

healthcare system for future disasters and public health emergencies.

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The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Indiana (Mrs. BROOKS) that the House suspend the rules and pass the bill, H.R. 6378, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to reauthorize certain programs under the Pandemic and All-Hazards Preparedness Reauthorization Act."

A motion to reconsider was laid on the table.

### NUCLEAR UTILIZATION OF KEYNOTE ENERGY ACT

Mr. OLSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1320) to amend the Omnibus Budget Reconciliation Act of 1990 related to Nuclear Regulatory Commission user fees and annual charges, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1320

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Nuclear Utilization of Keynote Energy Act".

#### SEC. 2. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES THROUGH FISCAL YEAR 2020.

(a) IN GENERAL.—Section 6101(c)(2)(A) of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214(c)(2)(A)) is amended—

(1) in clause (iii), by striking "and" at the end;

(2) in clause (iv), by striking the period at the end and inserting ";; and"; and

(3) by adding at the end the following:

"(v) amounts appropriated to the Commission for the fiscal year for activities related to the development of a regulatory infrastructure for advanced nuclear reactor technologies (which may not exceed \$10,300,000)."

(b) REPEAL.—Effective October 1, 2020, section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is repealed.

#### SEC. 3. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER.

(a) ANNUAL BUDGET JUSTIFICATION.—

(1) IN GENERAL.—In the annual budget justification submitted by the Commission to Congress, the Commission shall expressly identify anticipated expenditures necessary for completion of the requested activities of the Commission anticipated to occur during the applicable fiscal year.

(2) RESTRICTION.—The Commission shall, to the maximum extent practicable, use any funds made available to the Commission for a fiscal year for the anticipated expenditures identified under paragraph (1) for the fiscal year.

(3) LIMITATION ON CORPORATE SUPPORT COSTS.—With respect to the annual budget

justification submitted to Congress, corporate support costs, to the maximum extent practicable, shall not exceed the following percentages of the total budget authority of the Commission requested in the annual budget justification:

(A) 30 percent for each of fiscal years 2021 and 2022.

(B) 29 percent for each of fiscal years 2023 and 2024.

(C) 28 percent for fiscal year 2025 and each fiscal year thereafter.

(b) FEES AND CHARGES.—

(1) ANNUAL ASSESSMENT.—

(A) IN GENERAL.—Each fiscal year, the Commission shall assess and collect fees and charges in accordance with paragraphs (2) and (3) in a manner that ensures that, to the maximum extent practicable, the amount assessed and collected is equal to an amount that approximates—

(i) the total budget authority of the Commission for that fiscal year; less

(ii) the budget authority of the Commission for the activities described in subparagraph (B).

(B) EXCLUDED ACTIVITIES DESCRIBED.—The activities referred to in subparagraph (A)(ii) are the following:

(i) Any fee-relief activity, as identified by the Commission.

(ii) Amounts appropriated for the fiscal year to the Commission—

(I) from the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c));

(II) for implementation of section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2601 note; Public Law 108-375);

(III) for the homeland security activities of the Commission (other than for the costs of fingerprinting and background checks required under section 149 of the Atomic Energy Act of 1954 (42 U.S.C. 2169) and the costs of conducting security inspections);

(IV) for the Inspector General services of the Commission provided to the Defense Nuclear Facilities Safety Board;

(V) for the partnership program with institutions of higher education established under section 244 of the Atomic Energy Act of 1954 (42 U.S.C. 2015c); and

(VI) for the scholarship and fellowship programs under section 243 of the Atomic Energy Act of 1954 (42 U.S.C. 2015b).

(iii) Costs for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies (which may not exceed \$10,300,000).

(C) EXCEPTION.—The exclusion described in subparagraph (B)(iii) shall cease to be effective on January 1, 2026.

(D) REPORT.—Not later than December 31, 2023, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the views of the Commission on the continued appropriateness and necessity of funding for the activities described in subparagraph (B)(iii).

