

(c) *Other factors.* Nothing in this section shall be construed to limit the presiding officer or the authority head from considering any other factors that in any given case may mitigate or aggravate the offense for which penalties and assessments are imposed.

(d) *The Record.* The hearing shall be recorded and transcribed.

(1) Transcripts shall be available following the hearing at a cost not to exceed the actual cost of duplication and any court reporter's reasonable fee.

(2) The transcript of testimony, exhibits and other evidence admitted at the hearing, and all documents filed in the proceeding constitute the record for the decision by the presiding officer and the authority head.

(3) The record may be inspected and copied by anyone upon payment of a reasonable fee, unless otherwise ordered by the presiding officer.

§ 2419.6 Post-Hearing Procedures.

(a) *Post-hearing motions.* The presiding officer may decide any post-hearing motions.

(b) *Post-hearing briefs.* Any party may file a post-hearing brief. The presiding officer shall fix the time for filing such briefs, not to exceed 60 days from the date the parties receive the transcript of the hearing or, if applicable, the stipulated record. Such briefs may be accompanied by proposed findings of fact and conclusions of law. The presiding officer may permit the parties to file reply briefs.

(c) *Decision.* Except for good cause, the presiding officer shall issue a written decision required by 31 U.S.C. 3803(h) within 90 days after the time for submission of post-hearing briefs and reply briefs, if permitted, has expired.

(d) *Appeal to the authority head.* Parties may not appeal interlocutory rulings by the presiding officer to the authority head.

(1) Except in case of default, if the defendant is determined in the decision to be liable for a civil penalty or assessment, the defendant may appeal such decision to the authority head by filing a notice of appeal with the authority head in accordance with this section. A notice of appeal shall be accompanied by a written brief specifying exceptions to the decision and reasons supporting the exceptions.

(i) A notice of appeal may be filed at any time within 30 days after the presiding officer issues the decision.

(ii) The authority head may extend the initial 30-day period for an additional 30 days if the defendant files with the authority head a request for an extension within the initial 30-day period and shows good cause.

(2) The reviewing official's representative or other designated agency official may file a brief in opposition to the notice of appeal within 30 days of receiving the notice of appeal and accompanying brief.

(3) The authority head's review will occur within the limitations noted in 31 U.S.C. 3803(i)(2)(B) and (C). There is no right to appear personally before the authority head.

(e) *Judicial review.* Section 3805 of title 31, United States Code, authorizes judicial review by an appropriate United States District Court of a final decision of the authority head imposing penalties and/or assessments under this part and specifies the procedures for such review.

(f) *Collection.* Sections 3806 and 3808(b) of title 31, United States Code, authorize actions for collection of civil penalties and assessments imposed under this part and specify the procedures for such actions.

Thomas Tso,

Solicitor, Federal Labor Relations Authority.

[FR Doc. 2026-07877 Filed 4-22-26; 8:45 am]

BILLING CODE 7627-01-P

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50 and 54

[NRC-2024-0218]

RIN 3150-AL32

Exceptions From Foreign Ownership, Control, or Domination

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is amending its regulations on foreign ownership, control, or domination (FOCD) of utilization facilities to comply with section 301 of the Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024. The statute has designated certain exceptions from the FOCD provision set forth in the Atomic Energy Act of 1954, as amended. This direct final rule affects applicants and licensees of utilization facilities that are owned, controlled, or dominated by a foreign entity.

DATES: The final rule is effective July 7, 2026, unless significant adverse comments are received by May 26, 2026. If the direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in

the **Federal Register**. Comments received on this direct final rule will also be considered to be comments on a companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register**.

ADDRESSES: Please refer to Docket ID NRC-2024-0218 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2024-0218. Address questions about NRC dockets to Helen Chang; telephone: 301-415-3228; email: Helen.Chang@nrc.gov. For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Irene Wu, Office of Nuclear Material Safety and Safeguards, telephone: 301-415-1951, email: Irene.Wu@nrc.gov and Shawn Harwell, Office of Nuclear Material Safety and Safeguards, telephone: 301-415-1309, email: Shawn.Harwell@nrc.gov. Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION: This rulemaking is separate from NRC's comprehensive review and reform of its regulations in accordance with Executive Order (E.O.) 14300, "Ordering the Reform of the Nuclear Regulatory Commission" (90 FR 22587; May 29, 2025). The rulemakings associated with

that effort will comprehensively reexamine NRC requirements. While there could be additional revisions as a result of these future rulemakings, the NRC is moving forward with publication of this direct final rule at this time because it is a deregulatory action of high interest for stakeholders that was mandated by statute and in progress before the issuance of E.O. 14300.

