

118TH CONGRESS  
1ST SESSION

# H. R. 6236

To streamline nuclear technology regulatory permitting and licensing, and  
for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2023

Mr. ALLEN introduced the following bill; which was referred to the Committee  
on Energy and Commerce

---

## A BILL

To streamline nuclear technology regulatory permitting and  
licensing, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nuclear Licensing Ef-  
5 ficiency Act”.

6 **SEC. 2. EFFICIENT LICENSING REVIEWS.**

7 (a) GENERAL.—Section 181 of the Atomic Energy  
8 Act of 1954 (42 U.S.C. 2231) is amended—

9 (1) by striking “The provisions of” and insert-  
10 ing the following:

1 “(a) ‘The provisions of’ ”; and

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

3 “(b) Consistent with the declaration in section 1, the  
4 Commission shall provide for efficient, timely, and predict-  
5 able reviews and proceedings for the granting, suspending,  
6 revoking, or amending of any license or construction per-  
7 mit, or application to transfer control, and in any pro-  
8 ceeding for the issuance or modification of rules and regu-  
9 lations dealing with the activities of licenses.”.

10 (b) CONSTRUCTION PERMITS AND OPERATING LI-  
11 CENSES.—Section 185 of the Atomic Energy Act of 1954  
12 (42 U.S.C. 2235) is amended by adding at the end the  
13 following:

14 “c. APPLICATION REVIEWS FOR PRODUCTION AND  
15 UTILIZATION FACILITIES OF AN EXISTING SITE.—In re-  
16 viewing an application for an early site permit, construc-  
17 tion permit, operating license, or combined construction  
18 permit and operating license for a production facility or  
19 utilization facility located at the site of a production facil-  
20 ity or utilization facility licensed by the Commission, the  
21 Commission shall, to the extent practicable, use informa-  
22 tion that was part of the licensing basis of the licensed  
23 production facility or utilization facility.”.

1 **SEC. 3. PERFORMANCE METRICS AND MILESTONES.**

2 Section 102(c) of the Nuclear Energy Innovation and  
3 Modernization Act (42 U.S.C. 2215(c)) is amended—

4 (1) in paragraph (3)—

5 (A) in the paragraph heading, by striking  
6 “180” and inserting “90”; and

7 (B) by striking “180” and inserting “90”;  
8 and

9 (2) by adding at the end the following:

10 “(4) PERIODIC UPDATES TO METRICS AND  
11 SCHEDULES.—

12 “(A) REVIEW AND ASSESSMENT.—Not less  
13 frequently than once every 3 years, the Com-  
14 mission shall review and assess, based on the li-  
15 censing and regulatory activities of the Com-  
16 mission, the performance metrics and milestone  
17 schedules developed under paragraph (1).

18 “(B) REVISIONS.—After each review and  
19 assessment under subparagraph (A), the Com-  
20 mission shall revise, as appropriate, the per-  
21 formance metrics and milestone schedules devel-  
22 oped under paragraph (1) to provide the most  
23 efficient performance metrics and milestone  
24 schedules reasonably achievable.”.

1 **SEC. 4. CLARIFICATION ON FUSION REGULATION.**

2 Section 103(a)(4) of the Nuclear Energy Innovation  
3 and Modernization Act (42 U.S.C. 2133 note; Public Law  
4 115–439) is amended—

5 (1) by striking “Not later” and inserting the  
6 following:

7 “(A) IN GENERAL.—Not later”; and

8 (2) by adding at the end the following:

9 “(B) EXCLUSION OF FUSION REACTORS.—  
10 Notwithstanding section 3(1), for purposes of  
11 subparagraph (A), the term ‘advanced nuclear  
12 reactor applicant’ does not include an applicant  
13 for a license for a nuclear fusion reactor.”.

14 **SEC. 5. TECHNICAL CORRECTION.**

15 Section 104 c. of the Atomic Energy Act of 1954 (42  
16 U.S.C. 2134(c)) is amended—

17 (1) by striking the third sentence and inserting  
18 the following:

19 “(3) LIMITATION ON UTILIZATION FACILI-  
20 TIES.—The Commission may issue a license under  
21 this section for a utilization facility useful in the  
22 conduct of research and development activities of the  
23 types specified in section 31 if—

24 “(A) not more than 75 percent of the an-  
25 nual costs to the licensee of owning and oper-  
26 ating the facility are devoted to the sale, other

1 than for research and development or education  
2 and training, of—

3 “(i) nonenergy services;

4 “(ii) energy; or

5 “(iii) a combination of nonenergy  
6 services and energy; and

7 “(B) not more than 50 percent of the an-  
8 nual costs to the licensee of owning and oper-  
9 ating the facility are devoted to the sale of en-  
10 ergy.”;

11 (2) in the second sentence, by striking “The  
12 Commission” and inserting the following:

13 “(2) REGULATION.—The Commission”; and

14 (3) by striking “C. The Commission” and in-  
15 sserting the following:

16 “C. RESEARCH AND DEVELOPMENT ACTIVITIES.

17 “(1) IN GENERAL.—Subject to paragraphs (2)  
18 and (3), the Commission”.

○