(2) FEES FOR SERVICE OR THING OF VALUE.—In accordance with section 9701 of title 31, United States Code, the Commission shall assess and collect fees from any person who receives a service or thing of value from the Commission to cover the costs to the Commission of providing the service or thing of value.

(3) ANNUAL CHARGES.—

(A) IN GENERAL.—Subject to subparagraph (B) and except as provided in subparagraph (D), the Commission may charge to any licensee or certificate holder of the Commis-

sion an annual charge in addition to the fees set forth in paragraph (2).

(B) CAP ON ANNUAL CHARGES OF CERTAIN LICENSEES.—

(i) OPERATING REACTORS.—The annual charge under subparagraph (A) charged to an operating reactor licensee, to the maximum extent practicable, shall not exceed the annual fee amount per operating reactor licensee established in the final rule of the Commission entitled "Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015" (80 Fed. Reg. 37432 (June 30, 2015)), as may be adjusted annually by the Commission to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor.

(ii) FUEL FACILITIES.—

(I) IN GENERAL.—The total annual charges under subparagraph (A) charged to fuel facility licensees, to the maximum extent practicable, shall not exceed an amount that is equal to the total annual fees collected from the fuel facilities class under the final rule of the Commission entitled "Revision of Fee Schedules; Fee Recovery for Fiscal Year 2016" (81 Fed. Reg. 41171 (June 24, 2016)), which amount may be adjusted annually by the Commission to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor.

(II) EXCEPTION.—Subclause (I) shall not apply if the number of licensed facilities classified by the Commission as fuel facilities exceeds seven.

(III) CHANGES TO ANNUAL CHARGES.—Any change in an annual charge under subparagraph (A) charged to a fuel facility licensee shall be based on—

(aa) a change in the regulatory services provided with respect to the fuel facility; or  
(bb) an adjustment described in subclause (I).

(iii) WAIVER.—The Commission may waive, for a period of 1 year, the cap on annual charges described in clause (i) or (ii) if the Commission submits to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a written determination that the cap on annual charges may compromise the safety and security mission of the Commission.

(C) AMOUNT PER LICENSEE.—

(i) IN GENERAL.—The Commission shall establish by rule a schedule of annual charges fairly and equitably allocating the aggregate amount of charges described in clause (ii) among licensees and certificate holders.

(ii) AGGREGATE AMOUNT.—For purposes of this subparagraph, the aggregate amount of charges for a fiscal year shall equal an amount that approximates—

(I) the amount to be collected under paragraph (1)(A) for the fiscal year; less

(II) the amount of fees to be collected under paragraph (2) for the fiscal year.

(iii) REQUIREMENT.—The schedule of charges under clause (i)—

(I) to the maximum extent practicable, shall be reasonably related to the cost of providing regulatory services; and

(II) may be based on the allocation of the resources of the Commission among licensees or certificate holders or classes of licensees or certificate holders.

(D) EXEMPTION.—Subparagraph (A) shall not apply to the holder of any license for a federally owned research reactor used primarily for educational training and academic research purposes.

(E) PERFORMANCE AND REPORTING.—

(1) IN GENERAL.—The Commission shall develop for the requested activities of the Commission—

- (A) performance metrics; and
- (B) milestone schedules.

(2) **DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION.**—If the final safety evaluation for a requested activity of the Commission is not completed by the completion date required by the performance metrics or milestone schedule under paragraph (1), the Executive Director for Operations of the Commission shall, not later than 30 days after such required completion date, inform the Commission of the delay.

(3) **DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION EXCEEDING 180 DAYS.**—If a final safety evaluation described in paragraph (2) is not completed by the date that is 180 days after the completion date required by the performance metrics or milestone schedule under paragraph (1), the Commission shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a timely report describing the delay, including a detailed explanation accounting for the delay and a plan for timely completion of the final safety evaluation.

(d) **ACCURATE INVOICING.**—With respect to invoices for fees charged under subsection (b)(2), the Commission shall—

(1) ensure appropriate review and approval prior to the issuance of invoices;

(2) develop and implement processes to audit invoices to ensure accuracy, transparency, and fairness; and

(3) modify regulations to ensure fair and appropriate processes to provide licensees and applicants an opportunity to efficiently dispute or otherwise seek review and correction of errors in invoices for such fees.