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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2024–0218 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website*: Go to <https://www.regulations.gov> and search for Docket ID NRC–2024–0218.

- *NRC’s Agencywide Documents Access and Management System (ADAMS)*: You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to PDR.Resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

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time, Monday through Friday, except Federal holidays.

B. Submitting Comments

Comments must be submitted electronically using <https://www.regulations.gov> no later than midnight Eastern Time on May 26, 2026. Please include Docket ID NRC–2024–0218 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Rulemaking Procedure

Because the NRC considers this action to be non-controversial, the NRC is using the “direct final rule procedure” for this rule. This amendment is effective on July 7, 2026. However, if the NRC receives significant adverse comments on this direct final rule by May 26, 2026, then the NRC will publish a document that withdraws this action and will address the comments received in a subsequent final rule as a response to the companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register**. Absent significant modifications to the revisions requiring republication, the NRC will not initiate a second comment period on this action.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule’s underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

(a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC to make a change (other than editorial) to the rule.

For detailed instructions on filing comments, please see the **ADDRESSES** section of this document.

III. Background

In July 2024, the Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024 (ADVANCE Act) was signed into law. It requires the NRC to take a number of actions, particularly regarding licensing new reactors and fuels, while maintaining the NRC’s core safety and security mission.

Section 301 of the ADVANCE Act designated certain exceptions from the foreign ownership, control, or domination (FOCD) provision set forth in the Atomic Energy Act of 1954, as amended (AEA). Sections 103 and 104 of the AEA prohibit the issuance of a license for utilization or production facilities (e.g., a commercial nuclear power reactor) to an applicant that the Commission knows or has reason to believe is owned, controlled, or dominated by a foreign entity. Specifically, section 301 of the ADVANCE Act states that if the Commission determines that the issuance of the applicable license to that entity is not inimical to the common defense and security or public health and safety, then the FOCD restriction for utilization facility licenses shall not apply to an entity that is owned, controlled, or dominated by (1) the government of a country that is a member of the Organisation for Economic Co-operation and Development (OECD), or the Republic of India on the date of the issuance of the ADVANCE Act, (2) a corporation that is incorporated in one of those countries, or (3) a citizen or national of one of those countries, subject to some additional exclusions in section 301(b)(2).

The additional exclusions in section 301(b)(2) are based on whether any government bodies or persons of the

excepted countries were subject to certain sanctions under section 231 of the Countering America's Adversaries Through Sanctions Act (CAATSA) of 2017 (22 U.S.C. 9525) or included on the List of Specially Designated Nationals and Blocked Persons maintained by the Office of Foreign Assets Control of the Department of Treasury pursuant to section 231 of the CAATSA of 2017 (22 U.S.C. 9525) on the ADVANCE Act's date of enactment of July 9, 2024. The NRC has reviewed those lists and determined that Turkey falls within the exclusion in section 301(b)(2) because, as of that date, the Republic of Turkey's Presidency of Defense Industries was subject to sanctions under section 231 of CAATSA. The NRC's implementing regulation for the FOCD restrictions is section 50.38 of title 10 of the *Code of Federal Regulations* (10 CFR), "Ineligibility of certain applicants." The NRC will continue to review sanctions lists as part of the agency's inimicality determination, which determines whether a proposed ownership structure would be inimical to the common defense and security of the United States. That determination remains a precondition for the new FOCD exception.

