepayers—what they paid for, and this legislation moves in the right direction.

Mr. Chairman, I look forward to my colleagues supporting this bipartisan legislation.

Mr. TONKO. Mr. Chairman, I yield such time as she may consume to the gentleman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chairman, I thank Mr. TONKO for yielding.

Mr. Chairman, I rise today in support of the Nuclear Waste Policy Amendments Act.

In Sacramento, our publicly owned utility stores spent nuclear fuel at the Rancho Seco Nuclear Generating Station, despite the fact that the plant has been decommissioned for many, many years, and that the Federal Government has a responsibility to take the fuel.

The continued presence of the spent fuel at Rancho Seco has a direct impact on electricity rates in my district, and prevents the site from being redeveloped. That is why I have continuously been supportive of an interim storage facility for spent fuel.

Today, it is the most viable path to consolidate the fuel housed in over 120 communities across the country. For the last two Congresses, I have cosponsored a bipartisan bill to explicitly authorize the Department of Energy to enter into agreements for consolidated interim storage.

I believe that a stand-alone piece of legislation that creates a pathway for interim storage is the commonsense next step in our national nuclear waste management strategy.

I was opposed to the initial version of H.R. 3053 that came before the Energy and Commerce Committee last year. It tied Yucca Mountain, which I have major concerns with, to interim storage.

Linking these two policies together would effectively maintain the status quo for decommissioned sites across the country, which is unacceptable. That is why I have worked on a bipartisan basis to ensure that the interim storage policy in this bill is decoupled from a permanent repository.

After negotiations in committee, the bill we are considering now authorizes the use of one consolidated interim storage site and creates a path to move spent fuel to that site before a final decision is made on a permanent geologic repository.

It is critically important that we have further clarified the regulatory pathway for interim storage. For that reason, I will be supporting this bill today, despite some of its provisions that I believe are less than ideal.

Mr. Chairman, I thank my colleagues for working with me in a collaborative and bipartisan manner to ensure the

Federal Government finally takes the spent fuel stranded in so many of our communities nationwide.

Mr. SHIMKUS. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. LANCE), who is on the committee, and has been doing great work to deal with his constituents.

Mr. LANCE. Mr. Chairman, I rise in support of H.R. 3053, the Nuclear Waste Policy Amendments Act. This is an enormous achievement for Chairman SHIMKUS, who has worked so hard, and so long, to make this day a reality.

The Nation needs a safe, environmentally conscious plan to dispose of this waste. This plan is bipartisan and sensible.

New Jersey is home to four nuclear reactors at three generating stations: Oyster Creek, Hope Creek, and Salem. Oyster Creek will be closing this October.

In the congressional district I serve, these plants account for about half of the power generation and 90 percent of the carbon-free electricity. New Jersey's nuclear plants avoid 14 million tons of carbon emissions each year.

The Public Service Enterprise Group, FirstEnergy, and Exelon are doing their part in storing their station's spent nuclear fuel on-site, but we need a permanent site. The expertise and know-how of the Federal Government has a responsibility to my constituents and to the American people. I want the 3,000 metric tons of nuclear waste out of New Jersey and consolidated in a national protected facility.

New Jersey ratepayers have contributed nearly \$2 billion to the Department of Energy's Nuclear Waste Fund to dispose of nuclear waste at a permanent repository at Yucca Mountain. My constituents should see a return on that investment. New Jersey is one of the top State contributors to this fund. It is time for the government to hold up its end of the bargain and permanently remove this waste from New Jersey and other States.

Mr. Chairman, I urge a "yes" vote.

Mr. TONKO. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico (Mr. BEN RAY LUJÁN).

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I oppose this bill because I believe that it makes it more likely that a future interim storage site—potentially one in New Mexico—becomes a permanent home for nuclear waste.

I know that these are tough issues, and I agree that we have a responsibility to address the waste issues that result from our country entering the atomic age.

However, addressing nuclear waste is not our only responsibility. Seventy years ago, rural New Mexico became ground zero for the detonation of the first nuclear bomb. This marked the beginning of sickness and suffering for generations of people who lived and grew up in the Tularosa Basin.

"That atomic bomb," Gloria wrote to me, "has caused anguish to so many

people in New Mexico. . . . The people from New Mexico have suffered physically, mentally, and financially. And we are all here in hope that you will find a way to help us."

It has been over 70 years since the Trinity Test. Seventy years, and the Federal Government has done almost nothing to recognize or compensate those impacted by that test. They are not alone.

In 1990, Congress passed the Radiation Exposure Compensation Act to begin to right this wrong. However, we have since learned that there are many more individuals who are sick or dying because they worked in the uranium industry, lived near a mining operation, or lived downwind from a test. The Navajo, Hopi, and Yavapai Apache Indian Reservations were particularly affected.

That is why I have repeatedly introduced the Radiation Exposure Compensation Act Amendments to compensate those workers. We have had Navajo elders travel out here to Washington, D.C., and ask us in Congress, "Are you waiting for us all to die to solve this problem?" The Rules Committee rejected amendments that I offered.

Why in the world is it that the people of New Mexico, where the first bomb went off, are the only ones that are left out of protections?

People in Nevada, Colorado, and Utah are included, but New Mexico has been left out. The first place the bomb was tested, these people weren't given a warning. All they saw was a light flash when they were in their kitchens or outside working.

Mr. Chairman, this deserves action, and I hope I can work with my colleagues to get this done.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, I rise in support of the Nuclear Waste Policy Amendments Act.

This bill is an opportunity to give the Department of Defense and our Nation's nuclear plants a proper place to store spent fuel. It also relieves a burden on our nuclear plants, which provide a critical source of resilient base-load power to our electric grid. Furthermore, nuclear plants provide good jobs to communities across the Nation, many of which are in economically distressed areas.

Unfortunately, several nuclear power plants are prematurely closing because of government policies. For a long time, I have repeatedly warned the executive branch about the national security risks if too many plants deactivate. I am glad to hear some Members across the aisle are actually acknowledging this problem, at least partially.

In April, I met with Beaver Valley Nuclear Power Station workers. I told my constituents that I would do everything I can to protect their jobs and the Nation's grid, and I meant it.

This bill addresses some of the uncertainty and added costs the industry

faces, and it is one step in helping to secure those jobs and the reliability and resiliency of our electric grid.

□ 0945

Mr. TONKO. Mr. Chair, I yield 3 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, today we must decide if you are going to double down on policies that have been an abject failure for the last three decades or if you will chart a new course that doesn't repeat the same mistakes of previous Congresses.

The first "Screw Nevada" bill was passed in 1982, and since that time, Nevada's residents, elected officials, business leaders, and health and environmental groups have steadfastly opposed the Yucca Mountain repository.

Mr. Chair, I include in the RECORD letters from over 100 groups in opposition.

CITY OF LAS VEGAS,  
Las Vegas, NV, May 7, 2018.

Hon. PAUL RYAN,  
Speaker of the House of Representatives,  
Washington, DC.

Hon. KEVIN MCCARTHY,  
House Majority Leader,  
Washington, DC.

Hon. STEVE SCALISE,  
House Majority Whip,  
Washington, DC.

DEAR SIRs: In 1987 Congress voted for the Department of Energy (DOE) to build a nuclear waste repository at Yucca Mountain without the support of Nevada. Now, the House of Representatives is planning to consider H.R. 3053, The Nuclear Waste Policy Amendments Act. I am writing to express my vehement opposition to this legislation.

Yucca Mountain would cost U. S. taxpayers billions of dollars and require the dangerous transportation of nuclear waste across every state in the country before it arrives in Nevada, which, by the way, produces no nuclear waste. These transports journey through communities in the nation whose infrastructures are well-known to be rated at the dangerously low, D+ level by highly renowned associations of engineers and scientific professionals. Bridges and tunnels have not been reinforced in decades, railroad tracks are faulty (as we well know!), and roads are beyond needing repair and replacement. No matter the transport vehicle used, the cargo travels on challenged routes which are unknown to the public and at times undeclared!

In my tenure as Mayor, every year I have warned my fellow Mayors of the dangers of this transportation, and every year the Mayors across the nation have passed a resolution at their annual U.S. Conference of Mayors meeting requiring that the U.S. Department of Energy instead focus on deactivating and/or repurposing radioactive waste on site. High-priority research is needed to identify methods for the safe treatment and storage of radioactive waste at origination locations in order to mitigate the health and environmental risks of transporting low, high and mixed level waste to offsite treatment facilities. Even Mayors with nuclear waste on their doorsteps understand the dangers of transporting this waste.

As Mayor of Las Vegas, I am fortunate to preside over a beautiful city that is home to over 600,000 residents in one of the fastest-growing areas in the nation boasting over 2.4 million residents. Additionally, 42 million visitors choose the Las Vegas valley as a destination annually. Yucca Mountain is less

than 100 miles away from this gem in the desert. I believe that DOE's Nuclear Regulatory Commission should be required to have support from state, local and tribal governments before constructing a nuclear waste repository anywhere in the country. Therefore, I urge you and your colleagues to vote down H.R. 3053, which rejects science and ignores our steadfast opposition.

Sincerely,

CAROLYN GOODMAN,  
Mayor.

—  
LAS VEGAS METRO  
CHAMBER OF COMMERCE,  
Las Vegas, NV, May 7, 2018.

Re The Nuclear Waste Policy Amendments Act of 2018, H.R. 3053.

Hon. PAUL RYAN,  
Speaker of the House of Representatives,  
Washington, DC.

Hon. GREG WALDEN,  
Chairman, Committee on Energy and Commerce,  
House of Representatives, Washington, DC.

Hon. NANCY PELOSI,  
Democratic Leader, House of Representatives,  
Washington, DC.

Hon. FRANK PALLONE,  
Ranking Member, Committee on Energy and Commerce, House of Representatives, Washington, DC 20515

DEAR MR. SPEAKER, MADAM LEADER, CHAIRMAN WALDEN, AND RANKING MEMBER PALLONE: The Las Vegas Metro Chamber of Commerce/ ("Metro Chamber") is Nevada's largest and most diverse business organization, representing thousands of employers who employ more than 200,000 Southern Nevadans. As the Voice of Business in our state, its mission is to help Nevada businesses succeed and create jobs. This includes protecting our members from initiatives or legislation at all levels of government that could hinder our state's economy, impede job creation, and hamper development of our local workforce.

As such, the Metro Chamber has been actively engaged with Members of Congress, federal government agencies, Nevada's Constitutional officers, state legislators, local government leaders and entities, trade groups, employers, and residents of the State of Nevada regarding its strong steadfast opposition for more than two decades to the proposed Nuclear Waste Repository Site at Yucca Mountain.

The Metro Chamber's position regarding the proposed Nuclear Waste Repository Site at Yucca Mountain has not changed with the introduction of H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018. The Las Vegas Metro Chamber continues to strongly oppose a Nuclear Waste Repository at Yucca Mountain, as well as the transportation and storage of any nuclear waste in Nevada, because of the potential negative effect it could have on the safety and health of the visitors and residents of Southern Nevada, as well as the chilling long-term effect it could have on the economy.

The proposed legislation would allow for the storage of approximately 110,000 metric tons of nuclear waste less than 90 miles from Las Vegas, and is a significant concern to the business community and residents as it could pose a national security and health threat. The close proximity of such a facility to Las Vegas could also damage the tourism-based economy of Southern Nevada. In 2017, Southern Nevada hosted approximately 42.2 million visitors, whose direct and indirect economic impact is \$58.8 billion. This translates to about a total of 391,000 jobs and \$16.4 billion in wages for our region. The reality is that Southern Nevada is the economic engine of the State, and it is incumbent on all stakeholders of our region's economy and future prospects for growth to protect the well-being of all of our residents and visitors.

The potential terrorist threats, environmental impacts, and transportation challenges, as well as the safety of storing nuclear waste material, are too great of a risk on our region's economy. Residents and visitors must feel safe in their communities and the storage of nuclear waste at Yucca Mountain could fundamentally undermine that safety. Unfortunately, the passage of H.R. 3053 may only elevate Las Vegas' profile for a potential terrorist attack. We cannot risk such a scenario, since any incident with the transport or storage of nuclear waste could have a severe and negative economic impact on Southern Nevada's economy.

The Metro Chamber is also adamantly opposed to the temporary storage of any nuclear waste at Yucca Mountain, which includes reprocessed fuel. The reprocessing of nuclear waste requires large amount of water, which is a concern to businesses, local governments, residents and regional water agencies since the region remains in a severe drought.

In addition, Nevada is ranked by the U.S. Geological Survey as the fourth most active seismic area in the United States. The potential for seismic activity in the region raises serious questions about the logic and prudence of storing nuclear waste at Yucca Mountain. Seismic activity in the region is another reason why Yucca Mountain is not a feasible or practical site for the storage of nuclear waste.

The storage of nuclear waste at Yucca Mountain should not only be a concern for Southern Nevadans but also for the residents of 329 Congressional Districts in 44 states that nuclear waste shipments must pass through to get to Yucca Mountain. The transport and safety of these shipments need to be part of a national conversation and the potential impacts of any incident during transportation of these casks by rail and truck should not be underestimated. While the people of Southern Nevada have been vigilant about the potential dangers of the transportation of this toxic material, fellow citizens across the country who live in states through which this waste would be transported may not be aware and deserve the opportunity to learn the facts about how this plan would impact their lives and livelihoods.

Thank you for allowing the Las Vegas Metro Chamber of Commerce to offer its concerns and strong opposition as associated with the Yucca Mountain Nuclear Waste Repository Site, as proposed by H.R. 3053.

Sincerely,

MARY BETH SEWALD,  
President & CEO.  
MICHAEL BOLOGNINI,  
Chairman, Board of Trustees.  
HUGH ANDERSON,  
Chairman, Government Affairs.

MAY 7, 2018.

DEAR REPRESENTATIVE: On behalf of our millions of members, the undersigned organizations urge you to oppose H.R. 3053, the "Nuclear Waste Policy Amendments Act of 2017" (115th Congress, 1st Session). This bill will put our nation's nuclear waste storage policy on the wrong track yet again. It ignores environmental concerns, states' rights and consent to host the waste in the first instance, and attempts to truncate public review in order to force a "solution"—either Yucca Mountain or a new consolidated interim storage site—that have both proven to be unworkable. Rather than blindly charge forward at the cost of public safety and public resources, we urge Congress to reject this bill and start the important and necessary work on a comprehensive set of hearings to commence building a publicly accepted, consent based repository program.



The bill you will vote on retains the flaws contained in its earlier forms. Some of these harms include unwise efforts to recommence the licensing process for proposed repository at Nevada's Yucca Mountain. This is a project certain to fail the NRC's licensing process due to the geology and hydrology of the site that make it unsuitable for isolating spent nuclear fuel for the required time. Next, the draft legislation suggests going forward with a consolidated storage proposal before working out the details of a comprehensive legislative path to solve the nuclear waste problem, entirely severing the link between storage and disposal, and thus creating, an overwhelming risk that an interim storage site will determine or function as de facto final resting place for nuclear waste. The draft provides no safety, environmental or public acceptance criteria, only speed of siting and expense. This is precisely the formula that produced the failure of the Yucca Mountain process and made it, as the previous administration noted, "unworkable."

Other provisions conflict with the well-established and necessary requirements of the National Environmental Policy Act, 42 U.S.C. 4321, et seq. Doing so exacerbates the public interest community's (and that of Nevada) objection of the last two decades—that the process of developing, licensing, and setting environmental and oversight standards for the proposed repository has been, and continues to be, rigged or weakened to ensure that the site can be licensed, rather than provide for safety over the length of time that the waste remains dangerous to public health and the environment.

This bill was largely changed for the worse in committee. The bill now sets us on path to go forward in the next few years with a consolidated storage proposal before working out the details of a comprehensive legislative path to solve the nuclear waste problem and, frankly, creates an overwhelming risk that an interim storage site in New Mexico, Utah, or even Texas (although the Texas site just requested that its license application be held in abeyance) will be the de facto final resting place for nuclear waste.

This will not work. It is likely those states will, in some form or another, resist being selected as the dumping ground for the nation's nuclear waste without a meaningful consent based process and regulatory authority that garners both public acceptance and a scientifically defensible solution. Further, and also just as damning, it sets up yet another attempt to ship the waste to Yucca Mountain irrespective of its certain likelihood of failing the regulatory process, or seek to revive the licensed Private Fuel Storage site that has been strongly opposed in Utah or even open up New Mexico's Waste Isolation Pilot Plant (WIPP) facility for spent nuclear fuel disposal despite strong opposition and contrary to 25 years of federal law. The latter site also was designed and intended for nuclear waste with trace levels of plutonium, not spent fuel (and we note, a site that has already seen an accident dispersing plutonium throughout the underground and into the environment, contaminating 22 workers, and thus the site was functionally inoperable for years). All of this runs precisely counter to the core admonition of the previous administration's Blue Ribbon Commission on America's Nuclear Future ("BRC") that "consent" come first.