(e) **REPORT.**—Not later than September 30, 2022, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the implementation of this section, including any effects of such implementation and recommendations for improvement.

(f) **DEFINITIONS.**—In this section:

(1) **ADVANCED NUCLEAR REACTOR.**—The term “advanced nuclear reactor” means a nuclear fission or fusion reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations), with significant improvements compared to commercial nuclear reactors under construction as of the date of enactment of this Act, including improvements such as—

- (A) additional inherent safety features;
- (B) significantly lower levelized cost of electricity;
- (C) lower waste yields;
- (D) greater fuel utilization;
- (E) enhanced reliability;
- (F) increased proliferation resistance;
- (G) increased thermal efficiency; or
- (H) ability to integrate into electric and nonelectric applications.

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

(3) **CORPORATE SUPPORT COSTS.**—The term “corporate support costs” means expenditures for acquisitions, administrative services, financial management, human resource management, information management, information technology, policy support, outreach, and training.

(4) **RESEARCH REACTOR.**—The term “research reactor” means a nuclear reactor that—

(A) is licensed by the Commission under section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) for operation at a thermal power level of not more than 10 megawatts; and

(B) if so licensed for operation at a thermal power level of more than 1 megawatt, does not contain—

(i) a circulating loop through the core in which the licensee conducts fuel experiments;

(ii) a liquid fuel loading; or

(iii) an experimental facility in the core in excess of 16 square inches in cross-section.

(5) **REQUESTED ACTIVITY OF THE COMMISSION.**—The term “requested activity of the Commission” means—

(A) the processing of applications for—

(i) design certifications or approvals;

(ii) licenses;

(iii) permits;

(iv) license amendments;

(v) license renewals;

(vi) certificates of compliance; and

(vii) power uprates; and

(B) any other activity requested by a licensee or applicant.

(g) **EFFECTIVE DATE.**—This section takes effect on October 1, 2020.

#### **SEC. 4. STUDY ON ELIMINATION OF FOREIGN LICENSING RESTRICTIONS.**

Not later than 18 months after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report containing the results of a study on the feasibility and implications of repealing restrictions under sections 103 d. and 104 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d); 2134(d)) on issuing licenses for certain nuclear facilities to an alien or an entity owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government.

#### **SEC. 5. STUDY ON THE IMPACT OF THE ELIMINATION OF MANDATORY HEARING FOR UNCONTESTED LICENSING APPLICATIONS.**

Not later than 18 months after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report containing the results of a study on the effects of eliminating the hearings required under section 189 a. of the Atomic Energy Act of 1954 (42 U.S.C. 2239(a)) for an application under section 103 or section 104 b. of such Act for a construction permit for a facility in the absence of a request of any person whose interest may be affected by the proceeding.

#### **SEC. 6. INFORMAL HEARING PROCEDURES.**

Section 189 a. of the Atomic Energy Act of 1954 (42 U.S.C. 2239(a)) is amended by adding at the end the following:

“(3) The Commission may use informal adjudicatory procedures for any hearing required under this section for which the Commission determines that adjudicatory procedures under section 554 of title 5, United States Code, are unnecessary.”

#### **SEC. 7. APPLICATION REVIEWS FOR NUCLEAR ENERGY PROJECTS.**

Section 185 of the Atomic Energy Act of 1954 (42 U.S.C. 2235) is amended by adding at the end the following:

“c. **APPLICATION REVIEWS FOR NUCLEAR ENERGY PROJECTS.**—

“(1) **STREAMLINING LICENSE APPLICATION REVIEW.**—With respect to an application that is docketed seeking issuance of a construction permit, operating license, or combined construction permit and operating license for a production or utilization facility, the Commission shall include the following procedures:

“(A) Undertake an environmental review process and issue any draft environmental impact statement to the maximum extent practicable within 24 months after the application is accepted for docketing.