IV. Discussion

The NRC determined that rulemaking was necessary because the ADVANCE Act's exceptions to the AEA's FOCD restrictions are not reflected in the applicable NRC regulations and could not be achieved through issuing guidance, as guidance documents are not legally binding and cannot be used to amend regulations. This rulemaking is narrowly tailored to address the requirements specifically set forth in section 301 of the ADVANCE Act. The NRC determined that a direct final rule is appropriate because the amendments strictly implement statutory language, are non-controversial, and unlikely to involve public comment resulting in a significant change to the NRC's action.

This direct final rule amends 10 CFR part 50, "Domestic Licensing of Production and Utilization Facilities," and 10 CFR part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants," to implement the following changes consistent with section 301 of the ADVANCE Act:

- *Preserve the existing § 50.38, "Ineligibility of Certain Applicants," as applicable to production facilities and add language to address the changes to the FOCD restrictions for utilization facilities.*

The NRC is revising § 50.38 to explicitly include the list of 37

countries that section 301 of the ADVANCE Act excepts from the AEA provision prohibiting the issuance of a license for a utilization facility to an applicant that is foreign owned, controlled, or dominated. The list is comprised of the 36 members of the OECD and the Republic of India without qualifying entities subject to the listed sanctions on July 9, 2024. At least one qualifying entity from the Republic of Turkey is subject to sanctions under Section 231 of CAATSA on July 9, 2024, and therefore Turkey is excluded from the list of countries qualifying for the FOCD exception. This exception would apply to corporations that are incorporated in these countries or citizens or nationals residing within these countries. The NRC is also revising § 50.38 to include a provision that the exception only applies if the Commission determines that issuance of the applicable license to that entity is not inimical to the common defense and security or public health and safety. Reviews of sanctions lists will continue to be a part of the NRC's inimicality determination, which remains a precondition for the new FOCD exception.

- *Revise the corresponding regulation in § 54.17, "Filing of application," for the renewal of operating licenses for nuclear power plants.*

The NRC is revising § 54.17(b) to point to the exclusions in § 50.38. The NRC has previously developed two draft guidance documents, "Draft Standard Review Plan on Foreign Ownership, Control, or Domination, Revision 1" and "Regulatory Guide X.XX: Foreign Ownership, Control, or Domination of Nuclear Power, and Non-Power Production or Utilization Facility, Draft," that describe the methodology used by applicants, licensees, and the NRC staff to determine whether an applicant for or licensee of a nuclear facility licensed under sections 103 or 104 of the AEA is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government. The NRC will update these draft guidance documents consistent with this rule.

V. Regulatory Flexibility Certification

Under the Regulatory Flexibility Act (5 U.S.C. 605(b)), the NRC certifies that this rule does not have a significant economic impact on a substantial number of small entities. This direct final rule affects applicants and licensees of utilization facilities that are owned, controlled, or dominated by a foreign entity. The companies that own these plants do not fall within the scope of the definition of "small entities" set

forth in the Regulatory Flexibility Act or the size standards established by the NRC (10 CFR 2.810).

VI. Regulatory Analysis

This direct final rule implements regulations to comply with section 301 of the ADVANCE Act by revising regulations in 10 CFR 50.38 and 10 CFR 54.17(b). This regulatory action codifies the new exclusions from the Atomic Energy Act provision prohibiting the issuance of a license for a utilization facility to an applicant that is foreign owned, controlled, or dominated. This rulemaking does not change the applicant's process in preparing a new license application or a renewal application for a license for a utilization facility; nor does it change NRC's process for reviewing those applications. These amendments will neither impose new safety requirements nor relax existing ones.

This rule incorporates the FOCD requirements established by section 301 of the ADVANCE Act and applies a pre-statutory baseline. The rule mainly provides qualitative benefits by aligning NRC regulations with section 301 of the ADVANCE Act and improving clarity for applicants and the public regarding how the statutory FOCD exceptions are applied. The potential benefits of this rule are increased accessibility to foreign investment in the U.S. commercial nuclear power sector, improved predictability for applicants and potential investors, and greater clarity in the FOCD review process. Increased foreign investment in the U.S. nuclear sector will yield opportunities to bolster U.S. economic and energy security through the expansion of the U.S. commercial nuclear reactor fleet with existing and emerging advanced reactor technologies, while ensuring the national security with the inimicality review process.