The waste will not be going anywhere for years and it should be incumbent on Congress to fix problems in a meaningful fashion, not attempt an expedient solution that is destined to fail, again.

Our concerns, many of which were detailed above or in earlier letters, remain. We would be pleased to work with any representative

on a feasible, constructive path forward, but this legislation would put the nation's nuclear waste storage policy on the wrong track yet again and we urge you to reject it. Thank you for your consideration of our views.

Sincerely,

350Kishwaukee; 350NYC; Abalone Alliance Safe Energy Clearinghouse; Albuquerque Center for Peace and Justice; Alliance for a Green Economy; Alliance for Environmental Strategies; Alliance for Nuclear Accountability; Alliance to Halt Fermi 3; Baltimore Nonviolence Center; Basin and Range Watch; Bellefonte Efficiency & Sustainability Team; Mothers Against TN River Radiation; Beyond Nuclear; California Communities Against Toxics; Cape Downwinders; Chesapeake Physicians for Social Responsibility; Citizen Action New Mexico; Citizen Power; Citizens Action Coalition of IN; Citizens Awareness Network; Citizens Education Project.

Citizens' Environmental Coalition; Citizens for Alternatives to Radioactive Dumping; Citizens' Resistance at Fermi 2 (CRAFT); Clean Water Action; Coalition for a Nuclear Free Great Lakes; Code Pink; Women for Peace; Concerned Citizens for Nuclear Safety; Concerned Citizens for SNEC Safety; Connecticut Coalition Against Millstone; Consumers Health Freedom Coalition; Council on Intelligent Energy & Conservation Policy; Crabshell Alliance; Cumberland Countians for EcoJustice; CT Coalition Against Millstone; Don't Waste Arizona; Don't Waste Michigan; Ecological Options Network (EON); Energia Mia; Energy Justice Network; Environmental Defense Institute.

Environmental Working Group; Fairmont, MN Peace Group; Food & Water Watch; Frack Free Illinois; Franciscans for Justice; Friends of the Earth; Georgia Women's Action for New Directions (Georgia WAND); Grandmothers Mothers and More for Energy Safety; Great Basin Resource Watch; Great Lakes-Environmental Alliance; Green State Solutions, Iowa; Ground Zero Center for Nonviolent Action; HEAL Utah; Hip Hop Caucus; Hudson River Sloop Clearwater; Indian Point Safe Energy Coalition; Indigenous Rights Center; Indivisible South Bay Los Angeles; Kawartha lakes land trust; Lacuna Acoma Coalition for a Safe Environment (LACSE).

League of Conservation Voters; League of Women Voters of the United States; LEPOCO Peace Center; Los Alamos Study Group; Mankato Area Environmentalists; Merrimack Valley People for Peace; Michigan Safe Energy Future, Kalamazoo MI Chapter; Michigan Safe Energy Future, Shoreline Chapter; Michigan Stop the Nuclear Bombs Campaign; Milwaukee Riverkeeper; Missouri Coalition for the Environment; Mountain States Mennonite Conference; Multicultural Alliance for a Safe Environment; Native Community Action Council; Natural Resources Defense Council; Network for Environmental & Economic Responsibility of United Church of Christ; Nevada Nuclear Waste Task Force; New England Coalition on Nuclear Pollution; No More Fukushimas; No Nukes NW.

North American Climate, Conservation and Environment (NACCE); North American Water Office; Northwest Environmental Advocates; Nuclear Age Peace Foundation; Nuclear Energy Information Service; Nuclear Free World Committee; Dallas Peace and Justice Center; Nuclear Information and Resource Service; Nuclear Issues Study Group; Nuclear Watch New Mexico; Nuclear Watch South; Nukefree.org; Nukewatch; Oak Ridge Environmental Peace Alliance; On Behalf of Planet Earth our developing world; OurRevolution Ocala; Partnership for Earth Spirituality; Peace Action; Peace Action of

Michigan; Physicians for Social Responsibility.

Physicians for Social Responsibility—Chesapeake; Physicians for Social Responsibility—Kansas City; Physicians for Social Responsibility—Los Angeles; Physicians for Social Responsibility—Oregon; Physicians for Social Responsibility—San Francisco Bay Area Chapter; Pilgrim Legislative Advisory Coalition PLAC; Pilgrim Watch; Planet Cents. Portsmouth/Piketon Residents for Environmental Safety and Security (PRESS); Proposition One Committee; Public Citizen; Public Health and Sustainable Energy (PHASE); Public Watchdogs; Rachel Carson Council; Radiation and Public Health Project; Radiation Truth; Redwood Alliance; Residents Organized for a Safe Environment; Riverkeeper; ROAR (Religious Organizations Along the River).

Rocky Mountain Peace and Justice Center; Safe Utility Meters Alliance NW (SUMA-NW); San Clemente Green; San Luis Obispo Mothers for Peace; San Onofre Safety; Save The River / Upper St. Lawrence Riverkeeper; Seacoast Anti-Pollution League; Sierra Club; Snake River Alliance; Southern Alliance for Clean Energy; Southern Illinois Against Fracturing Our Environment; Southwest Research and Information Center; Stand Up/Save Lives Campaign; Straits Area Concerned Citizens for Peace, Justice and the Environment (SACCPJE); SUN DAY Campaign; Support and Education for Radiation Victims (SERV); Sustainable Energy & Economic Development (SEED) Coalition; Task Force on Nuclear Power, Oregon and Washington Physicians for Social Responsibility; Tennessee Environmental Council; Tewa Women United.

Texas River Revival; The Colorado Coalition for Prevention of Nuclear War; The Lands Council; The Nuclear Resister; The Peace Farm; Thomas Merton Center; Three Mile Island Alert; Toledo Coalition for Safe Energy; Touching Earth Sangha; Toxics Action Center Campaigns; Tri-Valley CARES (Communities Against a Radioactive Environment); Uranium Watch; Ursuline Sisters of Tildonk, U.S. Province; UUFHC (Unitarian Universalist Fellowship of Harford County); Vermont Citizens Action Network; Vermont Yankee Decommissioning Alliance; Veterans For Peace Golden Rule Project; Veterans For Peace Chapter 74; Western States Legal Foundation; West Valley Neighborhoods Coalition.

Women's Energy Matters; Women's International League for Peace and Freedom Des Moines Branch; Women's International League for Peace and Freedom Fresno Branch; Women's International League for Peace and Freedom Monterey County Branch; Women's International League for Peace and Freedom Pittsburgh Branch; Women's International League for Peace and Freedom Santa Cruz Branch; Youth Arts New York.

MAY 8, 2018.

DEAR MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The undersigned organizations and businesses write to express our vehement opposition to H.R. 3053, the Nuclear Waste Policy Amendments Act of 2017, which is scheduled to be considered by the House of Representatives this week.

By reviving licensing activities for Yucca Mountain as a nuclear waste repository, this legislation has the potential to adversely impact citizens and businesses located in Nevada.

Yucca Mountain is located just 90 miles from the world's premier tourist, convention and entertainment destination in Las Vegas, Nevada, which welcomed nearly 43 million visitors last year. Las Vegas is once again on pace to meet or break that number with over

10 million visitors already accounted for in 2018. The Greater Las Vegas area is one of the fastest growing in the U.S. with a population that now exceeds 2.1 million people according to an estimate from the U.S. Census Bureau. Safety and security remain a top priority for all Americans and any problems with the transport of more than 110,000 metric tons of nuclear waste to the site throughout the country, or issues with its storage there, would bring potentially devastating consequences to the local, state and national communities. Moreover, with taxes on Nevada's tourism industry providing 42 percent of the state general fund, even a modest decline in visitors' perception about the region could have severe negative implications for the state's economy and future growth.

We stand with the many concerned citizens, small business operators and bipartisan members of the Nevada delegation in staunch opposition to any attempt to restart the repository licensing process and will work tirelessly to ensure that radioactive waste is never stored anywhere near the world's entertainment capital in Las Vegas.

We strongly urge members to vote against this flawed legislation and, instead, explore alternative solutions that respect state sovereignty and do not put Nevada's citizens and economy at risk.

Sincerely,

Geoff Freeman, President and CEO—American Gaming Association; Virginia Valentine, President—Nevada Resort Association; Mary Beth Sewald, President and CEO—Las Vegas Metro Chamber of Commerce; Rossi Ralengkotter, CEO—Las Vegas Convention & Visitors Authority; James Murren, Chairman and CEO—MGM Resorts International; Joe Asher, CEO—William Hill U.S.; Keith Smith, President and CEO—Boyd Gaming Corporation; Mark P. Frissora, President and CEO—Caesars Entertainment; Sheldon Adelson, Chairman and CEO—Las Vegas Sands Corporation; Timothy J. Wilmott, CEO—Penn National Gaming.

UNITEHERE!,

New York, NY, May 8, 2018.

Oppose H.R. 3053, Nuclear Waste Policy Amendments Act of 2017.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: UNITE HERE represents more workers in Nevada than any other union in the country. Our Nevada affiliate, Culinary Local 226, represents 60,000 workers who are the backbone to the tourism and hospitality industry of the Strip. The role of our union is to fight for what's best for these 60,000 workers and their families, and in the case of H.R. 3053 the best interest of our members is clearly to vote no and oppose all attempts to license a nuclear waste repository at Yucca Mountain.

Turning Yucca Mountain into a nuclear dumping ground will put all 60,000 UNITE HERE members of Culinary 226 and their families at enormous risk, along with all 2.1 million people living in the Greater Las Vegas area. Yucca Mountain is dangerously close to where our members and their families live, as well as to the economic heartbeat of Nevada that keeps the economy afloat—only 90 miles from the Las Vegas Strip.

The continued health of our members and their families in Nevada is on stake with your vote on H.R. 3053. To keep 60,000 UNITE HERE workers safe in Nevada, we urge you to oppose H.R. 3053.

Sincerely,

D. TAYLOR,  
International President.

Ms. TITUS. Mr. Chair, you have heard that the legislation before you

now, "Screw Nevada 2.0," is a work of compromise, a bipartisan effort, not perfect, but a step forward. Well, that, frankly, is an opinion. It is not the facts. Here are the facts:

The legislation overrides environmental laws, allowing the EPA to move the goalposts in terms of radiation limits to ensure that nothing will ever interfere with the agenda of the nuclear industry.

It sets up a consent-based process for the establishment of an interim storage facility but imposes a permanent facility at Yucca Mountain.

It increases the amount of nuclear waste to be dumped in Nevada by 37 percent, 110 metric tons more that were not considered in any of the environmental or safety studies being used to justify the project.

It also removes the prohibition currently in law that prohibits Nevada from being the de facto interim storage facility until a permanent one can be licensed.

It was also changed after passing out of committee to address the high scoring costs, making it less likely that we get host benefits.

The CHAIR. The time of the gentleman has expired.

Mr. TONKO. Mr. Chair, I yield an additional 1 minute to the gentlewoman from Nevada.

Ms. TITUS. Mr. Chair, also, contrary to the sponsor's comments, the area around Yucca Mountain is not some desolate area. It has iconic wildlife, endangered species, and Native American artifacts.

Also, the proposed facility sits above the water table and on an active fault and can only be reached by roads that travel through 329 of your congressional districts.

Finally, like New Mexico, the people in Nevada have suffered from tests of atomic weapons that the government told us: Don't worry; it will be safe.

In short, this bill does nothing to really address the root of the problem, and I urge Members to vote against it.

It has cost us 36 years and \$15 billion, and all we have to show for it is a hole in the ground. We should be doing consent-based decisionmaking that will move us forward and not continue this failed policy that is bad politics and bad policy.

Mr. SHIMKUS. Mr. Chair, I yield 1 minute to the gentleman from Alabama (Mr. ADERHOLT), a subcommittee chair of the Committee on Appropriations.

Mr. ADERHOLT. Mr. Chair, I thank my colleague, Mr. SHIMKUS, for this important legislation.

This is a bipartisan piece of legislation that, it has already been said, puts our country back on the right track in honoring that commitment that was made by the Federal Government to safely collect and dispose of spent nuclear fuel and high-level nuclear waste.

It has been noted here this morning that, under the Nuclear Waste Policy Act of 1982, Congress assigned the re-

sponsibility for spent nuclear fuel to the Federal Government; but today, because the Federal Government has failed to honor this commitment, spent nuclear fuel sits idle in 121 communities across 39 States.

It was back in 1987 that Congress designated Yucca Mountain as the permanent repository for nuclear waste, but despite collecting more than \$40 billion from taxpayers, Yucca Mountain nuclear waste repository has yet to be completed.

The legislation before us today offers important reforms for our country's nuclear waste policy. It utilizes Yucca Mountain as our main point of nuclear waste storage, while directing the Department of Energy to move forward with a temporary storage program as it works on the Yucca Mountain facility.

Mr. Chair, I thank my colleague again for his legislation, and I urge my colleagues to support H.R. 3053.

Mr. TONKO. Mr. Chair, may I inquire as to how much time I have remaining.

The CHAIR. The gentleman from New York has 11½ minutes remaining. The gentleman from Illinois has 14 minutes remaining.

Mr. TONKO. Mr. Chair, I yield 2 minutes to the gentleman from Nevada (Mr. KIHUEN).

Mr. KIHUEN. Mr. Chair, today I rise to speak in opposition to H.R. 3053, the Nuclear Waste Policy Amendments Act.

Mr. Chair, I find it offensive. I sit here and listen to all my colleagues, and they all want to send nuclear waste to the State of Nevada. They are all generating this nuclear waste, and they want to send it to my backyard right in the Fourth Congressional District.

Bottom line is this, Mr. Chair: If you generate nuclear waste, you should keep it in your own backyard. Don't be sending it to our backyard.

I have met with various people out at Nellis Air Force Base and Creech Air Force Base and the Hawthorne Army Depot. These are very important military installations in the Fourth Congressional District for our entire country. They don't want this nuclear waste passing through their own backyard.

It is offensive. It is offensive that we have a State that depends on tourism, that depends on people coming into the State, and we want to bring all this nuclear waste to my backyard. We want to send it to Yucca Mountain, a place that hasn't even been deemed safe.

It is disappointing, Mr. Chair, that we have all this nuclear waste and we can't pick any other place in the country. It has to be somewhere where we have military bases. It has to be somewhere where it hasn't been deemed safe, where there is seismic activity. Just a few weeks ago, there was an earthquake there.

Mr. Chair, I am seriously concerned for Nevadans. I am seriously concerned for our military bases. I am concerned about our tourists who are going to be



coming from all over the country. I am concerned about every single one of the congressional districts and its constituents where this nuclear waste is going to be traveling through. These are some serious concerns that have been brought up that none of us, none of my colleagues have been able to address.

Mr. Chair, I am here to oppose this project. I am here to speak on behalf of 80 percent of Nevadans who oppose bringing nuclear waste to our backyard, and I am here to send a message that we are going to continue fighting this tooth and nail right here in Congress, in the Senate, here in the House, and, also, if need be, we are going to continue fighting this in the legal courts.

Mr. Chair, I am here to speak in opposition and to speak on behalf of all Nevadans.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. MIMI WALTERS), who has been very helpful in this project.

Mrs. MIMI WALTERS of California. Mr. Chair, I rise in support of H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018.

At the decommissioned San Onofre Nuclear Generating Station just south of my district, 1,800 tons of spent nuclear fuel sits along the Pacific coastline. This spent nuclear fuel must be moved for safety and environmental reasons, but also out of fairness to American taxpayers.

To date, California ratepayers have contributed more than \$2 billion to the Nuclear Waste Fund, with the promise those funds would help establish a permanent storage facility. H.R. 3053 authorizes interim storage, a necessary step to move spent nuclear fuel out of our communities and into interim storage facilities, until a permanent storage solution is established.

Mr. Chair, I speak on behalf of my constituents, who say the time to fix this problem is now. The Federal Government owes it to the American people to fulfill its obligation and take ownership of spent fuel.

Mr. Chair, I thank the gentleman from Illinois (Mr. SHIMKUS) for his leadership on this issue, and I urge my colleagues to support H.R. 3053.

Mr. TONKO. Mr. Chair, I yield 2 minutes to the gentlewoman from Nevada (Ms. ROSEN).

Ms. ROSEN. Mr. Chair, I thank the gentleman from New York for yielding.

Mr. Chair, I rise today and stand with the overwhelming majority of Nevadans who wholeheartedly oppose our State becoming the dumping ground for the rest of the Nation's nuclear waste.

Based on the Department of Energy's own studies, Yucca Mountain is unfit as a repository site for nuclear waste because of the impact it would have on national transportation. We are talking about shipping up to three loads of radioactive waste per week to Nevada by rail or truck for over 50 years.

Here is a map of what the proposed routes would look like. Dangerous waste would go through 329 congressional districts across this country.