“(B) Complete the technical review process and issue any safety evaluation report and any final environmental impact statement to the maximum extent practicable within 42

months after the application is accepted for docketing.

“(2) **EARLY SITE PERMIT.**—

“(A) **SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT.**—In a proceeding for a combined construction permit and operating license for a site for which an early site permit has been issued, any environmental impact statement prepared by the Commission and cooperating agencies shall be prepared as a supplement to the environmental impact statement prepared for the early site permit.

“(B) **INCORPORATION BY REFERENCE.**—The supplemental environmental impact statement shall—

“(i) incorporate by reference the analysis, findings, and conclusions from the environmental impact statement prepared for the early site permit; and

“(ii) include additional discussion, analyses, findings, and conclusions on matters resolved in the early site permit proceeding only to the extent necessary to address information that is new and significant in that the information would materially change the prior findings or conclusions.

“(3) **PRODUCTION OR UTILIZATION FACILITY LOCATED AT AN EXISTING SITE.**—In reviewing an application for an early site permit, construction permit, operating license, or combined construction permit and operating license for a production or utilization facility located at the site of a licensed production or utilization facility, the Commission shall, to the extent practicable, use information that was part of the licensing basis of the licensed production or utilization facility.

“(4) **REGULATIONS.**—The Commission shall initiate a rulemaking, not later than 1 year after the date of enactment of the Nuclear Utilization of Keynote Energy Act, to amend the regulations of the Commission to implement this subsection.

“(5) **ENVIRONMENTAL IMPACT STATEMENT DEFINED.**—In this subsection, the term ‘environmental impact statement’ means a detailed statement required under section 102(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(C)).

“(6) **RELATIONSHIP TO OTHER LAW.**—Nothing in this subsection exempts the Commission from any requirement for full compliance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).”

#### **SEC. 8. REPORT IDENTIFYING BEST PRACTICES FOR ESTABLISHMENT AND OPERATION OF LOCAL COMMUNITY ADVISORY BOARDS.**

(a) **BEST PRACTICES REPORT.**—Not later than 18 months after the date of enactment of this Act, the Nuclear Regulatory Commission shall submit to Congress, and make publicly available, a report identifying best practices with respect to the establishment and operation of a local community advisory board to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that decommissioning activities may affect, including lessons learned from any such board in existence before the date of enactment of this Act.

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

(1) a description of—

(A) the topics that could be brought before a local community advisory board;

(B) how such a board’s input could be used to inform the decision-making processes of stakeholders for various decommissioning activities;

(C) what interaction such a board could have with the Nuclear Regulatory Commission and other Federal regulatory bodies to

support the board members' overall understanding of the decommissioning process and promote dialogue between the affected stakeholders and the licensee involved in decommissioning activities; and

(D) how such a board could offer opportunities for public engagement throughout all phases of the decommissioning process;

(2) a discussion of the composition of a local community advisory board; and

(3) best practices relating to the establishment and operation of a local community advisory board, including—

(A) the time of establishment of such a board;

(B) the frequency of meetings of such a board;

(C) the selection of board members;

(D) the term of board members;

(E) the responsibility for logistics required to support such a board's meetings and other routine activities; and

(F) any other best practices relating to such a local community advisory board that are identified by the Commission.

(c) **CONSULTATION.**—In developing the report described in subsection (a), the Nuclear Regulatory Commission shall consult with any host State, any community within the emergency planning zone of an applicable nuclear facility, and any existing local community advisory board.

#### **SEC. 9. REPORT ON STUDY RECOMMENDATIONS.**

Not later than 90 days after the date of enactment of this Act, the Nuclear Regulatory Commission shall submit to Congress a report on the status of addressing and implementing the recommendations contained in the memorandum of the Executive Director of Operations of the Commission entitled "Tasking in Response to the Assessment of the Considerations Identified in a 'Study of Reprisal and Chilling Effect for Raising Mission-Related Concerns and Differing Views at the Nuclear Regulatory Commission'" and dated June 19, 2018 (ADAMS Accession No.: ML18165A296).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. OLSON) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### **GENERAL LEAVE**

Mr. OLSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

□ 1530

Mr. OLSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1320, the Nuclear Utilization of Keynote Energy Act is a bipartisan bill. The NUKE Act, as it is known, was sponsored by my Energy and Commerce friends, ADAM KINZINGER from Illinois and MIKE DOYLE from Pennsylvania. The bill went through regular order in the committee. With only one single amendment, it went through the full committee by a voice vote.

