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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.**

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To prohibit the Nuclear Regulatory Commission from issuing certain licenses for the storage of spent nuclear fuel and high-level radioactive waste, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. NEHLS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To prohibit the Nuclear Regulatory Commission from issuing certain licenses for the storage of spent nuclear fuel and high-level radioactive waste, 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 “Consolidated Interim  
5 Storage Facility Restriction Act of 2025”.

1    **SEC. 2. PROHIBITION ON NUCLEAR REGULATORY COMMISSION**  
2                   **LICENSES FOR CERTAIN STORAGE OF**  
3                   **SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIA-**  
4                   **DIOACTIVE WASTE.**

5                   (a) FINDINGS.—Congress finds the following:

6                   (1) The nuclear industry of the United States  
7                   is largely governed and regulated pursuant to au-  
8                   thorities under the Atomic Energy Act of 1954, the  
9                   Energy Reorganization Act of 1974, and the Nu-  
10                   clear Waste Policy Act of 1982.

11                   (2) The Commission issues and enforces certain  
12                   regulations relating to such nuclear industry.

13                   (3) Congress maintains the constitutional au-  
14                   thority to repeal or otherwise prohibit through legis-  
15                   lation certain actions taken by Federal departments  
16                   and agencies, including the Commission, under sec-  
17                   tion 8 of article I of the Constitution (commonly re-  
18                   ferred to as the “necessary and proper clause”).

19                   (4) The Commission has concluded that it pos-  
20                   sesses the statutory authority to issue a license au-  
21                   thorizing a private entity to store spent nuclear fuel  
22                   or high-level radioactive waste at privately owned  
23                   away from reactor storage sites, commonly referred  
24                   to as “consolidated interim storage facilities”, and  
25                   have issued such licenses.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-  
18 gress that the Commission lacks express statutory author-  
19 ity to issue a license specified in subsection (a)(4).

20 (c) PROHIBITION ON ISSUANCE OF LICENSES.—Be-  
21 ginning on the date of the enactment of this Act, notwith-  
22 standing any provision of the Atomic Energy Act of 1954  
23 (40 U.S.C. 2011 et seq.), the Nuclear Regulatory Commis-  
24 sion may not issue a license authorizing—

6 (B) a federally owned interim storage facil-  
7 ity; or

12 (d) NULLIFICATION OF CURRENT LICENSES.—Any  
13 license specified in subsection (c) in effect as of the date  
14 of the enactment of this Act shall be deemed null and void.

15 (e) DEFINITIONS.—In this section:

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