To the Members representing these districts: Do you consent to high-level radioactive waste barreling down your highways and your train tracks? Are you prepared to face your constituents at home and tell them that you voted to put their safety at risk?

Yucca Mountain would also jeopardize our national security and the readiness of our Air Force by compromising military activities at the Nevada Test and Training Range, the largest air and ground military training space in the contiguous United States.

Instead of spending billions more in hard-earned taxpayer dollars on this ill-conceived project, let's work on converting the site into something that will keep our families safe and still create jobs.

My bill, the Jobs, Not Waste Act, which I offered as an amendment to H.R. 3053, would prohibit DOE from moving forward with its plan until a number of other job-creating alternatives for Yucca Mountain are considered. It is an innovative and forward-thinking solution to repurpose this site for something useful.

Mr. Chair, I urge Congress to stop wasting time and taxpayer money on Yucca Mountain and finally realize just how dangerous and costly this project will be. It is past time we identified viable alternatives for this project while finding a safe, long-term repository in a State that consents to its siting.

The CHAIR. Members are reminded to direct their remarks to the Chair.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, as a military pilot, Air Force pilot, I think it is important to note that this will not affect range operations at Nellis Air Force Base.

My district is home to four nuclear power plants, and I have seen firsthand the hard work and dedication of the men and women who work there. These plants not only provide clean, reliable power, but also create good jobs, and they strengthen our communities.

In 1982, the government made a commitment to these communities. Congress and the President approved Yucca Mountain over 15 years ago. The Nuclear Regulatory Commission concluded it can safely store spent fuel there for 1 million years.

In Illinois alone, ratepayers have contributed over \$3 billion to the Nuclear Waste Fund, and Illinois houses more spent fuel than any State.

Today is about following through on our commitments. We must reassure communities like La Salle and Byron, that put their trust in the government, that they can continue to make clean, reliable nuclear power as well as have a safe place to store it.

Mr. Chair, I thank the gentleman and my Illinois colleague, JOHN SHIMKUS, for being a tireless advocate for making good on this commitment.

Mr. TONKO. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I rise in strong support of the Nuclear Waste Policy Amendments Act.

Next to me is a picture of Haddam Neck, Connecticut, which is a pristine part of the State where the Connecticut River and the Salmon River come together. Where the circle is on the photograph, there are 43 casks of spent nuclear power uranium rods that, again, today, pretty much cordon off that whole area. If you drove up in a car, you would be met by a platoon of heavily armed security guards who, for good reason, have to patrol that area every single day because of the dangerous material that is stored there. That has been the case for over 20 years.

It costs Connecticut ratepayers \$10 million a year, again, for a site that should be long overdue for renovation and access to folks from all over the world because of its rich archeological and historical area.

This bill provides a way out for this area, along with 120 other sites across the country, where host communities have been saddled with storage of spent nuclear fuel because of the fact that this country has been unable to come together with a coherent policy. This bill provides a way out.

Mr. Chair, I congratulate the proponents on both sides of the aisle for getting us to that place.

Waterford, Connecticut, is also home to Dominion, a nuclear power plant with a similar situation that, again, is long overdue for change.

I also just want to note, as the Representative from Groton, Connecticut, the home of the nuclear Navy—it was where the *Nautilus* was first launched in 1956—we have, as a country, been transporting spent nuclear fuel for aircraft carriers and nuclear submarines for decades by land and by sea safely and efficiently, and the notion that we can't do this for our civilian nuclear power facilities is, frankly, just demonstrably untrue.

□ 1000

We can do this, and this bill provides, as I say, a mechanism for an interim storage that is sensible, that is logical, and is bipartisan. Again, I congratulate the proponents and strongly urge a "yes" vote on this measure later this morning.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. LEWIS).

Mr. LEWIS of Minnesota. Mr. Chairman, I thank the chairman for his leadership on this vital issue.

The Federal Government asked Americans to pay roughly \$40 billion in taxes and interest with the promise the government would operate a national

repository. Thirty-seven years later, no repository, and my district is hampered with the burden of maintaining 40 spent fuel casks, with more on the way.

Now, while on-site storage is done in a very safe and highly secure manner, it is simply not appropriate. In fact, in 1991, the United States Department of the Interior agreed, stating: "The imposition of risk upon the Prairie Island Indian community is an unreasonable burden."

Prairie Island is just one community shouldering this burden. The city of Red Wing and the citizens of Goodhue County expect better.

In fact, my constituents reminded me that, by law, the repository should have been open in 1998, stating: But it is not our responsibility to remind Congress to do its job. They are right.

I urge my colleagues to uphold our promise and vote in favor of this bill.

Mr. TONKO. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise today in support of H.R. 4053, and I thank Chairman SHIMKUS for the great leadership he has provided on this bill on this really significant issue.

This bill authorizes the construction of Yucca Mountain as a nuclear waste storage site, which would alleviate the burden of incredible risk that is now borne by communities throughout the country, such as in my district, where homes are not far located from the closed San Onofre Nuclear Generating Station.

That, and many other plants throughout the Nation, have closed their doors in decades. Yet, Congress has yet to agree how to safely store that waste, and what is really important is we must store the waste.

But while we develop new nuclear energy technologies, that we are capable of doing, that are safe, and produce less of their own waste, and can consume the waste of older plants, I reminded Secretary of Energy Perry of that yesterday; but, in the meantime, until that technology—by the way, it is sinful that we have not developed that technology, which we are capable of, that could eat this waste.

But until we do, having safe storage at Yucca Mountain makes all the sense to me and is safe for my constituents.

Mr. TONKO. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I rise today in support of H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018. As a cosponsor of this legislation, I understand the importance of enacting critical reforms to our nuclear waste management strategy, reforms that are long overdue.

Mr. Chairman, I have the great honor of representing Georgia's 12th Congressional District, which is home to every nuclear reactor in our State, and we are leading the way in the new nuclear.

At Plant Vogtle, in my district, there are thousands of spent fuel rods being held in spent fuel pools and dry cask storage containers, and in the next few years we are going to double the number of nuclear reactors online at Vogtle.

H.R. 3053 would help pave the way to quickly establish a permanent geological repository to dispose of the waste that currently sits in 121 communities across America, including those in Georgia-12. This process has gone on far too long, and now it is time for Congress to act and pass this common-sense legislation.

I want to thank Subcommittee Chair SHIMKUS for his work and diligence on this matter, and I urge all my colleagues on both sides of the aisle to join me in voting "yes" for this bill.

Mr. TONKO. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my colleague, our ranking member, for allowing me to speak.

I rise in support of H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018. Congress, back in 1982, passed the Nuclear Waste Policy Act, directing the Department of Energy and Nuclear Regulatory Commission to open a permanent repository for our Nation's spent nuclear fuel. Now, Congress is slow, but this is amazing how we haven't dealt with this.

Over three decades later, America is still without a repository, leaving tens of thousands of tons of nuclear waste vulnerable to acts of terror or other catastrophes.

If you say you are for all-of-the-above for power generation, then you need to vote for this bill, because if we are really going to use nuclear power, which we get about 20 percent in Texas, we need a place to put that waste, and not just on the sites where we produce it.

There was a decision made in the 1980s it would be out in Yucca Mountain, and that wasn't our decision, but that is there, and it is Federal property. That is where we exploded atomic bombs during the testing. Nobody is going to build condos on that property, because I was out there with the chairman of the committee.

Until the day we find interim storage to ensure 70,000 tons of spent fuel sitting in our Nation's nuclear plants are safe from harm at an interim storage facility, there is one proposed in west Texas that the folks out there want it.

I ask my colleagues to support this bill so we can finally move the ball forward on safely storing our Nation's spent nuclear fuel.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chairman, I rise too, in support of this bill, and I want to single out Chairman SHIMKUS for his tireless work. He stood up in conference after conference after conference, insisting that we move forward. This bill has been, indeed, a long time coming.

This is about a national solution to a national problem. Each of the States could come up with their own navies, their own armies. We tried that once in South Carolina. It didn't work out so well.

But it is important that we, again, have a national solution to a national issue; that is certainly the case with nuclear waste. This is about moving past politics to policy. This thing has been held up for years based on politics.

I don't begrudge anybody in Nevada for pushing and using every tool in the toolkit in holding it off, but this is ultimately moving to policy.

This is about not building a mountain of waste in South Carolina and a whole lot of other interim sites across this country. We have a fault line at the Savannah River Site, and there are similar security concerns with the plethora of different sites that we have across this country. Consolidating makes sense from a security standpoint.

Finally, this is about giving people what they paid for, \$40 billion nationally, over \$1 billion in South Carolina paid by ratepayers.

I thank the chairman for acting on this bill.

Mr. TONKO. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentlewoman from Georgia (Mrs. HANDEL).

Mrs. HANDEL. Mr. Chairman, I thank my colleague from Illinois, Representative SHIMKUS, for his steadfast leadership on this very important issue.

I rise today, as well, to lend my support to H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018.

Mr. Chairman, America lacks the necessary geological repository for important nuclear power resources. Because of this, spent nuclear fuel currently sits idle in over 100 communities across 39 States. This deficiency has cost electricity ratepayers over \$40 billion with little to nothing to show for the exorbitant cost.

H.R. 3053 makes long overdue reforms to the Nuclear Waste Fund and facilitates the formal licensing process for the repository at Yucca Mountain. It provides a commonsense, bipartisan interim solution for the safe storage of nuclear waste.

Most importantly, H.R. 3053 ensures that this safe, efficient form of energy can continue to expand and be utilized in the United States, such as Georgia's Plant Vogtle.

Mr. Chairman, H.R. 3053 is much-needed legislation that will finally ensure the safe disposal of nuclear waste

in this country. I urge my colleagues to support this bill.

Mr. TONKO. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON asked and was given permission to revise and extend his remarks.)

Mr. BARTON. Mr. Chairman, I can't think of a more unrewarding, difficult, fruitless issue to be asked to be the leader on than trying to find a solution to high-level nuclear waste. Can you imagine if, when you get elected to Congress, you are called into the Speaker's office or the minority leader's office and said: Now, I know you are young and bright and everything, but we want you to take the lead on something that we haven't been able to solve in 30 years.

Well, that is what JOHN SHIMKUS and Congressman TONKO have been tasked to do. There is not a more unpleasant issue in the 30-something years I have been in the House than this issue.

Having said that, it is probably one of the most important issues to solve. We have, at one time, over 100 operating nuclear reactors. They generate electricity every day, and they use and eventually consume their nuclear fuel rods. And when they have been used up, you can't put them on the curb and tell the trash to pick them up.

Now, Mr. TONKO and Mr. SHIMKUS have worked, not just this Congress, but the last Congress, and in the case of JOHN SHIMKUS, probably the last six Congresses, seven Congresses, to try to solve this.

We have a bipartisan bill today. I predict it is going to get in the neighborhood of 260 to maybe 300 votes. It solves the problem. And the key, in my opinion, to what they have done is that they have allowed for an interim storage facility in a State that approves it beforehand.

You are going to have States compete to accept this high-level nuclear waste on an interim basis, and you make a path forward to finish the licensing process, or make a negative determination in Nevada at Yucca Mountain.

The Acting CHAIR (Mr. POE of Texas). The time of the gentleman has expired.

Mr. SHIMKUS. I yield the gentleman from Texas an additional 30 seconds.

Mr. BARTON. You are going to have a way to begin, if this bill becomes law, to get the waste that is now stored on-site at deactivated, in some cases, nuclear power plants, consolidated to interim storage, make a decision on Yucca, "yea" or "nay," and if it is "yea" then begin that process.

This is a very good effort. It should pass the House, it should pass the Senate, and the President should sign it. And then we will finally, after almost 40 years, begin to solve high-level nuclear waste issues in America.

I thank both the leaders on this bill, and I hope we get a "yes" vote.

Mr. TONKO. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume. I am not closing yet. We are waiting for the majority whip.

Mr. Chairman, I want to highlight a couple of issues, of course, that have been raised. In my brief opening statement I reminded the folks—and I see my colleague from Chicagoland on the floor—Chicago gets 55 million visitors a year. In Chicagoland there are 10,000 metric tons. That is in the community, that is where there are condos, and it is right there.

This proposed long-term repository is 90 miles away from Las Vegas. It is a mountain in a desert. If it gets approved, final adjudication.

And what has held up the final adjudication? Politics on the appropriation matter, which I think this bill is going to help solve, because once we get a good vote—my colleagues, I don't think we voted on an authorization bill, on this issue on an authorization bill, since 2002.

□ 1015

That is when the State of Nevada objected, per the law. They were allowed to do that. We had a chance, then, to override that veto. Because, as MARK SANFORD said, this is a national problem that demands a national solution.

So the law laid out an opportunity to hear the complaints from the State of Nevada and say "yes" or "no." They said "no."

The law laid out the opportunity for the national legislative body and the President of the United States to decide to accept or reject that.

I think this Chamber vote was about 350 to reject the State of Nevada's opposition. The Senate rejected it on a voice vote.

So we have been through this numerous times. We know where the majority of Representatives are, and we know where the majority of Senators will be. We have just got to move. We have got to address this national problem with a national solution.

Another issue that was just touched on by Chairman WALDEN, he spent a lot of time on it, is spent nuclear fuel. This is ratepayers also helping pay for our defense waste obligations. The nuclear weapons and winning the Cold War created stockpiles of nuclear waste, toxic sludge, in areas in four States primarily. Primarily, Washington State, also South Carolina. Ratepayers are going to help safely dispose of that.

So when you take the national defense problem and the spent nuclear fuel problem, we are moving forward in that direction.

Nevadans are not uniformly opposed to the repository. In fact, nine of the surrounding counties have passed resolutions to move forward, at least with the adjudication.

And as my colleagues from Nevada know, I have been to that State quite a few times, and we talked to many, many people on this issue.

Mr. Chairman, I reserve the balance of my time.

Mr. TONKO. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it is very rare that we consider a perfect bill. This is not the bill Mr. PALLONE or I would have written on our own, and I do not think it is a bill Mr. SHIMKUS would have wanted on his own either, but that is the nature of compromise.

I again want to thank Mr. SHIMKUS and his staff for their willingness to work with us to address a number of our concerns with the initial bill.

And I want to acknowledge the hard work done by Tuley Wright, Rick Kessler, and other members of the Energy and Commerce Committee minority staff, who worked so diligently on this legislation.

I truly understand the concerns raised by my colleagues in opposition, especially those from the Nevada delegation, and I sympathize with many of their arguments, but the reality is our Nation has a substantial amount of nuclear waste, and we as a Nation need a plan to address it.

We are dealing with the constraints of legislation passed some 30 years ago, and within those constraints, I believe this bill is a step in the right direction to address our Nation's nuclear waste issues.

Mr. Chairman, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, first of all, I want to also thank the staff on both sides for their work. This is the way legislation is supposed to move. You have hearings. In Energy and Commerce, we really have four: a subcommittee hearing markup, subcommittee markup, full committee markup, then we go through the process. So our staff has done a tremendous job.

I also want to thank Ranking Member PALLONE and Ranking Member TONKO for their friendship and their actually good negotiating skills. As they have told me many times, they have changed this bill through their diligence, and that has got us here to a better product.

I will end up on three quick points. We have raised them before.

We can transport this safely. We have done it for decades.

Every day, taxpayers are paying from all 50 States into the Judgment Fund because of our failure to meet our legal obligations. I think it is almost \$800 million a year that we pay because we are breaking the law.

Independent scientific analysis of the Yucca Mountain repository found the site can safely dispose of nuclear waste for 1 million years.

Mr. Chairman, I yield back the balance of my time.

Mr. WOMACK. Mr. Chair, today, my colleagues and I will vote on H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018. H.R. 3053 provides practical reforms to ensure that the federal government fulfills its legal obligation to dispose of nuclear waste currently present in 121 communities across 39 states. The federal government is 20 years behind in implementing this disposal program. As a result, current litigation costs have totaled more than \$6 billion—mounting to nearly \$800 million a year and approximately \$34 billion in future liabilities. I am proud to support this legislation, and I ask my colleagues to vote for H.R. 3053.

H.R. 3053 reforms the program's broken financing mechanism. The Nuclear Waste Policy Act of 1982 established the Nuclear Waste Fund financed through the collection of fee receipts paid by nuclear utilities and ratepayers. However, under current scorekeeping, these receipts are credited as offsetting mandatory receipts rather than discretionary appropriations in the federal budget. Consequently, the program cannot be adequately funded because the collected fees are not credited toward discretionary appropriations for future program expenditures.

Addressing the budgetary classification of these fees prior to the Department of Energy resuming their collection is a top priority. In order for this program to operate as intended, the collection of these fees must be classified as discretionary spending. H.R. 3053 accomplishes this by offsetting future spending for nuclear waste management as discretionary spending and ensuring long-term funding for the program. The circumstances of the Nuclear Waste Fund are unique due to the delay in implementation of the program and the resulting litigation. As a result, both the fee collections and the program's subsequent spending need equivalent budgetary classifications.