The NUKE Act makes targeted reforms to the Nuclear Regulatory Commission. It reforms the fee structure,

which, at present, threatens to increase the financial burden of our Nation's nuclear fleet, nuclear suppliers, and those working on cutting-edge technology. This will be critical in the coming years as a large number of reactors are taken out of service.

The bill also streamlines some of the licensing steps and other rules at the NRC. It means Congress will get useful information for oversight so we can find even more steps to keep the NRC on track. We need to make sure the old rules on nuclear power, dating back as far as the 1960s, still makes sense today.

Overall, H.R. 1320 will help the nuclear industry with more clear and straightforward rules. And in doing so, average Americans and companies, large and small, will benefit. Nuclear technology can be part of the future for industry, medicine, and clean energy. Nuclear power is unique. It is the only baseload power we have that has no hydrocarbon emissions, zero. We also make sure that global leadership on nuclear power stays right here in America. That is important not just for jobs but for our national security.

There is no question that nuclear power in America is flying into a headwind, but there is also no question that the industry provides important and sometimes underappreciated benefits to America. Congress can help lighten the burden while still making nuclear power the safest in the industry.

H.R. 1320 is a key piece of this effort to ensure we have a robust nuclear industry going forward. I urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 1320, the Nuclear Utilization of Keynote Energy Act. This bill makes commonsense revisions to the Nuclear Regulatory Commission, or NRC's licensing process that can ease the financial pressure on the nuclear industry without jeopardizing safety or the environment.

Specifically, the bill makes a number of changes to the NRC's budget process and fee structure, most significantly by limiting the fees charged to innovate and advance nuclear reactor projects.

An important component of the bill requires NRC to report back to Congress on the commission's actions to address instances of employees facing reprisal for raising safety concerns that differ from the commission's position on a particular licensing action.

A recent internal NRC report identified several troubling cases of NRC employees, who raised safety issues, being passed over for promotions or being excluded from work activities by management. This can't stand, and I am pleased that this bill will take steps toward addressing this unacceptable situation.

The bill also requires NRC to report to Congress on best practices for community engagement in regions where a nuclear power plant has shut down and is going through the decommissioning process. This is particularly important in my home State of New Jersey where the Oyster Creek Nuclear Generating Station ceased operations last week.

I appreciate the efforts of the sponsors of this bill, Representatives DOYLE and KINZINGER, to work with Ranking Member RUSH and me to make important changes to their original draft bill that significantly improved the legislation. I commend Mr. DOYLE and Mr. KINZINGER for their efforts.

Madam Speaker, I reserve the balance of my time.

Mr. OLSON. Madam Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. WALDEN), the chairman of the full Energy and Commerce Committee.

Mr. WALDEN. Madam Speaker, I thank my colleagues on both sides of the aisle for their great work on the Nuclear Utilization of Keynote Energy Act, H.R. 1320. I especially thank the gentleman from Texas (Mr. OLSON), who is one of our real leaders on energy issues writ large on the Energy and Commerce Committee.

By any measure, atomic energy has brought tremendous benefits to the Nation. It has provided a baseload, emissions-free source of electricity that has powered homes and industry over the past half century. It has provided an infrastructure for our national and international security—from the technologies and fuels for our nuclear Navy, to the safety and security for civilian nuclear power the world over.

However, a confluence of factors—abundant natural gas, power market designs, economic and regulatory burdens—they have all inhibited the Nation's nuclear industry over the past 10 years.

