November 16, 2026

The Honorable John Kennedy
Chairman
U.S. Senate Appropriations Committee
Subcommittee on Energy and Water Development

The Honorable Patty Murray
Ranking Member
U.S. Senate Appropriations Committee
Subcommittee on Energy and Water Development

The Honorable Chuck Fleischmann
Chairman
U.S. House Appropriations Committee
Subcommittee on Energy and Water Development and Related Agencies

The Honorable Marcy Kaptur
Ranking Member
U.S. House Appropriations Committee
Subcommittee on Energy and Water Development and Related Agencies

The Honorable Mike Lee
Chairman
U.S. Senate Energy and Natural Resources Committee

The Honorable Martin Heinrich
Ranking Member
U.S. Senate Energy and Natural Resources Committee

The Honorable Shelley Moore Capito
Chairwoman
U.S. Senate Environment and Public Works Committee

The Honorable Sheldon Whitehouse
Ranking Member
U.S. Senate Environment and Public Works Committee

The Honorable Brett Guthrie
Chairman
U.S. House Energy and Commerce Committee

The Honorable Frank Pallone
Ranking Member
U.S. House Energy and Commerce Committee

Dear Chairman Kennedy, Ranking Member Murray, Chairman Fleischmann, Ranking Member Kaptur, Chairman Lee, Ranking Member Heinrich, Chairwoman Capito, Ranking Member Whitehouse, Chairman Guthrie, and Ranking Member Pallone:

The undersigned organizations write to ask for your support for congressional direction that would allow the Department of Energy (DOE) to engage with willing states, tribal governments, and local communities to continue exploring the potential for nuclear innovation campuses. After years of gridlock, we are in an unprecedented moment in which states are interested in working with DOE to explore the full nuclear fuel cycle. To maintain that interest, DOE needs sufficient authority, accountability, and transparency to advance those conversations.

Two near-term barriers stand in the way of giving states confidence in DOE's authorities and capability to explore fuel cycle infrastructure. First, the *Nuclear Waste Policy Amendments Act of 1987* narrows DOE's allowable site-specific repository siting activities to Yucca Mountain in Nevada and restricts work on a second repository. This restricts DOE's ability to conduct preliminary activities such as investigating specific sites for potential repositories in cooperation with willing states. Second, DOE needs sufficient funding to support those activities in 2027.

We urge you and your colleagues to act on these two issues before Congress adjourns *sine die*.

Congress should enable DOE to enter into voluntary host agreements for preliminary site evaluations of nuclear facilities and activities supporting the entire nuclear lifecycle, including reactor operations, the supply chain, workforce development, fuel fabrication, reprocessing, storage, and disposal. Specifically, we encourage Congress to provide DOE with direction supporting its continued engagement with interested states, affected Indian tribes, and units of local government regarding potential geologic repositories and authorizing preliminary site-specific evaluations and investigations. Such direction should not yet authorize formal site characterization, site designation, repository construction, or waste emplacement. Direction should also ensure transparency in DOE's engagement, evaluation, and investigation activities by keeping states, communities, and Congress informed of the scope, progress, and findings of those activities.

Preliminary activities should be funded without drawing on the Nuclear Waste Fund. Congress should also make clear that these activities, individually or collectively, do not meet the conditions to resume collection of the nuclear waste fee. (*NARUC v. DOE*, 736 F.3d 517, 521 (D.C. Cir. 2013)).

Congress should also preserve existing law by leaving the statutory treatment of Yucca Mountain unchanged at this time, maintaining NRC licensing authority, keeping applicable environmental requirements in force, prohibiting involuntary repository siting, and leaving the Nuclear Waste Fund for repository-related purposes under the Nuclear Waste Policy Act.

Legislative direction should also permit preliminary site-specific activities, including technical assessments, feasibility studies, evaluation of potential host arrangements, cooperative agreements, and financial or technical assistance to participating governments. Participation should be strictly voluntary, and preliminary site-specific activities involving a potential repository location should require the host state's affirmative agreement. Affected tribal and local governments should have appropriate opportunities to participate, and participation would not constitute consent to repository siting.

