

119TH CONGRESS
2D SESSION

S. _____

To amend the Atomic Energy Act of 1954 to align the licensing of uranium enrichment facilities with other fuel cycle facilities under that Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. KELLY (for himself and Ms. LUMMIS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Atomic Energy Act of 1954 to align the licensing of uranium enrichment facilities with other fuel cycle facilities under that Act, 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4 This Act may be cited as the “Modernizing Outdated
5 Regulations to Expand American Fuel Act of 2026” or
6 the “MORE American Fuel Act of 2026”.

7 **SEC. 2. LICENSING OF URANIUM ENRICHMENT FACILITIES.**

8 (a) AMENDMENTS.—Section 193 of the Atomic En-
9 ergy Act of 1954 (42 U.S.C. 2243) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “con-
3 struction and”; and

4 (B) in paragraph (2)—

5 (i) by striking “the hearing on”; and

6 (ii) by striking “construction and”;

7 (2) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) by striking “The Commission shall
10 conduct a single adjudicatory hearing on
11 the record” and inserting “In accordance
12 with section 189 a.(1)(A), the Commission
13 shall grant a hearing”;

14 (ii) by striking “construction and”;
15 and

16 (iii) by inserting “on the request of
17 any person whose interest is affected by
18 the operation of the uranium enrichment
19 facility and shall admit that person as a
20 party to the proceeding” after “and 63”;

21 (B) by striking paragraph (2);

22 (C) by redesignating paragraph (3) as
23 paragraph (2); and

24 (D) in paragraph (2) (as so redesignated),
25 in the paragraph heading, by striking “SINGLE

1 PROCEEDING” and inserting “NO FURTHER AC-
2 TION REQUIRED”;

3 (3) in subsection (c), by striking “construction
4 and”; and

5 (4) by adding at the end the following:

6 “(g) PRE-LICENSE CONSTRUCTION.—Nothing in this
7 section prohibits the construction of a uranium enrich-
8 ment facility prior to issuance of a license authorizing op-
9 eration of that facility under sections 53 and 63, subject
10 to the conditions that the construction—

11 “(1) commences after the date on which the
12 Commission docket the application;

13 “(2) complies with all applicable Federal laws
14 and regulations; and

15 “(3) is entirely at the risk of the applicant.”.

16 (b) NOTIFICATION OF ENRICHMENT CONSTRUC-
17 TION.—As part of an application for a license under sec-
18 tions 53 and 63 of the Atomic Energy Act of 1954 (42
19 U.S.C. 2073, 2093) for operation of a uranium enrich-
20 ment facility, the Nuclear Regulatory Commission (re-
21 ferred to in this section as the “Commission”) shall re-
22 quire that an applicant submit a certification that, not
23 fewer than 15 days before commencing construction of the
24 uranium enrichment facility pursuant to subsection (g) of
25 section 193 of that Act (42 U.S.C. 2243), the applicant

1 will submit a written notification with respect to com-
2 mencing construction to—

3 (1) the Governor of the State in which the ura-
4 nium enrichment facility is to be located;

5 (2) the chief executive and governing body of
6 each unit of local government in which the facility
7 is to be located; and

8 (3) the governing body of each Indian Tribe
9 with jurisdiction over land that would be included in
10 the geographic area of the emergency plan of the
11 uranium enrichment facility prepared pursuant to
12 section 70.22(i)(1)(ii) of title 10, Code of Federal
13 Regulations (or a successor regulation), if applicable.

14 (c) REGULATIONS REQUIRED.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of enactment of this Act, the Commis-
17 sion shall promulgate regulations to revise part 70
18 of title 10, Code of Federal Regulations, as appro-
19 priate to reflect the amendments made by subsection
20 (a).

21 (2) PENDING APPLICATIONS.—With respect to
22 an applicant for a license under sections 53 and 63
23 of the Atomic Energy Act of 1954 (42 U.S.C. 2073,
24 2093) for the operation of a uranium enrichment fa-
25 cility the application for which was submitted before

1 the date on which the regulations required under
2 paragraph (1) take effect, the Commission may
3 grant an exemption from the requirements of the
4 regulations in effect on the date on which the appli-
5 cation was submitted in accordance with this Act
6 and the amendments made by this Act.

7 (d) RULE OF CONSTRUCTION.—Nothing in this Act,
8 or an amendment made by this Act, limits or otherwise
9 affects the authority of the Commission to regulate con-
10 struction as necessary to license and oversee the operation
11 of a uranium enrichment facility.

12 (e) SAVINGS CLAUSE.—Nothing in this Act, or an
13 amendment made by this Act—

14 (1) limits or otherwise affects the authority of
15 the Commission to deny an application for a license
16 to operate a uranium enrichment facility because the
17 applicant failed to construct or operate the uranium
18 enrichment facility in accordance with applicable
19 regulatory requirements; or

20 (2) affects judicial review of a final action by
21 the Commission otherwise available under section
22 189 of the Atomic Energy Act of 1954 (42 U.S.C.
23 2239).