So the challenge confronting Congress is how to preserve and enhance the beneficial use of atomic energy for future generations. To continue to harvest the economic and national security benefits associated with our domestic nuclear energy infrastructure, we must take steps to update the relevant policies. So these policies must be forward looking to enable innovation and the development and deployment of new, advanced nuclear technologies.

This bipartisan bill by Mr. KINZINGER and Mr. DOYLE updates the Nuclear Regulatory Commission's fee structure for the first time in nearly 20 years, Madam Speaker. It reflects thoughtful work on both sides of the aisle to achieve really good public policy.

H.R. 1320 establishes reasonable and predictable timeframes for regulatory decisions so that companies like Oregon-based NuScale Power can develop business plans to commercialize new nuclear technologies while also protecting future consumers from high regulatory costs.

I commend my colleagues on both sides of the aisle for their great work on yet another piece of legislation out of the Energy and Commerce Committee, and I urge my colleagues to support H.R. 1320.

Mr. PALLONE. Madam Speaker, I yield as much time as he may consume to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), my colleague on the committee.

Mr. MICHAEL F. DOYLE of Pennsylvania. Madam Speaker, I thank Mr. PALLONE. I appreciate the opportunity to speak about the Nuclear Utilization of Keynote Energy Act, or the NUKE Act. I thank my colleague, ADAM KINZINGER, for introducing this bill and working with me to advance it. I also thank Chris Bowman and Claire Borzner from my staff, as well as Mr. KINZINGER's staff, and the Energy and Commerce Committee staff for their diligent work to get this bill to the floor.

This legislation is very timely as the nuclear industry is facing pressure from a variety of factors. Nuclear energy provides nearly 40 percent of Pennsylvania's electricity, and it employs thousands of skilled workers in Pennsylvania.

However, increasing NRC fees and uncertainty in the nuclear export process threaten this carbon-free and reliable source of baseload power. Addressing some of these issues is necessary to protect jobs in Pennsylvania and across the country, as well as to meet our Nation's climate goals.

This bipartisan legislation will take important steps to modernize the NRC's fee structure, set achievable and flexible timelines for application reviews, and look to future reforms that will ensure the NRC can continue to effectively protect public health and safety.

The bill addresses a serious reality facing the nuclear industry. As nuclear power plants retire, the remaining fleet will be faced with increasing fees from the NRC. We need to support our existing nuclear plants while ensuring that the NRC is able to fulfill its mission, and I believe that this legislation accomplishes those goals.

So once again, I thank Mr. KINZINGER for his work, and I urge my colleagues to support this important legislation.

Mr. OLSON. Madam Speaker, I yield as much time as he may consume to the gentleman from Illinois (Mr. KINZINGER), the author of the bill.

Mr. KINZINGER. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of this bill, H.R. 1320, the Nuclear Utilization of Keystone Energy Act, which I proudly introduced with my colleague, MIKE DOYLE. I want to also share my compliments to his staff and my staff working together very well on hammering out a lot of the technical issues and getting this done. It shows that hard work matters.

The United States is home to nine nuclear power plants—my district has

four of those—which provide reliable, carbon-free electricity to thousands of American homes and businesses.

Unfortunately, nuclear power is at a critical impasse, and many of these plants are facing early retirements, which means a loss of clean energy, good jobs, and our global leadership on vital issues like safety and non-proliferation.

This legislation, the NUKE Act, makes commonsense reforms to increase transparency, predictability, and accountability at the NRC. Because nuclear plants pay to be regulated by the NRC, these reforms, including a predictable fee recovery structure, caps on annual fees, and keeping overhead costs in line with similar Federal agencies, will not only increase stability at our operating plants, but it will also pave the way for the next generation of nuclear technology.

I also think it is important to point out that many times in the energy battle, we sometimes find out we needed to do something when it is too late and you spend a lot of time playing catch-up. This is a proactive way to make sure we maintain this strong fleet of which America is a leader.

In closing, I urge my colleagues to join me and Congressman DOYLE in supporting H.R. 1320, the NUKE Act, and help ensure a safe and strong future for American nuclear power.