The scorekeeping treatment in the bill should not be viewed as a precedent for future legislative activity in other, unrelated programs.

We are 20 years behind fulfilling this program's promise. We owe it to the taxpayer, ratepayer, and nuclear industry to pass H.R. 3053 and uphold our legal and contractual obligations to collect nuclear waste. I support the Nuclear Waste Policy Amendments Act of 2018 and urge its passage.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee print 115-69. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3053

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Nuclear Waste Policy Amendments Act of 2018”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—MONITORED RETRIEVABLE STORAGE

Sec. 101. Monitored retrievable storage.

Sec. 102. Authorization and priority.

Sec. 103. Conditions for MRS agreements.

Sec. 104. Survey.

Sec. 105. Site selection.

Sec. 106. Benefits agreement.

Sec. 107. Licensing.

Sec. 108. Financial assistance.

#### TITLE II—PERMANENT REPOSITORY

Sec. 201. Land withdrawal, jurisdiction, and reservation.

Sec. 202. Application procedures and infrastructure activities.

Sec. 203. Pending repository license application.

Sec. 204. Limitation on planning, development, or construction of defense waste repository.

Sec. 205. Sense of Congress regarding transportation routes.

#### TITLE III—DOE CONTRACT PERFORMANCE

Sec. 301. Title to material.

#### TITLE IV—BENEFITS TO HOST COMMUNITY

Sec. 401. Consent.

Sec. 402. Content of agreements.

Sec. 403. Covered units of local government.

Sec. 404. Termination.

Sec. 405. Priority funding for certain institutions of higher education.

Sec. 406. Disposal of spent nuclear fuel.

Sec. 407. Updated report.

#### TITLE V—FUNDING

Sec. 501. Assessment and collection of fees.

Sec. 502. Use of Waste Fund.

Sec. 503. Annual multiyear budget proposal.

Sec. 504. Availability of certain amounts.

#### TITLE VI—MISCELLANEOUS

Sec. 601. Certain standards and criteria.

Sec. 602. Application.

Sec. 603. Transportation safety assistance.

Sec. 604. Office of Civilian Radioactive Waste Management.

Sec. 605. West Lake Landfill.

Sec. 606. Subseabed or ocean water disposal.

Sec. 607. Sense of Congress regarding storage of nuclear waste near the Great Lakes.

Sec. 608. Budgetary effects.

#### TITLE I—MONITORED RETRIEVABLE STORAGE

##### SEC. 101. MONITORED RETRIEVABLE STORAGE.

(a) **PROPOSAL.**—Section 141(b) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10161(b)) is amended—

(1) in paragraph (1)—

(A) by striking “1985” and inserting “2019”; and

(B) by striking “the construction of”;

(2) in paragraph (2)—

(A) by amending subparagraph (C) to read as follows:

“(C) designs, specifications, and cost estimates sufficient to—

“(i) solicit bids for the construction of one or more such facilities; and

“(ii) enable completion and operation of such a facility as soon as practicable;”;

(B) in subparagraph (D), by striking “this Act.” and inserting “this Act; and”; and

(C) by adding at the end the following:

“(E) options to enter into MRS agreements with respect to one or more monitored retrievable storage facilities.”; and

(3) by amending paragraph (4) to read as follows:

“(4) The Secretary shall, not later than 90 days after the date of enactment of the Nuclear Waste Policy Amendments Act of 2018, publish a request for information to help the Secretary

evaluate options for the Secretary to enter into MRS agreements with respect to one or more monitored retrievable storage facilities.”.

(b) **ADDITIONAL AMENDMENTS.**—

(1) **IN GENERAL.**—Section 141 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10161) is further amended—

(A) in subsection (c)(2)—

(i) by striking “If the Congress” and all that follows through “monitored retrievable storage facility, the” and inserting “The”; and

(ii) by striking “construction of such facility” and inserting “construction of a monitored retrievable storage facility”; and

(B) by striking subsections (d) through (h).

(2) **DEFINITIONS.**—Section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101) is amended—

(A) in paragraph (34), by striking “the storage facility” and inserting “a storage facility”; and

(B) by adding at the end the following: “(35) The term ‘MRS agreement’ means a cooperative agreement, contract, or other mechanism that the Secretary considers appropriate to support the storage of Department-owned civilian waste in one or more monitored retrievable storage facilities as authorized under section 142(b)(2).”

“(36) The term ‘Department-owned civilian waste’ means high-level radioactive waste, or spent nuclear fuel, resulting from civilian nuclear activities, to which the Department holds title.”.

(3) **TECHNICAL AMENDMENTS.**—Section 146 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10166) is amended—

(A) in subsection (a), by striking “such subsection” and inserting “subsection (f) of such section”; and

(B) in subsection (b), by striking “this subsection” and inserting “this section”.

##### SEC. 102. AUTHORIZATION AND PRIORITY.

Section 142 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10162) is amended by striking subsection (b) and inserting the following:

“(b) **AUTHORIZATION.**—Subject to the requirements of this subtitle, the Secretary is authorized to—

“(1) site, construct, and operate one or more monitored retrievable storage facilities; and

“(2) store, pursuant to an MRS agreement, Department-owned civilian waste at a monitored retrievable storage facility for which a non-Federal entity holds a license described in section 143(1).”

“(c) **PRIORITY.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary shall prioritize storage of Department-owned civilian waste at a monitored retrievable storage facility authorized under subsection (b)(2).

“(2) **EXCEPTION.**—

“(A) **DETERMINATION.**—Paragraph (1) shall not apply if the Secretary determines that it will be faster and less expensive to site, construct, and operate a facility authorized under subsection (b)(1), in comparison to a facility authorized under subsection (b)(2).

“(B) **NOTIFICATION.**—Not later than 30 days after the Secretary makes a determination described in subparagraph (A), the Secretary shall submit to Congress written notification of such determination.”.

##### SEC. 103. CONDITIONS FOR MRS AGREEMENTS.

(a) **AMENDMENT.**—Section 143 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10163) is amended to read as follows:

##### “SEC. 143. CONDITIONS FOR MRS AGREEMENTS.

“(a) **IN GENERAL.**—The Secretary may not enter into an MRS agreement under section 142(b)(2) unless—

“(1) the monitored retrievable storage facility with respect to which the MRS agreement applies has been licensed by the Commission under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

“(2) the non-Federal entity that is a party to the MRS agreement has approval to store Department-owned civilian waste at such facility from each of—

“(A) the Governor of the State in which the facility is located;

“(B) any unit of general local government with jurisdiction over the area in which the facility is located; and

“(C) any affected Indian tribe;

“(3) except as provided in subsection (b), the Commission has issued a final repository decision; and

“(4) the MRS agreement provides that the quantity of high-level radioactive waste and spent nuclear fuel at the site of the facility at any one time will not exceed the limits described in section 148(d)(3) and (4).

“(b) INITIAL AGREEMENT.—

“(1) AUTHORIZATION.—The Secretary may enter into one MRS agreement under section 142(b)(2) before the Commission has issued a final repository decision.

“(2) FUNDING.—There are authorized to be appropriated to carry out this subsection—

“(A) for each of fiscal years 2020 through 2022, the greater of—

“(i) \$50,000,000; or

“(ii) the amount that is equal to 10 percent of the amounts appropriated from the Waste Fund in that fiscal year; and

“(B) for each of fiscal years 2023 through 2025, the amount that is equal to 10 percent of the amounts appropriated from the Waste Fund in that fiscal year.

“(3) PRIORITY.—

“(A) IN GENERAL.—An MRS agreement entered into pursuant to paragraph (1) shall, to the extent allowable under this Act (including under the terms of the standard contract established in section 961.11 of title 10, Code of Federal Regulations), provide for prioritization of the storage of Department-owned civilian waste that originated from facilities that have ceased commercial operation.

“(B) NO EFFECT ON STANDARD CONTRACT.—Nothing in subparagraph (A) shall be construed to amend or otherwise alter the standard contract established in section 961.11 of title 10, Code of Federal Regulations.

“(4) CONDITIONS.—

“(A) NO STORAGE.—Except as provided in subparagraph (B), the Secretary may not store any Department-owned civilian waste at the initial MRS facility until the Commission has issued a final repository decision.

“(B) EXCEPTION.—

“(i) FINDING.—The Secretary may make a finding that a final repository decision is imminent, which finding shall be updated not less often than quarterly until the date on which the Commission issues a final repository decision.

“(ii) STORAGE.—If the Secretary makes a finding under clause (i), the Secretary may store Department-owned civilian waste at the initial MRS facility in accordance with this section.

“(iii) NOTICE.—Not later than seven days after the Secretary makes or updates a finding under clause (i), the Secretary shall submit to Congress written notification of such finding.

“(iv) REPORTING.—In addition to the requirements of section 114(c), if the Secretary makes a finding under clause (i), the Secretary shall submit to Congress the report described in such section 114(c) not later than 1 month after the Secretary makes such finding and monthly thereafter until the date on which the Commission issues a final repository decision.

“(C) NO EFFECT ON FEDERAL DISPOSAL POLICY.—Nothing in this subsection affects the Federal responsibility for the disposal of high-level radioactive waste and spent nuclear fuel, or the definite Federal policy with regard to the disposal of such waste and spent fuel, established under subtitle A, as described in section 111(b).

“(c) DEFINITIONS.—For purposes of this section:

“(1) FINAL REPOSITORY DECISION.—The term ‘final repository decision’ means a final decision approving or disapproving the issuance of a construction authorization for a repository under section 114(d)(1).

“(2) INITIAL MRS FACILITY.—The term ‘initial MRS facility’ means the monitored retrievable storage facility with respect to which an MRS agreement is entered into pursuant to subsection (b)(1).”

(b) CONFORMING AMENDMENT.—The item relating to section 143 in the table of contents for the Nuclear Waste Policy Act of 1982 is amended to read as follows:

“Sec. 143. Conditions for MRS agreements.”.

#### SEC. 104. SURVEY.

Section 144 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10164) is amended—

(1) by striking “After the MRS Commission submits its report to the Congress under section 143, the” and inserting “(a) IN GENERAL.—The”;

(2) in the matter preceding paragraph (1), by striking “for a monitored retrievable storage facility” and inserting “for any monitored retrievable storage facility authorized under section 142”;

(3) in paragraph (6), by striking “; and” and inserting a semicolon;

(4) in paragraph (7), by striking the period at the end and inserting “; and”;

(5) by adding after paragraph (7) the following:

“(8) be acceptable to State authorities, affected units of local government, and affected Indian tribes.

“(b) REQUEST FOR PROPOSALS.—The Secretary shall issue a request for proposals for an MRS agreement authorized under section 142(b)(2) before conducting a survey and evaluation under subsection (a), and shall consider any proposals received in response to such request in making the evaluation.”.

#### SEC. 105. SITE SELECTION.

Section 145 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10165) is amended—

(1) in subsection (a)—

(A) by striking “select the site evaluated” and inserting “select a site evaluated”;

(B) by striking “the most”; and

(C) by inserting “authorized under section 142(b)(1)” after “monitored retrievable storage facility”; and

(2) by striking subsection (g).

#### SEC. 106. BENEFITS AGREEMENT.

Section 147 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10167) is amended—

(1) by inserting “the Secretary intends to construct and operate under section 142(b)(1)” after “storage facility”; and

(2) by inserting “or once a non-Federal entity enters into an MRS agreement under section 142(b)(2),” after “section 145.”.

#### SEC. 107. LICENSING.

(a) REVIEW OF LICENSE APPLICATION.—Section 148(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10168(c)) is amended by striking “section 142(b)” and inserting “section 142(b)(1)”.

(b) LICENSING CONDITIONS.—Section 148(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10168(d)) is amended—

(1) in paragraph (1), by striking “has issued a license for the construction of a repository under section 115(d)” and inserting “has issued a final decision approving or disapproving the issuance of a construction authorization for a repository under section 114(d)(1)”; and

(2) in paragraph (2), by striking “or construction of the repository ceases”.

#### SEC. 108. FINANCIAL ASSISTANCE.

Section 149 of the Nuclear Waste Policy Act of 1982 is amended by inserting “authorized under section 142(b)(1)” after “a monitored retrievable storage facility”.

### TITLE II—PERMANENT REPOSITORY

#### SEC. 201. LAND WITHDRAWAL, JURISDICTION, AND RESERVATION.

(a) LAND WITHDRAWAL, JURISDICTION, AND RESERVATION.—

(1) LAND WITHDRAWAL.—Subject to valid existing rights and except as provided otherwise in

this section, the lands described in subsection (c) are withdrawn permanently from all forms of entry, appropriation, and disposal under the public land laws, including the mineral leasing laws, the geothermal leasing laws, and the mining laws.

(2) JURISDICTION.—Except as otherwise provided in this section, jurisdiction over the withdrawal is vested in the Secretary. There are transferred to the Secretary the lands within the withdrawal under the jurisdiction of the Secretary concerned on the effective date described in subsection (j)(1).

(3) RESERVATION.—The withdrawal is reserved for use by the Secretary for development, preconstruction testing and performance confirmation, licensing, construction, management and operation, monitoring, closure, postclosure, and other activities associated with the disposal of high-level radioactive waste and spent nuclear fuel under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.).

(b) REVOCATION AND MODIFICATION OF PUBLIC LAND ORDERS AND RIGHTS-OF-WAY.—

(1) PUBLIC LAND ORDER REVOCATION.—Public Land Order 6802 of September 25, 1990, as extended by Public Land Order 7534, and any conditions or memoranda of understanding accompanying those land orders, are revoked.

(2) RIGHT-OF-WAY RESERVATIONS.—Project right-of-way reservations N-48602 and N-47748 of January 2001, are revoked.

(c) LAND DESCRIPTION.—

(1) BOUNDARIES.—The lands and interests in lands withdrawn and reserved by this section comprise the approximately 147,000 acres of land in Nye County, Nevada, as generally depicted on the Yucca Mountain Project Map, YMP-03-024.2, entitled “Proposed Land Withdrawal” and dated July 21, 2005.

(2) LEGAL DESCRIPTION AND MAP.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Interior shall—

(A) publish in the Federal Register a notice containing a legal description of the withdrawal; and

(B) file copies of the maps described in paragraph (1) and the legal description of the withdrawal with the Congress, the Governor of the State of Nevada, and the Archivist of the United States.

(3) TECHNICAL CORRECTIONS.—The maps and legal description referred to in this subsection have the same force and effect as if they were included in this section. The Secretary of the Interior may correct clerical and typographical errors in the maps and legal description.

(d) RELATIONSHIP TO OTHER RESERVATIONS.—The provisions of subtitle A of title XXX of the Military Lands Withdrawal Act of 1999 (sections 3011–3023 of Public Law 106–65) and of Public Land Order 2568 do not apply to the lands withdrawn and reserved for use by the Secretary under subsection (a). This Act does not apply to any other lands withdrawn for use by the Department of Defense under subtitle A of title XXX of the Military Lands Withdrawal Act of 1999.

(e) MANAGEMENT RESPONSIBILITIES.—

(1) GENERAL AUTHORITY.—The Secretary shall manage the lands withdrawn by subsection (a) consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), this section, and other applicable law. The Secretary shall consult with the Secretary concerned in discharging that responsibility.

(2) MANAGEMENT PLAN.—

(A) DEVELOPMENT.—The Secretary, after consulting with the Secretary concerned, shall develop a management plan for the use of the withdrawal. Within 3 years after the date of enactment of this Act, the Secretary shall submit the management plan to the Congress and the State of Nevada.

(B) PRIORITY OF YUCCA MOUNTAIN PROJECT-RELATED ISSUES.—Subject to subparagraphs (C) and (D), any use of the withdrawal for activities not associated with the Project is subject to

conditions and restrictions that the Secretary considers necessary or desirable to permit the conduct of Project-related activities.

(C) **DEPARTMENT OF THE AIR FORCE USES.**—The management plan may provide for the continued use by the Department of the Air Force of the portion of the withdrawal within the Nellis Air Force Base Test and Training Range under terms and conditions on which the Secretary and the Secretary of the Air Force agree concerning Air Force activities.

(D) **OTHER NON-YUCCA-MOUNTAIN-PROJECT USES.**—The management plan shall provide for the maintenance of wildlife habitat and shall provide that the Secretary may permit non-Project-related uses that the Secretary considers appropriate, including domestic livestock grazing and hunting and trapping in accordance with the following requirements:

(i) **GRAZING.**—The Secretary may permit grazing to continue where established before the effective date described in subsection (j)(1), subject to regulations, policies, and practices that the Secretary, after consulting with the Secretary of the Interior, determines to be necessary or appropriate. The management of grazing shall be conducted in accordance with applicable grazing laws and policies, including—

(I) the Act commonly known as the “Taylor Grazing Act” (43 U.S.C. 315 et seq.);

(II) title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.); and

(III) the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.).