In closing, we believe that congressional action now is essential, both to make tangible progress toward a more rational nuclear fuel cycle policy after years of inaction and to ensure the current resurgence of nuclear energy in America remains strong. We are grateful for the Committees' attention to this matter, and we stand ready to answer any questions you may have.

Sincerely,

American Nuclear Society

Bipartisan Policy Center Action

The Breakthrough Institute

Clean Air Task Force

ClearPath Action

Emmet Penney, Director of Energy and Infrastructure, Foundation for American Innovation

Energy Communities Alliance

Good Energy Collective

Nuclear Energy Institute

Nuclear Innovation Alliance

Nuclear Waste Strategy Coalition

Spent Fuel Solutions

Third Way

United States Nuclear Industry Council

Cc:

Senator Mitch McConnell
Senator John Hoeven
Senator Bill Hagerty
Senator Mike Rounds
Senator Susan Collins
Senator Jeff Merkley
Senator Tammy Baldwin
Senator Gary Peters

Senator Lisa Murkowski
Senator Cindy Hyde-Smith
Senator Katie Britt
Senator Darlene Graham
Senator Dick Durbin
Senator Chris Coons
Senator Jon Ossoff

Representative Mike Simpson
Representative Dan Newhouse
Representative Michael Guest
Representative Celeste Maloy
Representative Jim Clyburn
Representative Mike Levin
Representative Susie Lee

Representative Ken Calvert
Representative Guy Reschenthaler
Representative Scott Franklin
Representative Tom Cole
Representative Debbie Wasserman Schultz
Representative Frank Mrvan
Representative Rose DeLauro

Senator John Barrasso
Senator Steve Daines
Senator Dave McCormick
Senator Bill Cassidy
Senator Maria Cantwell
Senator Angus King
Senator John Hickenlooper
Senator Ruben Gallego

Senator Jim Risch
Senator Tom Cotton
Senator Jim Justice
Senator Ron Wyden
Senator Mazie Hirono
Senator Catherine Cortez Masto
Senator Alex Padilla

Senator Kevin Cramer
Senator John Curtis
Senator Pete Ricketts
Senator John Boozman
Senator Bernie Sanders
Senator Mark Kelly
Senator Lisa Blunt Rochester

Senator Cynthia Lummis
Senator Dan Sullivan
Senator Roger Wicker
Senator Jon Husted
Senator Ed Markey
Senator Adam Schiff
Senator Angela Alsobrooks

Representative Bob Latta
Representative Gus Bilirakis
Representative Buddy Carter

Representative Morgan Griffith
Representative Richard Hudson
Representative Gary Palmer

Representative Neal Dunn
Representative John Joyce
Representative Rick Allen
Representative Russ Fulcher
Representative Diana Harshbarger
Representative Kat Cammack
Representative John James
Representative Erin Houchin
Representative Laurel Lee
Representative Tom Kean
Representative Gabe Evans
Representative Julie Fedorchak
Representative Jan Schakowsky
Representative Kathy Castor
Representative Yvette Clarke
Representative Scott Peters
Representative Marc Veasey
Representative Nanette Barragán
Representative Kim Schrier
Representative Lizzie Fletcher
Representative Jake Auchincloss
Representative Rob Menendez
Representative Greg Landsman

Representative Dan Crenshaw
Representative Randy Weber
Representative Troy Balderson
Representative August Pfluger
Representative Mariannette Miller-Meeks
Representative Jay Obernolte
Representative Cliff Bentz
Representative Russell Fry
Representative Nick Langworthy
Representative Michael Rulli
Representative Craig Goldman
Representative Diana DeGette
Representative Doris Matsui
Representative Paul Tonko
Representative Raul Ruiz
Representative Debbie Dingell
Representative Robin Kelly
Representative Darren Soto
Representative Lori Trahan
Representative Alexandria Ocasio-Cortez
Representative Troy Carter
Representative Kevin Mullin
Representative Jennifer McClellan