Mr. PALLONE. Madam Speaker, I urge my colleagues to support this bipartisan initiative, and I yield back the balance of my time.

Mr. OLSON. Madam Speaker, the ranking member of the full committee said it just perfectly: Support this bill. It is a good bipartisan bill.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BROOKS of Indiana). The question is on the motion offered by the gentleman from Texas (Mr. OLSON) that the House suspend the rules and pass the bill, H.R. 1320, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## STRATEGIC PETROLEUM RESERVE REFORM ACT

Mr. BARTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6511) to authorize the Secretary of Energy to carry out a program to lease underutilized Strategic Petroleum Reserve facilities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6511

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

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Strategic Petroleum Reserve Reform Act".*

## SEC. 2. USE OF UNDERUTILIZED STRATEGIC PETROLEUM RESERVE FACILITIES.

Section 168 of the Energy Policy and Conservation Act (42 U.S.C. 6247a) is amended to read as follows:

### "SEC. 168. USE OF UNDERUTILIZED FACILITIES.

"(a) *AUTHORITY.*—Notwithstanding any other provision of this title, the Secretary may establish and carry out a program to lease underutilized Strategic Petroleum Reserve storage facilities and related facilities to the private sector, or a foreign government or its representative. Petroleum products stored under this section are not part of the Strategic Petroleum Reserve.

"(b) *PROTECTION OF FACILITIES.*—Any lease entered into under the program established under subsection (a) shall contain provisions providing for fees to fully compensate the United States for all related costs of storage and removals of petroleum products (including the proportionate cost of replacement facilities necessitated as a result of any withdrawals) incurred by the United States as a result of such lease.

"(c) *ACCESS BY THE UNITED STATES.*—The Secretary shall ensure that leasing of facilities under the program established under subsection (a) does not impair the ability of the United States to withdraw, distribute, or sell petroleum products from the Strategic Petroleum Reserve in response to an energy emergency or to the obligations of the United States under the Agreement on an International Energy Program.

"(d) *NATIONAL SECURITY.*—The Secretary shall ensure that leasing of facilities under the program established under subsection (a) to a foreign government or its representative will not impair national security.

"(e) *DEPOSITS OF AMOUNTS RECEIVED.*—

"(1) *IN GENERAL.*—Except as provided in paragraph (2), amounts received through the leasing of facilities under the program established under subsection (a) shall be deposited in the general fund of the Treasury during the fiscal year in which such amounts are received.

"(2) *COSTS.*—The Secretary may use for costs described in subsection (b) (other than costs described in subsection (f)), without further appropriation, amounts received through the leasing of facilities under the program established under subsection (a).

"(f) *PREPARATION OF FACILITIES.*—The Secretary shall only use amounts available in the Energy Security and Infrastructure Modernization Fund established by section 404 of the Bipartisan Budget Act of 2015 for costs described in subsection (b) of this section that relate to addition of facilities or changes to facilities or facility operations necessary to lease such facilities, including costs related to acquisition of land, acquisition of ancillary facilities and equipment, and site development, and other necessary costs related to capital improvement."

## SEC. 3. PILOT PROGRAM TO LEASE STRATEGIC PETROLEUM RESERVE FACILITIES.

(a) *IN GENERAL.*—Part B of title I of the Energy Policy and Conservation Act (42 U.S.C. 6231 et seq.) is amended by adding at the end the following:

### "SEC. 170. PILOT PROGRAM TO LEASE STORAGE AND RELATED FACILITIES.

"(a) *ESTABLISHMENT.*—In carrying out section 168 and not later than 180 days after the date of enactment of the Strategic Petroleum Reserve Reform Act, the Secretary shall establish and carry out a pilot program to make available for lease—

"(1) capacity for storage of up to 200,000,000 barrels of petroleum products at Strategic Petroleum Reserve storage facilities; and

"(2) related facilities.

"(b) *CONTENTS.*—In carrying out the pilot program established under subsection (a), the Secretary shall—

"(1) identify appropriate Strategic Petroleum Reserve storage facilities and related facilities to lease, in order to make maximum use of such facilities;