(ii) **HUNTING AND TRAPPING.**—The Secretary may permit hunting and trapping within the withdrawal where established before the effective date described in subsection (k)(1), except that the Secretary, after consulting with the Secretary of the Interior and the State of Nevada, may designate zones where, and establish periods when, no hunting or trapping is permitted for reasons of public safety, national security, administration, or public use and enjoyment.

(E) **MINING.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), surface or subsurface mining or oil or gas production, including slant drilling from outside the boundaries of the withdrawal, is not permitted at any time on lands on or under the withdrawal. The Secretary of the Interior shall evaluate and adjudicate the validity of all unpatented mining claims on the portion of the withdrawal that, on the date of enactment of this Act, was under the control of the Bureau of Land Management. The Secretary shall provide just compensation for the acquisition of any valid property right.

(ii) **CIND-R-LITE MINE.**—Patented Mining Claim No. 27-83-0002, covering the Cind-R-Lite Mine, shall not be affected by establishment of the withdrawal set forth in subsection (a)(1). In that event, the Secretary shall provide just compensation.

(F) **LIMITED PUBLIC ACCESS.**—The management plan may provide for limited public access to the portion of the withdrawal under Bureau of Land Management control on the effective date described in subsection (j)(1). Permitted uses may include continuation of the Nye County Early Warning Drilling Program, utility corridors, and other uses the Secretary, after consulting with the Secretary of the Interior, considers consistent with the purposes of the withdrawal.

(3) **CLOSURE.**—If the Secretary, after consulting with the Secretary concerned, determines that the health and safety of the public or the common defense and security require the closure of a road, trail, or other portion of the withdrawal, or the airspace above the withdrawal, the Secretary may effect and maintain the closure and shall provide notice of the closure.

(4) **IMPLEMENTATION.**—The Secretary and the Secretary concerned shall implement the man-

agement plan developed under paragraph (2) under terms and conditions on which they agree.

(f) **IMMUNITY.**—The United States and its departments and agencies shall be held harmless and shall not be liable for damages to persons or property suffered in the course of any mining, mineral leasing, or geothermal leasing activity conducted on the withdrawal.

(g) **LAND ACQUISITION.**—The Secretary may acquire lands and interests in lands within the withdrawal. Those lands and interests in lands may be acquired by donation, purchase, lease, exchange, easement, rights-of-way, or other appropriate methods using donated or appropriated funds. The Secretary of the Interior shall conduct any exchange of lands within the withdrawal for Federal lands outside the withdrawal.

(h) **MATERIAL REQUIREMENTS.**—Notwithstanding any other provision of law, no Federal, State, Interstate, or local requirement, either substantive or procedural, that is referred to in section 6001(a) of the Solid Waste Disposal Act (42 U.S.C. 6961(a)) applies with respect to any material—

(1) as such material is transported to a repository for disposal at such repository; or

(2) as, or after, such material is disposed of in a repository.

(i) **DEFINITIONS.**—

(1) **NUCLEAR WASTE POLICY ACT OF 1982 DEFINITIONS.**—For purposes of this section, the terms “disposal”, “high-level radioactive waste”, “repository”, “Secretary”, and “spent nuclear fuel” have the meaning given those terms in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(2) **OTHER DEFINITIONS.**—For purposes of this section—

(A) the term “withdrawal” means the geographic area consisting of the land described in subsection (c);

(B) the term “Secretary concerned” means the Secretary of the Air Force or the Secretary of the Interior, or both, as appropriate; and

(C) the term “Project” means the Yucca Mountain Project.

(j) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), this section shall take effect on the date on which the Nuclear Regulatory Commission issues a final decision approving the issuance of a construction authorization for a repository under section 114(d)(1) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)) (as so designated by this Act).

(2) **EXCEPTIONS.**—Subsections (c), (e)(2)(A), (h), (i), and (j) shall take effect on the date of enactment of this Act.

## **SEC. 202. APPLICATION PROCEDURES AND INFRASTRUCTURE ACTIVITIES.**

(a) **STATUS REPORT ON APPLICATION.**—Section 114(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(c)) is amended by striking “the date on which such authorization is granted” and inserting “the date on which the Commission issues a final decision approving or disapproving such application”.

(b) **APPLICATION PROCEDURES AND INFRASTRUCTURE ACTIVITIES.**—Section 114(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)) is amended—

(1) by striking “The Commission shall consider” and inserting the following:

“(1) **APPLICATIONS FOR CONSTRUCTION AUTHORIZATION.**—The Commission shall consider”;

(2) by striking “the expiration of 3 years after the date of the submission of such application” and inserting “30 months after the date of enactment of the Nuclear Waste Policy Amendments Act of 2018”;

(3) by striking “70,000 metric tons” each place it appears and inserting “110,000 metric tons”; and

(4) by adding at the end the following new paragraphs:

“(2) **APPLICATIONS TO AMEND.**—If the Commission issues a construction authorization for a

repository pursuant to paragraph (1) and the Secretary submits an application to amend such authorization, the Commission shall consider the application to amend using expedited, informal procedures, including discovery procedures that minimize the burden on the parties to produce documents. The Commission shall issue a final decision on such application to amend within 1 year after the date of submission of such application, except that the Commission may extend such deadline by not more than 6 months if, not less than 30 days before such deadline, the Commission complies with the reporting requirements established in subsection (e)(2).

“(3) **INFRASTRUCTURE ACTIVITIES.**—

“(A) **IN GENERAL.**—At any time before or after the Commission issues a final decision approving or disapproving the issuance of a construction authorization for a repository pursuant to paragraph (1), the Secretary may undertake infrastructure activities that the Secretary considers necessary or appropriate to support construction or operation of a repository at the Yucca Mountain site or transportation to such site of spent nuclear fuel and high-level radioactive waste. Infrastructure activities include safety upgrades, site preparation, the construction of a rail line to connect the Yucca Mountain site with the national rail network (including any facilities to facilitate rail operations), and construction, upgrade, acquisition, or operation of electrical grids or facilities, other utilities, communication facilities, access roads, and nonnuclear support facilities.

“(B) **ENVIRONMENTAL ANALYSIS.**—If the Secretary determines that an environmental analysis is required under the National Environmental Policy Act of 1969 with respect to an infrastructure activity undertaken under this paragraph, the Secretary need not consider alternative actions or a no-action alternative. To the extent any other Federal agency must consider the potential environmental impact of such an infrastructure activity, the agency shall adopt, to the extent practicable, any environmental analysis prepared by the Secretary under this subparagraph without further action. Such adoption satisfies the responsibilities of the adopting agency under the National Environmental Policy Act of 1969, and no further action is required by the agency.

“(C) **NO GROUNDS FOR DISAPPROVAL.**—The Commission may not disapprove, on the grounds that the Secretary undertook an infrastructure activity under this paragraph—

“(i) the issuance of a construction authorization for a repository pursuant to paragraph (1);

“(ii) a license to receive and possess spent nuclear fuel and high-level radioactive waste; or

“(iii) any other action concerning the repository.”.

(c) **CONNECTED ACTIONS.**—Section 114(f)(6) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(f)(6)) is amended by striking “or nongeologic alternatives to such site” and inserting “nongeologic alternatives to such site, or an action connected or otherwise related to the repository to the extent the action is undertaken outside the geologic repository operations area and does not require a license from the Commission”.

## **SEC. 203. PENDING REPOSITORY LICENSE APPLICATION.**

Nothing in this Act or the amendments made by this Act shall be construed to require the Secretary to amend or otherwise modify an application for a construction authorization described in section 114(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)) pending as of the date of enactment of this Act.

## **SEC. 204. LIMITATION ON PLANNING, DEVELOPMENT, OR CONSTRUCTION OF DEFENSE WASTE REPOSITORY.**

(a) **LIMITATION.**—The Secretary of Energy may not take any action relating to the planning, development, or construction of a defense waste repository until the date on which the Nuclear Regulatory Commission issues a final



decision approving or disapproving the issuance of a construction authorization for a repository under section 114(d)(1) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)) (as so designated by this Act).

(b) **DEFINITIONS.**—In this section—

(1) the terms “atomic energy defense activity”, “high-level radioactive waste”, “repository”, and “spent nuclear fuel” have the meanings given those terms in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101); and

(2) the term “defense waste repository” means the repository for high-level radioactive waste and spent nuclear fuel derived from the atomic energy defense activities of the Department of Energy, as described in the draft plan of the Department titled “Draft Plan for a Defense Waste Repository” published on December 16, 2016.

**SEC. 205. SENSE OF CONGRESS REGARDING TRANSPORTATION ROUTES.**

It is the sense of Congress that the Secretary of Energy should consider routes for the transportation of spent nuclear fuel or high-level radioactive waste transported by or for the Secretary under subtitle A of title I of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10131 et seq.)

to the Yucca Mountain site that, to the extent practicable, avoid Las Vegas, Nevada.

**TITLE III—DOE CONTRACT PERFORMANCE**

**SEC. 301. TITLE TO MATERIAL.**

Section 123 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10143) is amended—

(1) by striking “Delivery” and inserting “(a) IN GENERAL.—Delivery”;

(2) by striking “repository constructed under this subtitle” and inserting “repository or monitored retrievable storage facility”; and

(3) by adding at the end the following new subsection:

“(b) **CONTRACT MODIFICATION.**—The Secretary may enter into new contracts or negotiate modifications to existing contracts, with any person who generates or holds title to high-level radioactive waste or spent nuclear fuel of domestic origin, for acceptance of title, subsequent transportation, and storage of such high-level radioactive waste or spent nuclear fuel (including to expedite such acceptance of title, transportation, and storage of such waste or fuel from facilities that have ceased commercial operation) at a monitored retrievable storage facility authorized under subtitle C.”.

**“BENEFITS SCHEDULE**

| Event  | MRS          | Repository     |
|--|--------------|----------------|
| (A) Annual payments prior to first spent fuel receipt .....                            | \$5,000,000  | \$15,000,000   |
| (B) Upon first spent fuel receipt .....  | \$10,000,000 | \$400,000,000  |
| (C) Annual payments after first spent fuel receipt until closure of the facility ..... | \$10,000,000 | \$40,000,000”. |

(b) **RESTRICTIONS ON USE.**—Section 171(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10173a(a)) is amended—

(1) in paragraph (6), by striking “paragraph (7)” and inserting “paragraphs (7) and (8)”; and

(2) by adding at the end the following new paragraph:

“(8) None of the payments under this section may be used—

“(A) directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in section 1913 of title 18, United States Code;

“(B) for litigation purposes; or

“(C) to support multistate efforts or other coalition-building activities inconsistent with the siting, construction, or operation of the monitored retrievable storage facility or repository concerned.”.

(c) **CONTENTS.**—Section 171(b) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10173a(b)) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and

(3) in paragraph (3) (as redesignated by paragraph (2) of this subsection), by striking “in the design of the repository or monitored retrievable storage facility and”.

(d) **PAYMENTS BY SECRETARY.**—Section 171(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10173a(c)) is amended to read as follows:

“(c) **PAYMENTS BY SECRETARY.**—The Secretary shall make payments to the State of Nevada under a benefits agreement concerning a repository under section 170 from the Waste Fund. The signature of the Secretary on a valid benefits agreement under this subtitle shall constitute a commitment, but only to the extent that all amounts for that purpose are provided in advance in subsequent appropriations Acts, by the Secretary to make payments in accordance with such agreement.”.

**SEC. 403. COVERED UNITS OF LOCAL GOVERNMENT.**

(a) **IN GENERAL.**—The Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.) is amended by inserting after section 172 the following new section:

**“SEC. 172A. COVERED UNITS OF LOCAL GOVERNMENT.**

“(a) **BENEFITS AGREEMENT.**—Not earlier than 1 year after the date of enactment of this section, the Secretary may enter into a benefits agreement with any covered unit of local government concerning a repository for the acceptance of high-level radioactive waste or spent nuclear fuel in the State of Nevada.

“(b) **CONTENT OF AGREEMENTS.**—In addition to any benefits that a covered unit of local government may receive under this Act, the Secretary shall make payments to such covered unit of local government that is a party to a benefits agreement under subsection (a) to mitigate impacts described in section 175(b).

“(c) **PAYMENTS FROM WASTE FUND.**—The Secretary shall make payments to a covered unit of local government under a benefits agreement under this section from the Waste Fund.

“(d) **RESTRICTION ON USE.**—None of the payments made pursuant to a benefits agreement under this section may be used—

“(1) directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in section 1913 of title 18, United States Code;

“(2) for litigation purposes; or

“(3) to support multistate efforts or other coalition-building activities inconsistent with the siting, construction, or operation of the repository.”.

“(e) **CONSENT.**—The acceptance or use of any of the benefits provided under a benefits agreement under this section by any covered unit of local government shall not be considered to be an expression of consent, express or implied, to the siting of a repository in the State of Nevada.

“(f) **COVERED UNIT OF LOCAL GOVERNMENT DEFINED.**—In this section, the term ‘covered unit of local government’ means—

**TITLE IV—BENEFITS TO HOST COMMUNITY**

**SEC. 401. CONSENT.**

Section 170 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10173) is amended—

(1) in subsection (c), by striking “shall offer” and inserting “may offer”;

(2) in subsection (d), by striking “shall” and inserting “may”;

(3) in subsection (e)—

(A) by inserting a comma after “repository”; and

(B) by inserting “per State,” after “facility”; and

(4) by adding at the end the following new subsection:

“(g) **CONSENT.**—The acceptance or use of any of the benefits provided under a benefits agreement under this section by the State of Nevada shall not be considered to be an expression of consent, express or implied, to the siting of a repository in such State.”.

**SEC. 402. CONTENT OF AGREEMENTS.**

(a) **BENEFITS SCHEDULE.**—The table in section 171(a)(1) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10173a(a)(1)) is amended to read as follows:

“(1) any affected unit of local government with respect to a repository; and

“(2) any unit of general local government in the State of Nevada.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **BENEFITS AGREEMENT.**—Section 170(a)(4) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10173(a)(4)) is amended to read as follows:

“(4) Benefits and payments under this subtitle made available pursuant to a benefits agreement under this section or section 172A may be made available only in accordance with such benefits agreement and to the extent that all amounts for that purpose are provided in advance in subsequent appropriations Acts.”.

(2) **LIMITATION.**—Section 170(e) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10173(e)) is further amended by inserting “under this section” after “may be in effect”.

(3) **TABLE OF CONTENTS.**—The table of contents for the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 note) is amended by adding after the item relating to section 172, the following:

“Sec. 172A. Covered units of local government.”.

**SEC. 404. TERMINATION.**

Section 173 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10173c) is amended—

(1) in subsection (a)—

(A) by striking “under this title if” and inserting “under this title”;

(B) in paragraph (1), by inserting “concerning a repository or a monitored retrievable storage facility, if” before “the site under consideration”; and

(C) in paragraph (2), by striking “the Secretary determines that the Commission cannot license the facility within a reasonable time” and inserting “concerning a repository, if the Commission issues a final decision disapproving the issuance of a construction authorization for a repository under section 114(d)(1)”; and

(2) by amending subsection (b) to read as follows:

“(b) **TERMINATION BY STATE OR INDIAN TRIBE.**—A State, covered unit of local government (as defined in section 172A), or Indian

tribe may only terminate a benefits agreement under this title—

“(1) concerning a repository or a monitored retrievable storage facility, if the Secretary disqualifies the site under consideration for its failure to comply with technical requirements established by the Secretary in accordance with this Act; or

“(2) concerning a repository, if the Commission issues a final decision disapproving the issuance of a construction authorization for a repository under section 114(d)(1).”.

#### **SEC. 405. PRIORITY FUNDING FOR CERTAIN INSTITUTIONS OF HIGHER EDUCATION.**

(a) *IN GENERAL.*—Subtitle G of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10174 et seq.) is amended by adding at the end the following new section:

#### **“SEC. 176. PRIORITY FUNDING FOR CERTAIN INSTITUTIONS OF HIGHER EDUCATION.**

“(a) *IN GENERAL.*—In providing any funding to institutions of higher education from the Waste Fund, the Secretary shall prioritize institutions of higher education that are located in the State of Nevada.

“(b) *DEFINITION.*—In this section, the term ‘institution of higher education’ has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).”.

(b) *CONFORMING AMENDMENT.*—The table of contents for the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 note) is amended by adding after the item relating to section 175, the following:

“Sec. 176. Priority funding for certain institutions of higher education.”.

#### **SEC. 406. DISPOSAL OF SPENT NUCLEAR FUEL.**

Section 122 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10142) is amended by adding at the end the following: “Any economic benefits derived from the retrieval of spent nuclear fuel pursuant to this section shall be shared with the State in which the repository is located, affected units of local government, and affected Indian tribes.”.

#### **SEC. 407. UPDATED REPORT.**

Section 175(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10174a(a)) is amended by striking “Nuclear Waste Policy Amendments Act of 1987” and inserting “Nuclear Waste Policy Amendments Act of 2018”.

### **TITLE V—FUNDING**

#### **SEC. 501. ASSESSMENT AND COLLECTION OF FEES.**

(a) *IN GENERAL.*—Section 302(a)(4) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(4)) is amended—

(1) in the first sentence—

(A) by striking “(4) Not later than” and inserting the following:

“(4) ASSESSMENT, COLLECTION, AND PAYMENT OF FEES.—

“(A) ASSESSMENT OF FEES.—Not later than”;

(B) by striking “the date of enactment of this Act” and inserting “the date of enactment of the Nuclear Waste Policy Amendments Act of 2018”; and

(C) by striking “collection and payment” and inserting “assessment”;

(2) in the second sentence, by striking “collection of the fee” and inserting “such amount”;

(3) in the third sentence, by striking “are being collected” and inserting “will result from such amounts”;

(4) in the fifth sentence, by striking “a period of 90 days of continuous session” and all that follows through the period at the end and inserting “the date that is 180 days after the date of such transmittal.”; and

(5) by adding at the end the following:

“(B) COLLECTION AND PAYMENT OF FEES.—

“(i) *IN GENERAL.*—Not later than 180 days after the date of enactment of Nuclear Waste Policy Amendments Act of 2018, the Secretary

shall establish procedures for the collection and payment of the fees established by paragraph (2) and paragraph (3), or adjusted pursuant to subparagraph (A).

“(ii) *LIMITATION ON COLLECTION.*—The Secretary may not collect a fee established under paragraph (2), including a fee established under paragraph (2) and adjusted pursuant to subparagraph (A)—

“(I) until the date on which the Commission issues a final decision approving or disapproving the issuance of a construction authorization for a repository under section 114(d)(1); and

“(II) after such date, in an amount that will cause the total amount of fees collected under this subsection in any fiscal year to exceed 90 percent of the amounts appropriated for that fiscal year for purposes described in subsection (d).

The limitation in subclause (II) shall not apply during a fiscal year if, at any time during that fiscal year, the Waste Fund has a balance of zero.

“(iii) *PAYMENT OF FULL AMOUNTS.*—Notwithstanding the noncollection of a fee by the Secretary pursuant to clause (ii) in any fiscal year, a person who has entered into a contract with the Secretary under this subsection shall pay any uncollected amounts when determined necessary by the Secretary, subject to clause (ii), for purposes described in subsection (d).”.

(b) *AUTHORITY TO MODIFY CONTRACTS.*—The Secretary of Energy may seek to modify a contract entered into under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)) before the date of enactment of this Act to ensure that the contract complies with the provisions of such section, as amended by this Act.

(c) *TECHNICAL AND CONFORMING AMENDMENTS.*—Section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)) is amended—

(1) in paragraph (1), by striking “paragraphs (2) and (3)” and inserting “paragraphs (2), (3), and (4)”;

(2) in paragraph (3), by striking “126(b)”;

(3) in paragraph (4), by striking “insure” and inserting “ensure”.

#### **SEC. 502. USE OF WASTE FUND.**

(a) *IN GENERAL.*—Section 302(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(d)) is amended—

(1) in paragraph (1), by striking “maintenance and monitoring” and all that follows through the semicolon at the end and inserting “maintenance and monitoring of any repository or test and evaluation facility constructed under this Act”;

(2) in paragraph (4), by striking “to be disposed of” and all that follows through the semicolon at the end and inserting “to be disposed of in a repository or to be used in a test and evaluation facility”;

(3) in paragraph (5), by striking “at a repository site” and all that follows through the end and inserting “at a repository site or a test and evaluation facility site and necessary or incident to such repository or test and evaluation facility”;

(4) in paragraph (6), by striking the period at the end and inserting “; and”;

(5) by inserting after paragraph (6) the following:

“(7) payments under benefits agreements for a repository entered into under section 170 or 172A.”.

(b) *CONFORMING AMENDMENTS.*—Section 117(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10137(d)) is amended by inserting “designated with respect to a repository” after “such representatives”.

#### **SEC. 503. ANNUAL MULTIYEAR BUDGET PROPOSAL.**

Section 302(e)(2) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(e)(2)) is amended by

striking “triennially” and inserting “annually”.

#### **SEC. 504. AVAILABILITY OF CERTAIN AMOUNTS.**

Section 302 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222) is amended by adding at the end the following:

“(f) *LIMITATION ON FUNDING.*—

“(1) *IN GENERAL.*—Beginning on the date of first spent fuel receipt at a repository, no amount may be appropriated in any fiscal year for activities relating to the repository, including transportation of additional spent fuel to the repository and operation of the repository, unless the applicable amount required with respect to the repository under section 171(a)(1)(B) or section 171(a)(1)(C) is appropriated for that fiscal year.

“(2) *DEFINITION.*—In this subsection, the terms ‘spent fuel’ and ‘first spent fuel receipt’ have the meaning given such terms in section 171(a).

“(g) *OFFSETTING FUNDING.*—

“(1) *IN GENERAL.*—Fees collected after the date of enactment of the Nuclear Waste Policy Amendments Act of 2018 pursuant to subsection (a) shall be credited to the Waste Fund and available, to the extent provided in advance in appropriation Acts and consistent with the requirements of this section, to carry out activities authorized to be funded from the Waste Fund.

“(2) *OFFSETTING COLLECTION.*—Fees collected in a fiscal year pursuant to paragraph (1) shall be deposited and credited as offsetting collections to the account providing appropriations for such activities and shall be classified as discretionary appropriations as defined by section 250(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(7)).

“(3) *ESTIMATES.*—For the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) and the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) and for determining points of order pursuant to that Act or any concurrent resolution on the budget, an estimate provided under those Acts for a provision in a bill or joint resolution, or amendment thereto or conference report thereon, that provides discretionary appropriations, derived from amounts in the Waste Fund, for such activities shall include in that estimate the amount of such fees that will be collected during the fiscal year for which such appropriation is made available. Any such estimate shall not include any change in net direct spending as result in the appropriation of such fees.”.

### **TITLE VI—MISCELLANEOUS**

#### **SEC. 601. CERTAIN STANDARDS AND CRITERIA.**

(a) *GENERALLY APPLICABLE STANDARDS AND CRITERIA.*—

(1) *ENVIRONMENTAL PROTECTION AGENCY STANDARDS.*—

(A) *DETERMINATION AND REPORT.*—Not later than 2 years after the Nuclear Regulatory Commission has issued a final decision approving or disapproving the issuance of a construction authorization for a repository under section 114(d)(1) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)) (as so designated by this Act), the Administrator of the Environmental Protection Agency shall—

(i) determine if the generally applicable standards promulgated under section 121(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10141(a)) should be updated; and

(ii) submit to Congress a report on such determination.

(B) *RULE.*—If the Administrator of the Environmental Protection Agency determines, under subparagraph (A), that the generally applicable standards promulgated under section 121(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10141(a)) should be updated, the Administrator, not later than 2 years after submission of the report under subparagraph (A)(ii), shall, by rule, promulgate updated generally applicable standards under such section.

(2) *COMMISSION REQUIREMENTS AND CRITERIA.*—Not later than 2 years after the Administrator of the Environmental Protection Agency

promulgates updated generally applicable standards pursuant to paragraph (1)(B), the Commission shall, by rule, promulgate updated technical requirements and criteria under section 121(b) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10141(b)) as necessary to be consistent with such updated generally applicable standards.

(b) **SITE-SPECIFIC STANDARDS AND CRITERIA.**—Nothing in this section shall affect the standards, technical requirements, and criteria promulgated by the Administrator of the Environmental Protection Agency and the Nuclear Regulatory Commission for the Yucca Mountain site under section 801 of the Energy Policy Act of 1992 (42 U.S.C. 10141 note).

#### SEC. 602. APPLICATION.

Section 135 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10155) is amended by striking subsection (h) and redesignating subsection (i) as subsection (h).

#### SEC. 603. TRANSPORTATION SAFETY ASSISTANCE.

Section 180(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10175(c)) is amended—

(1) by striking “(c) The Secretary” and inserting the following:

“(c) **TRAINING AND ASSISTANCE.**—

“(1) **TRAINING.**—The Secretary”; and

(2) by striking “The Waste Fund” and inserting the following:

“(2) **ASSISTANCE.**—The Secretary shall, subject to the availability of appropriations, provide in-kind, financial, technical, and other appropriate assistance, for safety activities related to the transportation of high-level radioactive waste or spent nuclear fuel, to any entity receiving technical assistance or funds under paragraph (1).

“(3) **SOURCE OF FUNDING.**—The Waste Fund”.

#### SEC. 604. OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT.

(a) **AMENDMENT TO THE NUCLEAR WASTE POLICY ACT OF 1982.**—Subsection (b) of section 304 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10224(b)) is amended to read as follows:

“(b) **DIRECTOR.**—

“(1) **FUNCTIONS.**—The Director of the Office shall be responsible for carrying out the functions of the Secretary under this Act. The Director of the Office shall report directly to the Secretary.

“(2) **QUALIFICATIONS.**—The Director of the Office shall be appointed from among persons who have extensive expertise and experience in organizational and project management.

“(3) **TENURE.**—The Director of the Office may serve not more than two 5-year terms.

“(4) **SERVICE DURING INTERIM PERIOD.**—Upon expiration of the Director’s term, the Director may continue to serve until the earlier of—

“(A) the date on which a new Director is confirmed; or

“(B) the date that is one year after the date of such expiration.

“(5) **REMOVAL.**—The President may remove the Director only for inefficiency, neglect of duty, or malfeasance in office. If the President removes the Director, the President shall submit to Congress a statement explaining the reason for such removal.”.

(b) **TRANSFER OF FUNCTIONS.**—

(1) **AMENDMENT.**—Section 203(a) of the Department of Energy Organization Act (42 U.S.C. 7133(a)) is amended by striking paragraph (8).

(2) **TRANSFER OF FUNCTIONS.**—The functions described in the paragraph (8) stricken by the amendment made by paragraph (1) shall be transferred to and performed by the Office of Civilian Radioactive Waste Management, as provided in section 304 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10224).

(c) **TECHNICAL AMENDMENT.**—Section 2(17) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(17)) is amended by striking “section 305” and inserting “section 304”.

#### SEC. 605. WEST LAKE LANDFILL.

Not later than one year after the date of enactment of this Act, the Administrator of the

Environmental Protection Agency shall submit to Congress a report containing the final remedy to be implemented at the West Lake Landfill and the expected timeline for implementation of such final remedy.

#### SEC. 606. SUBSEABED OR OCEAN WATER DISPOSAL.

(a) **PROHIBITION.**—Section 5 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10104) is amended—

(1) by striking “Nothing in this Act” and inserting:

“(a) **EFFECT ON MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972.**—Nothing in this Act”; and

(2) by adding at the end the following new subsection:

“(b) **SUBSEABED OR OCEAN WATER DISPOSAL.**—Notwithstanding any other provision of law—

“(1) the subseabed or ocean water disposal of spent nuclear fuel or high-level radioactive waste is prohibited; and

“(2) no funds shall be obligated for any activity relating to the subseabed or ocean water disposal of spent nuclear fuel or high-level radioactive waste.”.

(b) **REPEAL.**—Section 224 of the Nuclear Waste Policy Act of 1982, and the item relating thereto in the table of contents for such Act, are repealed.

#### SEC. 607. SENSE OF CONGRESS REGARDING STORAGE OF NUCLEAR WASTE NEAR THE GREAT LAKES.

It is the Sense of Congress that the Governments of the United States and Canada should not allow permanent or long-term storage of spent nuclear fuel or other radioactive waste near the Great Lakes.

#### SEC. 608. BUDGETARY EFFECTS.

(a) **STATUTORY PAYGO SCORECARDS.**—The budgetary effects of this Act and the amendments made by this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this Act and the amendments made by this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 115-665. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115-665.

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VI, add the following section:

#### SEC. 609. REQUIREMENT FOR FINANCIAL STATEMENTS SUMMARY.

The Department of Energy shall include a financial statements summary in each audit report on the Department of Energy Nuclear Waste Fund’s fiscal year financial statement audit.

The Acting CHAIR. Pursuant to House Resolution 879, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, I would like to thank Congressman SHIMKUS for his support of this amendment. I would also like to thank Congressman TONKO as well, and express my support for the underlying bill, which will, among many other things, prioritize decommissioned nuclear plants for removal of spent waste.

The hard work to come to this stage has been important, and we are finally moving forward.

In 2015, news broke that the nuclear plant in my district would be decommissioned in 2019. Unfortunately, this plant has also been in the news quite a bit because of significant safety concerns. So the communities back home are intimately aware of the safety and security risks to local neighborhoods and plant employees, and local officials and stakeholders have worked hard to hold plant operators accountable to prepare for all the risks presented, and to demand a plan for what happens after the plant is decommissioned so that the families and the businesses in my district are not left high and dry.

I offered a number of amendments to H.R. 3035, the Nuclear Waste Policy Amendments Act. They included efforts to strengthen local stakeholder engagement, to support funding for communities where spent nuclear fuel is awaiting transfer, to ensure the safe storage of spent nuclear fuel at decommissioned or soon-to-be decommissioned plants. And I offered these amendments because of the safety of the communities that are affected by nuclear plants and the nuclear storage sites, the importance of that being recognized.

And while some of these ideas weren’t included in the particular bill, the amendment I offer now is fundamental to making sure that they will be ultimately addressed.

Congress created the Nuclear Waste Fund to fund a solution to civilian nuclear waste that would provide for safe disposal in a permanent repository. These funds came from funds paid by ratepayers and generated by tens of billions of dollars, \$31 billion as of 2014, to support a solution for dealing with nuclear waste in a safe and secure manner.

And in the issuance of what is happening with this fund, the administration ceased making an easy-to-read summary to be part of that. The American people deserve to know just how this fund is being managed, and that any expenditure is actually necessary or justified and publicly reported and easily digested by local officials and the public as a whole.

For this, transparency really is key. We should be making it as easy as possible for the public and the officials that oversee this fund, and my amendment does just that by requiring a clear, plain English summary to accompany annual reporting on the Nuclear Waste Fund's financial status.

The information about the fund should not be only accessible to those who can understand the technical information contained in the full report. When communities like mine are working as hard as they can possibly work under the circumstances to make sure that they keep families safe, we should be making every possible tool available to them to achieve this goal.

Transparency around the fund created by ratepayers and intended to support a permanent solution to the safety risks they face from nuclear waste is only one piece of that, but an important piece.

Mr. Chairman, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I claim the time opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. SHIMKUS. Mr. Chairman, I want to thank my colleague from Massachusetts (Mr. KEATING). I think this is a very needed amendment.

I would say one of the most frustrating things about this process, and my colleagues on the other side know, is that we passed this bill in June of last year. And then we had the funding, and the money, and the debate, and the trust fund, and appropriators and budgeters.

Anything we can do to clear out and get some clear guidance on the money, we may have to then move to another piece of legislation to really clarify. Our bill does that for new revenue coming in, so I think it is a great addition, and I appreciate him coming down.

Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the majority whip.

Mr. SCALISE. Mr. Chairman, I thank my colleague from Illinois (Mr. SHIMKUS) for his leadership on this issue. For so long we have been trying to get a solution and to get proper use made out of Yucca Mountain and the billions of dollars that ratepayers all across the Nation have spent.

Mr. Chairman, I rise in strong support of the bipartisan amendment as well that is brought forward by the gentleman from Massachusetts (Mr. KEATING) to bring more light to show the ratepayers of the country what is exactly happening with this Nuclear Waste Fund.

But the underlying bill is critical to our national energy strategy because, for decades, going back to the 1980s, this country, through Congress, established that there will be a national nuclear waste storage facility, and yet it

has gone unused. The money has gone unutilized, and there is no facility right now that is working.

We have got to make this work for the ratepayers all across the country who pay billions of dollars into this fund. We need a national repository for spent nuclear fuel. This bill finally achieves that.

I congratulate my friend, Mr. SHIMKUS, for spending years finally getting us to a point where we can move this bill across the House floor, and hopefully the Senate moves this bill to the President's desk so we can finally resolve this long-lasting issue that ratepayers all across the Nation deserve to have an answer to.

Mr. SHIMKUS. Mr. Chairman, I would like to end by saying I know there are some rumblings out there about what is this litigation fund being paid for and who is paying for it?

The United States Government is being sued. We have to make these payments because we are not abiding by the law. It is not the private industry.

There are rumblings out there about: Oh, we are relieving the nuclear industry of reliability. That is absolutely false. We are going to protect U.S. taxpayers from the liability that we are paying because the Federal Government is not complying with the law.

And I want to make that straight. That is accountability, that is transparency. That is what my colleague Mr. KEATING is doing.

And with that, I support his amendment, and I yield back the balance of my time.

□ 1030

Mr. KEATING. Mr. Chairman, I yield to the gentleman from New York (Mr. TONKO), who has worked tirelessly on this issue as well and with a strong spirit of bipartisan cooperation on this bill.

Mr. TONKO. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the amendment. I know that this takes the issue and the response of this bill and makes it even stronger. With that in mind, I thank my colleague and those with whom he worked on this amendment for their input, and for, again, an amendment that makes the response so much stronger.

With that, I plan to support the amendment.

Mr. KEATING. Mr. Chairman, once again, I want to thank everyone who has worked so hard: Mr. SHIMKUS, Mr. TONKO, and all of the people who are finally moving this ahead. It is a very important issue in terms of our energy. It is very important in terms of safety of our communities. We have finally got the ball rolling, so again, I thank them for their hard work.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SCHNEIDER

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-665.

Mr. SCHNEIDER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

**SEC. 609. STRANDED NUCLEAR WASTE.**

(a) STRANDED NUCLEAR WASTE TASK FORCE.—

(1) ESTABLISHMENT.—The Secretary shall establish a task force, to be known as the Stranded Nuclear Waste Task Force—

(A) to conduct a study on existing public and private resources and funding for which affected communities may be eligible; and

(B) to develop immediate and long-term economic adjustment plans tailored to the needs of each affected community.

(2) STUDY.—Not later than 180 days after the date of enactment of this Act, the Stranded Nuclear Waste Task Force shall complete and submit to Congress the study described in paragraph (1).

(b) DEFINITIONS.—In this section:

(1) AFFECTED COMMUNITY.—The term “affected community” means a municipality that contains stranded nuclear waste within the boundaries of the municipality, as determined by the Secretary.

(2) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(3) STRANDED NUCLEAR WASTE.—The term “stranded nuclear waste” means nuclear waste or spent nuclear fuel stored in dry casks or spent fuel pools at a decommissioned or decommissioning nuclear facility.

The Acting CHAIR. Pursuant to House Resolution 879, the gentleman from Illinois (Mr. SCHNEIDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SCHNEIDER. Mr. Chairman, I rise today in support of my amendment which would help those communities saddled with housing our Nation's stranded nuclear waste while the Federal Government has failed to meet its legal obligation to find a permanent repository.

This is something my constituents understand all too well. The former Zion Nuclear Power Station, located on valuable lakefront property in Zion, Illinois, has housed more than 2 million pounds of spent nuclear fuel since the plant's closure in 1998.

This waste, situated on the very shores of Lake Michigan, is both an extreme environmental hazard and a severe burden to the quality of life of the residents of Zion—detering economic investment, depressing home values, and driving up property taxes to fill the void of local revenue.

Zion is not alone. Across the country, there are 17 nuclear power plants at various stages of decommissioning with even more announced closures slated for years ahead. In these communities, plants are typically the largest employer in the area; and when they close and waste is stored on site, it is devastating to the local communities.

My amendment seeks to help these communities access desperately needed Federal resources until waste is moved—waste that is, quite literally, stranded in these communities due to the Federal Government's inaction. Specifically, my amendment would require the Secretary of Energy to assemble a task force to work across all Federal agencies to identify existing resources and funding opportunities that could assist communities with decommissioning plants where waste is being stored.

In addition, the task force would work with communities in the decommissioning process to develop a transition plan to mitigate the economic damage when a plant closes. Communities like Zion, Illinois, have been forced to shoulder the burdens of storage with no compensation in return.

Mr. Chair, I urge my colleagues to support my amendment and help our communities get the Federal help they are owed.

Mr. Chair, I yield 1½ minutes to the gentlewoman from Ohio (Ms. KAPTUR), my friend.

Ms. KAPTUR. Mr. Chairman, I thank my fellow Great Lakes Member, Representative SCHNEIDER, for yielding the time. I also want to thank the ranking member of the Appropriations Committee, Congresswoman LOWEY, for offering this amendment.

I rise in support of this effort to help communities that are left with radioactive waste after the closure of a nuclear power plant. The Great Lakes region, I might point out, has no energy umbrella like the Bureau of Reclamation for the 17 Western States, or for portions of the South, the Tennessee Valley Authority, that can help communities readjust on a large scale for energy disruptions or changes.

In my district of northern Ohio, the Davis-Besse Nuclear Power Station is scheduled to be shuttered. We are not waving the white flag just yet, but this community and its people need the tools to cope with the aftermath, should the worst happen.

When nuclear power plants close, the impact on local economies, due to the loss of jobs and tax revenue, will be severe. For years, the Davis-Besse Nuclear Power Station has provided 700 good jobs and generated \$20 million a year in tax revenue for a rural county, called Ottawa County, in which \$12.1 million each year goes to its school district. That 900-megawatt power plant does more than produce power. It builds community.

This major financial support could disappear and leave the community and that entire county struggling to support schools, law enforcement, and roads. Therefore, I strongly support this amendment to help these communities adjust, as necessary, to access Federal resources and make a plan for economic revitalization.

I thank Congressman SCHNEIDER for offering this commonsense amendment, one that is so vitally necessary, especially across the Great Lakes region, which is so often neglected. I also

want to thank Chairman SHIMKUS and Ranking Member TONKO for their leadership and urge my colleagues to support it.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 5 minutes.

There was no objection.

Mr. SHIMKUS. Mr. Chairman, I appreciate my colleague from Illinois—one of the Chicagolandians that I talk about—for bringing this amendment. I use his district—and I have used it for years—to talk about the challenges that we face if we do nothing.

This authorization bill is designed to start doing something, and, actually, it is designed to help us comply with the law that is already written.

Zion is the perfect example of the need to move spent nuclear fuel to an interim site and then a final geological repository, thus, freeing up, obviously, great lakefront opportunities on the Great Lakes for redevelopment that would help this community that suffered because of the closure.

I am glad the gentleman is here. I appreciate the amendment. I am going back to what MARK SANFORD said: This is a national problem. We need a national solution. That is what we are trying to do now in a bipartisan manner. Good job. I thank the gentleman for offering the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SCHNEIDER. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY), my friend and a cosponsor of this amendment.

Mrs. LOWEY. Mr. Chairman, I thank the gentleman from Illinois (Mr. SCHNEIDER) for working with me on this very important amendment.

Indian Point Energy Center, in my district, is scheduled to cease operations in 2021. When the plant closes, the village of Buchanan will be left with a large amount of stranded nuclear waste on site.

This amendment would help Buchanan and the town of Cortlandt access vital resources for economic redevelopment. Until the Department of Energy takes title to nuclear waste and removes it from our communities, the Federal Government must do all it can to support these de facto interim storage sites.

Mr. Chair, I urge adoption of the amendment.

Mr. SCHNEIDER. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Illinois (Mr. SCHNEIDER) has 30 seconds remaining.

Mr. SHIMKUS. Mr. Chair, I have the right to close. I reserve the balance of my time.

Mr. SCHNEIDER. Mr. Chair, I reserve the balance of my time.

The Acting CHAIR. The gentleman from Illinois (Mr. SCHNEIDER) has the right to close.

Mr. SHIMKUS. Mr. Chair, I again thank my colleague. I don't know if he

was in the Chamber when I mentioned that Chicagoland has 55 million visitors and 10,000 metric tons of spent nuclear fuel. We would like to solve that problem. The gentleman's amendment helps the communities as we transition. It is additive to the overall bill. I am happy to support it.

Mr. Chair, I yield back the balance of my time.

Mr. SCHNEIDER. Mr. Chairman, I thank my colleague from Illinois for his hard work on this and his support.

I yield 30 seconds to my colleague from New York (Mr. TONKO).

Mr. TONKO. Mr. Chairman, I thank the gentleman from Illinois for yielding, and I stand in support of the amendment.

I thank the gentleman from Illinois and the gentlewoman from New York for their hard work on the amendment and for the sensitivity shown to the people in host communities for our nuclear facilities across our country.

Mr. Chairman, I support this amendment and encourage our colleagues to do likewise.

Mr. SCHNEIDER. Mr. Chair, I appreciate all of the support. I appreciate the work of my colleagues. I urge all of my colleagues to support this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SCHNEIDER).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. TITUS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115-665.

Ms. TITUS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, strike line 1 and all that follows through the end of the Rules Committee Print, and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Nuclear Waste Informed Consent Act".

#### SEC. 2. DEFINITIONS.

In this Act, the terms "affected Indian tribe", "affected unit of local government", "high-level radioactive waste", "repository", "Secretary", "spent nuclear fuel", "unit of general local government", and "Waste Fund" have the meanings given the terms in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

#### SEC. 3. CONSENT BASED APPROVAL.

(a) IN GENERAL.—The Secretary may not make an expenditure from the Waste Fund for the costs of the activities described in paragraphs (4) and (5) of section 302(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(d)) unless the Secretary has entered into an agreement to host a repository with—

(1) the Governor of the State in which the repository is proposed to be located;

(2) each affected unit of local government;

(3) any unit of general local government contiguous to the affected unit of local government if spent nuclear fuel or high-level radioactive waste will be transported



through that unit of general local government for disposal at the repository; and

(4) each affected Indian tribe.

(b) CONDITIONS ON AGREEMENT.—Any agreement to host a repository under this Act—

(1) shall be in writing and signed by all parties;

(2) shall be binding on the parties; and

(3) shall not be amended or revoked except by mutual agreement of the parties.

The Acting CHAIR. Pursuant to House Resolution 879, the gentlewoman from Nevada (Ms. TITUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

Ms. TITUS. Mr. Chairman, my amendment, which is also supported by my Nevada colleague (Mr. KIHUEN) is very simple and straightforward. It sets up consent-based site decision-making as an alternative to “Screwing Nevada 2.0,” which just continues the process that has lasted 36 years, has cost \$15 billion, is going nowhere in the Senate, and has nothing to show for it but a big hole in the ground.

Consent-based siting, on the other hand, is fair. Nevada doesn’t want your nuclear waste. We didn’t get any benefits from it, and we didn’t generate it. But Texas and New Mexico do want it, so why not let them have it?

It is also a sound policy. It was the number one recommendation of the esteemed Blue Ribbon Commission on America’s Nuclear Future. Now, you can argue the politics, you can distort the science, you can assert it is the law—as though a 1982 policy is the Ten Commandments—but you can’t have the truth.

Now, my colleagues don’t want this dangerous waste in their backyards any more than Nevadans do. I get that. That is pretty easy to understand. But it is funny, they didn’t mind the jobs; they didn’t mind the tax revenue, the cheap power, and the political support they got from the nuclear power industry over the years that it has existed. Now, they just want somebody else to clean up their mess.

Well, I say, instead of screwing Nevada one more time, why don’t we really work together so we can finally and effectively solve the problem? We could do this with consent-based siting for both interim and permanent storage facilities. This would be a real solution that could take us into the future. So I would urge my colleagues to support the Titus amendment.

Mr. Chair, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, first of all, the State of Nevada has benefited from the nuclear age. It helped us win World War II. Also, Nevada pays for our inability to comply with the law because, nationally, we pay out of the Judgment Fund. So the taxpayers of the State of Nevada are paying,

through Federal tax liabilities, for us not complying with the law. So I just want to make that straight.

There are two main problems with my colleague’s amendment. One is—and it is just the language—it is a striking bill, which says that, all of this debate of interim storage that we are having, her amendment strikes that. All of the discussion about how we are trying to protect the ratepayers—especially in the future—her amendment strikes that.

Her amendment strikes the final regulatory review of the Yucca Mountain site. The NRC, Nuclear Regulatory Commission, said in their safety evaluation report that Yucca Mountain would be safe for 1 million years.

□ 1045

Current law allows the State of Nevada to challenge that, but my colleague’s amendment strikes that. And what we have done in this legislation is we have said: We understand the concerns of the State of Nevada. Current law says: Because you vetoed it, you get no benefits.

In this bill, we said: That is not fair. We are going to allow the State of Nevada to receive the benefits that they request in moving forward. Your amendment strikes that, so your amendment strikes the opportunity for the State of Nevada to get any benefits once we move forward.

The other part of the problem with this amendment is the terminology is very vague as to local government entities. And we think that is probably intentional. It is intentional so that you can never get a number of local entities to ever decide. We kind of looked at, based upon the way the language is written, who would be considered. Well, a local entity, a community in the State of Utah, Minersville, population 887, 300 miles from the site, could be able to veto this national solution to a national problem.

Now, that means—and I can’t wait to visit Minersville someday—that they are going to have more power than the Federal Government and this Chamber. They are going to have the veto authority over the State of New Jersey or the State of Illinois or the State of—I don’t know how many States came here to debate on this bill. Quite a few.

So a couple problems: the first problem is, it is a strike amendment, which means everything that you have done, all those adjustments that I have worked in a bipartisan manner, throw them out; and that you cannot get to understand the universe of local communities that would have a veto over this national solution to a national problem.

Mr. Chair, I reserve the balance of my time.

Ms. TITUS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I would just respond to two things. I thank the gentleman for recognizing what Nevada did to help win the Cold War. We were the site of

atomic testing for years. We still bear those scars. But this is not about military waste; this is about commercial waste.

Second, while I appreciate the chairman’s concern about Nevada and giving us benefits, the health and safety of Nevadans is not for sale to the nuclear power industry.

Mr. Chair, I yield 45 seconds to the gentleman from Oregon (Mr. DEFAZIO), my colleague and the ranking member of the House Transportation and Infrastructure Committee.

Mr. DEFAZIO. Mr. Chair, I thank the gentlewoman for yielding.

I think we can agree on one thing. The status quo is not acceptable. Dispersed around the country in wet pools, in insecure casks—right. We need to deal with that. This is not the perfect solution, and it is destined to fail in the Senate.

Why do we commission blue ribbon commissions of experts—are we the experts?—and then ignore their advice? They made four major points: the solution must be adaptive, it must be staged, it must be consent-based, and it must be transparent.

This bill assumes we are going into Yucca Mountain, which has been proven to be geologically unstable and unsuitable. Therefore, this amendment should be adopted. The bill should fail.

Mr. SHIMKUS. Mr. Chairman, I am glad my friend from Oregon mentioned the blue ribbon commission. The blue ribbon commission was told: Do not consider Yucca Mountain. So come on. Really? Pull out the blue ribbon commission and say “this is the truth” when they were told: Consider everything else, but you can’t consider the law of the land. Preposterous.

To my colleague, Chairman WALDEN—actually in Oregon—this is Hanford. These are the tanks next to the Columbia River, which goes next to Oregon. And you are saying it has no defense-related provisions for this bill? Come on now. Let’s move forward.

Mr. Chair, I reserve the balance of my time.

The Acting CHAIR. Members are advised to direct their remarks to the Chair, not to each other.

Ms. TITUS. Mr. Chairman, that is in Washington. It is not in Oregon. If you don’t even know where Hanford is, I am not sure you really understand what took place there.

I would just say: The law of the land, that is a great argument. You forgot about that argument when you tried to repeal ObamaCare 60 times and have done everything you can to roll back Dodd-Frank. So law of the land is a pretty weak, specious argument.

This is not just about the safety of Nevada. This is about doing what is right, finding a policy that will work, that is based on consent, that the experts say is the way to go, that has a chance to get out of the Senate and really move us forward so we do quit wasting time, so we do quit wasting money, and we find a real solution to



an issue that does affect the entire Nation.

That is why it should be consent based. That is why I think we should support this amendment and oppose the underlying bill.

Mr. Chair, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chair, I yield back the balance of my time.

Ms. TITUS. Mr. Chair, I would say again, please keep in mind that this has an opportunity to pass. It will really solve the problem. It will not turn the clock back to an old way that has failed, that is faulty science, bad politics, and even worse policy.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Nevada (Ms. TITUS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

#### RECORDED VOTE

Ms. TITUS. Mr. Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 80, noes 332, not voting 16, as follows:

[Roll No. 178]

#### AYES—80

|                |                |                |
|----------------|----------------|----------------|
| Amodei         | Grijalva       | O'Rourke       |
| Bass           | Hastings       | Payne          |
| Bonamici       | Huffman        | Pelosi         |
| Boyle, Brendan | Jackson Lee    | Perlmutter     |
| F.             | Johnson (GA)   | Pocan          |
| Brown (MD)     | Kaptur         | Polis          |
| Capuano        | Kelly (IL)     | Raskin         |
| Carson (IN)    | Khanna         | Rosen          |
| Castro (TX)    | Kihuen         | Roybal-Allard  |
| Chu, Judy      | Lee            | Ryan (OH)      |
| Ciциlline      | Lewis (GA)     | Sánchez        |
| Clarke (NY)    | Lieu, Ted      | Schakowsky     |
| Cleaver        | Loeb sack      | Schiff         |
| Correa         | Lofgren        | Serrano        |
| Davis, Danny   | Lowenthal      | Shea-Porter    |
| DeFazio        | Lujan Grisham, | Sherman        |
| DeSaulnier     | M.             | Smith (WA)     |
| Doggett        | Lujan, Ben Ray | Soto           |
| Ellison        | Maloney,       | Suozzi         |
| Engel          | Carolyn B.     | Thompson (CA)  |
| Eshoo          | McCollum       | Titus          |
| Espallat       | McGovern       | Vargas         |
| Frankel (FL)   | Meeks          | Veasey         |
| Gabbard        | Meng           | Velázquez      |
| Galleo         | Moore          | Wasserman      |
| Garamendi      | Nadler         | Schultz        |
| Gomez          | Napolitano     | Waters, Maxine |
| Green, Al      | O'Halleran     | Wilson (FL)    |

#### NOES—332

|             |                 |               |
|-------------|-----------------|---------------|
| Abraham     | Blum            | Chabot        |
| Adams       | Blumenauer      | Cheney        |
| Aderholt    | Blunt Rochester | Clark (MA)    |
| Aguilar     | Bost            | Clay          |
| Allen       | Brady (PA)      | Clyburn       |
| Amash       | Brady (TX)      | Coffman       |
| Arrington   | Brat            | Cohen         |
| Babin       | Brooks (AL)     | Cole          |
| Bacon       | Brooks (IN)     | Collins (GA)  |
| Banks (IN)  | Brownley (CA)   | Collins (NY)  |
| Barletta    | Buchanan        | Comer         |
| Barr        | Buck            | Comstock      |
| Barragán    | Bucshon         | Conaway       |
| Barton      | Burgess         | Connolly      |
| Beatty      | Bustos          | Cook          |
| Bera        | Butterfield     | Cooper        |
| Bergman     | Byrne           | Costa         |
| Beyer       | Calvert         | Costello (PA) |
| Biggs       | Carballo        | Courtney      |
| Bilirakis   | Cárdenas        | Cramer        |
| Bishop (GA) | Carter (GA)     | Crawford      |
| Bishop (MI) | Carter (TX)     | Crist         |
| Bishop (UT) | Cartwright      | Cuellar       |
| Blackburn   | Castor (FL)     | Culberson     |

|                 |                |                 |
|-----------------|----------------|-----------------|
| Cummings        | Kelly (MS)     | Rice (NY)       |
| Curbelo (FL)    | Kelly (PA)     | Rice (SC)       |
| Curtis          | Kennedy        | Richmond        |
| Davidson        | Kildee         | Roby            |
| Davis (CA)      | Kilmer         | Roe (TN)        |
| Davis, Rodney   | Kind           | Rogers (AL)     |
| DeGette         | King (IA)      | Rohrabacher     |
| Delaney         | King (NY)      | Rokita          |
| DeBene          | Kinzing        | Rooney, Francis |
| Demings         | Knight         | Rooney, Thomas  |
| Denham          | Krishnamoorthi | J.              |
| Dent            | Kustoff (TN)   | Ros-Lehtinen    |
| DeSantis        | LaHood         | Roskam          |
| DesJarlais      | LaMalfa        | Ross            |
| Diaz-Balart     | Lamb           | Rothfus         |
| Dingell         | Lamborn        | Rouzer          |
| Donovan         | Lance          | Royce (CA)      |
| Doyle, Michael  | Langevin       | Ruiz            |
| F.              | Larsen (WA)    | Ruppersberger   |
| Duffy           | Larson (CT)    | Russell         |
| Duncan (SC)     | Latta          | Rutherford      |
| Duncan (TN)     | Lawrence       | Sanford         |
| Dunn            | Lawson (FL)    | Sarbanes        |
| Emmer           | Lesko          | Scalise         |
| Estes (KS)      | Levin          | Schneider       |
| Esty (CT)       | Lewis (MN)     | Schrader        |
| Evans           | Lipinski       | Schweikert      |
| Faso            | LoBiondo       | Scott (VA)      |
| Ferguson        | Long           | Scott, Austin   |
| Fitzpatrick     | Loudermilk     | Scott, David    |
| Fleischmann     | Love           | Sensenbrenner   |
| Flores          | Lowey          | Sessions        |
| Fortenberry     | Lucas          | Sewell (AL)     |
| Foster          | Luetkemeyer    | Shimkus         |
| Fox             | Lynch          | Shuster         |
| Frelinghuysen   | MacArthur      | Simpson         |
| Fudge           | Maloney, Sean  | Sinema          |
| Gaetz           | Marino         | Sires           |
| Gallagher       | Marshall       | Smith (MO)      |
| Garrett         | Massie         | Smith (NE)      |
| Gianforte       | Mast           | Smith (NJ)      |
| Gibbs           | Matsui         | Smith (TX)      |
| Gohmert         | McCarthy       | Smucker         |
| Gonzalez (TX)   | McCaul         | Stefanik        |
| Goodlatte       | McClintock     | Stewart         |
| Gosar           | McEachin       | Stivers         |
| Gowdy           | McHenry        | Swalwell (CA)   |
| Graves (GA)     | McKinley       | Takano          |
| Graves (LA)     | McMorris       | Taylor          |
| Graves (MO)     | Rodgers        | Tenney          |
| Green, Gene     | McNerney       | Thompson (MS)   |
| Griffith        | McSally        | Thompson (PA)   |
| Grothman        | Meadows        | Thornberry      |
| Guthrie         | Messer         | Tipton          |
| Gutiérrez       | Mitchell       | Tonko           |
| Hanabusa        | Moolenaar      | Torres          |
| Handel          | Mooney (WV)    | Trott           |
| Harper          | Moulton        | Tsongas         |
| Harris          | Mullin         | Turner          |
| Hartzler        | Murphy (FL)    | Upton           |
| Heck            | Neal           | Valadao         |
| Hensarling      | Newhouse       | Vela            |
| Herrera Beutler | Noem           | Visclosky       |
| Hice, Jody B.   | Nolan          | Wagner          |
| Higgins (CA)    | Norcross       | Walberg         |
| Higgins (NY)    | Norman         | Walden          |
| Hill            | Nunes          | Walker          |
| Himes           | Olson          | Walorski        |
| Holding         | Palazzo        | Walters, Mimi   |
| Hollingsworth   | Pallone        | Walz            |
| Hoyer           | Palmer         | Watson Coleman  |
| Hudson          | Panetta        | Weber (TX)      |
| Huizenga        | Pascrell       | Webster (FL)    |
| Hultgren        | Paulsen        | Welch           |
| Hunter          | Pearce         | Wenstrup        |
| Hurd            | Perry          | Westerman       |
| Issa            | Peters         | Williams        |
| Jayapal         | Peterson       | Wilson (SC)     |
| Jeffries        | Pingree        | Wittman         |
| Jenkins (KS)    | Poe (TX)       | Womack          |
| Johnson (LA)    | Poliquin       | Woodall         |
| Johnson (OH)    | Posey          | Yarmuth         |
| Johnson, E. B.  | Price (NC)     | Yoder           |
| Johnson, Sam    | Quigley        | Yoho            |
| Jordan          | Ratcliffe      | Young (AK)      |
| Joyce (OH)      | Reed           | Young (IA)      |
| Katko           | Reichert       | Zeldin          |
| Keating         | Renacci        |                 |

#### NOT VOTING—16

|            |              |             |
|------------|--------------|-------------|
| Black      | Granger      | Pittenger   |
| Budd       | Jenkins (WV) | Rogers (KY) |
| Crowley    | Jones        | Rush        |
| DeLauro    | Kuster (NH)  | Speier      |
| Deutch     | Labrador     |             |
| Gottheimer | Marchant     |             |

□ 1115

Mr. HOLLINGSWORTH, Ms. HER-RERA BEUTLER, Messrs. BIGGS, BISHOP of Michigan, SWALWELL of California, NEAL, and Ms. FUDGE changed their vote from “aye” to “no.”

Ms. CLARKE of New York, Mr. KHANNA, and Ms. WASSERMAN SCHULTZ changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. FRANCIS ROONEY of Florida). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POE of Texas) having assumed the chair, Mr. FRANCIS ROONEY of Florida, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3053) to amend the Nuclear Waste Policy Act of 1982, and for other purposes, and, pursuant to House Resolution 879, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Ms. TITUS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage of the bill will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 340, noes 72, not voting 16, as follows:

[Roll No. 179]

#### AYES—340

|           |            |             |
|-----------|------------|-------------|
| Abraham   | Bacon      | Bera        |
| Adams     | Banks (IN) | Bergman     |
| Aderholt  | Barletta   | Beyer       |
| Aguilar   | Barr       | Biggs       |
| Allen     | Barragán   | Bilirakis   |
| Arrington | Barton     | Bishop (GA) |
| Babin     | Beatty     | Bishop (MI) |

Blackburn Gosar  
Blum Gowdy  
Blunt Rochester Graves (GA)  
Bonamici Graves (LA)  
Bost Graves (MO)  
Brady (PA) Green, Gene  
Brady (TX) Griffith  
Brat Grothman  
Brooks (AL) Guthrie  
Brooks (IN) Hanabusa  
Brown (MD) Handel  
Brownley (CA) Harper  
Buchanan Harris  
Buck Hartzler  
Bucshon Heck  
Burgess Hensarling  
Bustos Herrera Beutler  
Butterfield Hice, Jody B.  
Byrne Higgins (LA)  
Calvert Higgins (NY)  
Capuano Hill  
Carbajal Himes  
Cárdenas Holding  
Carson (IN) Hollingsworth  
Carter (GA) Hoyer  
Carter (TX) Hudson  
Cartwright Huizenga  
Castor (FL) Hultgren  
Chabot Hunter  
Cheney Hurd  
Chu, Judy Issa  
Clark (MA) Jenkins (KS)  
Clay Johnson (LA)  
Cleaver Johnson (OH)  
Clyburn Johnson, E. B.  
Coffman Johnson, Sam  
Cohen Jordan  
Cole Joyce (OH)  
Collins (GA) Kaptur  
Collins (NY) Katko  
Comer Keating  
Comstock Kelly (IL)  
Conaway Kelly (MS)  
Connolly Kelly (PA)  
Cook Kennedy  
Cooper Kildee  
Costa Kilmer  
Costello (PA) Kind  
Courtney King (IA)  
Cramer King (NY)  
Crawford Kinzinger  
Cuellar Knight  
Culberson Krishnamoorthi  
Cummings Kustoff (TN)  
Curbelo (FL) LaHood  
Curtis LaMalfa  
Davidson Lamb  
Davis (CA) Lamborn  
Davis, Rodney Lamborn  
DeGette Langevin  
Delaney Larsen (WA)  
DelBene Larson (CT)  
Demings Latta  
Denham Lawrence  
Dent Lawson (FL)  
DeSantis Lesko  
DesJarlais Levin  
Diaz-Balart Lewis (MN)  
Dingell Lieu, Ted  
Donovan Lipinski  
Doyle, Michael LoBiondo  
F. Long  
Duffy Loudermilk  
Duncan (SC) Lowenthal  
Duncan (TN) Lowey  
Dunn Lucas  
Emmer Luetkemeyer  
Estes (KS) Lynch  
Esty (CT) MacArthur  
Evans Maloney, Sean  
Faso Marino  
Ferguson Marshall  
Fitzpatrick Mast  
Fleischmann Matsui  
Flores McCarthy  
Fortenberry McCaul  
Foster McClintock  
Fox McColium  
Frelinghuysen McEachin  
Fudge McHenry  
Gaetz McKinley  
Gallagher McMorris  
Garrett Rodgers  
Gianforte McNerney  
Gibbs McSally  
Gohmert Meadows  
Gomez Messer  
Gonzalez (TX) Mitchell  
Goodlatte Moolenaar

Mooney (WV)  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Neal  
Newhouse  
Noem  
Nolan  
Norcross  
Norman  
Nunes  
O'Halleran  
Olson  
Palazzo  
Pallone  
Palmer  
Panetta  
Pascarell  
Paulsen  
Payne  
Pearce  
Perry  
Peters  
Peterson  
Poe (TX)  
Poliquin  
Posey  
Price (NC)  
Raskin  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (NY)  
Rice (SC)  
Richmond  
Roby  
Roe (TN)  
Rogers (AL)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Ruiz  
Ruppersberger  
Russell  
Rutherford  
Sánchez  
Sanford  
Sarbanes  
Lance  
Schiff  
Schneider  
Schradler  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Swalwell (CA)  
Taylor  
Tenney  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tipton  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Veasey  
Vela

Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Watson Coleman

Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman

Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NOES—72

Amash  
Amodei  
Bass  
Bishop (UT)  
Blumenauer  
Boyle, Brendan F.  
Castro (TX)  
Cicilline  
Clarke (NY)  
Correa  
Crist  
Davis, Danny  
DeFazio  
DeSaulnier  
Doggett  
Ellison  
Engel  
Eshoo  
Españal  
Frankel (FL)  
Gabbard  
Gallego  
Garamendi  
Green, Al  
Gutiérrez

## NOT VOTING—16

Black  
Budd  
Crowley  
DeLauro  
Deutsch  
Gottheimer

Granger  
Grijalva  
Jenkins (WV)  
Jones  
Kuster (NH)  
Labrador

Perlmutter  
Pingree  
Pocan  
Polis  
Quigley  
Rosen  
Roybal-Allard  
Soto  
Rush  
Ryan (OH)  
Schakowsky  
Serrano  
Shea-Porter  
Smith (WA)  
Suozzi  
Takano  
Thompson (CA)  
Titus  
Vargas  
Velázquez  
Wasserman  
Schultz  
Waters, Maxine  
Yarmuth

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JOHNSON of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 207, nays 179, answered “present” 2, not voting 40, as follows:

[Roll No. 180]

## YEAS—207

Abraham  
Aderholt  
Allen  
Arrington  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Beatty  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt Rochester  
Bonamici  
Brady (TX)  
Brat  
Brooks (IN)  
Brown (MD)  
Buchanan  
Bucshon  
Bustos  
Butterfield  
Byrne  
Calvert  
Carter (TX)  
Cartwright  
Castro (TX)  
Chabot  
Chu, Judy  
Cicilline  
Clay  
Clyburn  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Connolly  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Cuellar  
Culberson  
Cummings  
Curbelo (FL)  
Curtis  
Davidson  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeGette  
DelBene  
Demings  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dingell  
Donovan  
Doyle, Michael F.  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Esty (CT)  
Evans  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foster  
Fox  
Frelinghuysen  
Fudge  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gomez  
Gonzalez (TX)  
Goodlatte

Frelinghuysen

Gabbard

Gallego

Garamendi

Garrett

Gianforte

Olson

Goodlatte

Palazzo

Gosar

Pelosi

Gowdy

Perlmutter

Peters

Pingree

Guthrie

Handel

Pocan

Polis

Harper

Hartzler

Posey

Rohrabacher

Rokita

Rooney, Francis

Rooney, Thomas J.

Hollingsworth

Ross

Rothfus

Royce (CA)

Ruppersberger

Rush

Russell

Scalise

Schiff

Schneider

Schweikert

Scott (VA)

Scott, Austin

Scott, David

Sensenbrenner

Sessions

Shea-Porter

Sherman

Shimkus

Shuster

Simpson

Smith (NE)

Smith (NJ)

Smith (TX)

Smith (WA)

Smucker

Stefanik

Stewart

Takano

Thornberry

Titus

Trott

Tsongas

Wagner

Walder

Walker

Walorski

Walters, Mimi

Walz

Westerman

Williams

Wilson (FL)

Wilson (SC)

Womack

Yarmuth

Young (IA)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1124

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. PINGREE. Mr. Speaker, during rollcall Vote No. 179 on H.R. 3053, I mistakenly recorded my vote as “no” when I should have voted “yes.”

Stated against:

Mr. HIGGINS of New York. Mr. Speaker, on May 10, on final passage of H.R. 3053, The Nuclear Waste Policy Amendments Act of 2017, I inadvertently cast my vote contrary to my own intentions. I intended to vote “no” on that bill.

## PERSONAL EXPLANATION

Mr. RUSH. Mr. Speaker, I was unavoidably absent in the House Chamber for rollcall vote 178. Had I been present, I would have voted “nay.” Additionally, on rollcall No. 179, I was inadvertently recorded as voting “nay.” I support H.R. 3053, the Nuclear Waste Policy Amendments Act of 2017, and my vote should be recorded as “yea.”

## THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

## NAYS—179

Adams  
Aguilar  
Amash  
Amodei  
Babin  
Barragán  
Bass  
Bera

Bergman

Beyer

Biggs

Bishop (GA)

Bishop (MI)

Blum

Blumenauer

Bost

Boyle, Brendan F.

Brady (PA)

Brooks (AL)

Brownley (CA)

Buck

Burgess

Capuano