The NRC expects the costs of this rule to be minimal. The NRC will update its documents that reference FOCD, and, as precondition for the new FOCD exception, the reviewed applicable sanctions lists. The updates to draft guidance documents, though minimal, will incorporate the new policy position, rule language, and the inclusion of the sanctions list review for excepted countries. Otherwise, the review process and resulting negotiation action criteria remain unchanged for non-excepted foreign entities. On the industry side, applicants seeking to rely on these statutory exceptions will continue to provide the information required under the NRC regulations for eligibility. Implementation of the rule does not require additional information

from an applicant. The rule codifies statutory FOCD exceptions and does not reduce or modify the scope of the NRC's inimicality review process which ensures that there are no national security concerns. Any additional information deemed necessary to evaluate FOCD or inimicality would be requested on a case-by-case basis during the application review process, consistent with current NRC policy.

Because these benefits outweigh the costs, the NRC expects this direct final rule to provide a net qualitative benefit without affecting safety.

VII. Backfitting and Issue Finality

The NRC has determined that the regulations in 10 CFR 50.109, "Backfitting," do not apply to this direct final rule. This direct final rule modifies the NRC regulations to implement the requirements of section 301 of the ADVANCE Act. Therefore, changes to rules designating certain exceptions from the FOCD provision set forth in the AEA do not constitute backfitting under § 50.109(a)(1) or otherwise represent an inconsistency with the issue finality provisions applicable to combined licenses in 10 CFR part 52. Accordingly, the NRC has not prepared a backfit analysis for this direct final rule.

VIII. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, "Plain Language in Government Writing," published June 10, 1998 (63 FR 31885).

IX. Environmental Assessment and Final Finding of No Significant Environmental Impact

The Commission has determined under the National Environmental Policy Act of 1969, as amended, and the Commission's regulations in Subpart A of 10 CFR part 51, that this rule, if adopted, would not be a major Federal action significantly affecting the quality of the human environment and, therefore, an environmental impact statement is not required. This direct final rule amends NRC's regulations in 10 CFR parts 50 and 54. These amendments are necessary to comply with section 301 of the ADVANCE Act, which enacts certain exceptions to the FOCD provision set forth in the AEA. Specifically, section 301 states that if the Commission determines that issuance of the applicable license to that entity is not inimical to the common

defense and security or public health and safety, then the FOCD restriction shall not apply to an entity that is owned, controlled, or dominated by (1) the government of a country that is a member of the OECD or the Republic of India, (2) a corporation that is incorporated in one of those countries, or (3) a citizen or national of one of those countries, subject to some additional exclusions in section 301(b)(2).

The NRC has prepared this environmental assessment to determine the environmental effects of the agency action (*i.e.*, a rulemaking to update NRC regulations). The rule is primarily administrative or procedural in nature and thus would not have any physical environmental effect. The NRC has determined the rule will continue to provide reasonable assurance of adequate protection of public health and safety and will result in no new or different environmental effects. Therefore, the NRC concludes that the regulatory changes will not have a significant effect on the quality of the human environment. Based on this conclusion, the NRC has determined there is no need to prepare an environmental impact statement. Accordingly, the NRC finds the agency action will have no significant environmental impact. This environmental assessment and finding of no significant impact can be tracked with identification number NEPA ID EAXX-429-00-000-1744703877.

X. Paperwork Reduction Act

This direct final rule does not contain any new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing collections of information were approved by the Office of Management and Budget, approval numbers 3150-0011 and 3150-0155.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to a collection of information unless the document requesting or requiring the collection displays a currently valid OMB control number.

XI. Executive Orders

The following are Executive orders that are related to this rule:

A. Executive Order 12866: Regulatory Planning and Review (as Amended by Executive Order 14215, Ensuring Accountability for All Agencies)

The Office of Information and Regulatory Affairs (OIRA) has

determined that this direct final rule is a significant regulatory action. Accordingly, the NRC submitted this direct final rule to OIRA for review. The NRC is required to conduct an economic analysis in accordance with section 6(a)(3)(B) of E.O. 12866. More can be found in Section VI, of this document, "Regulatory Analysis."

B. Executive Order 14154: Unleashing American Energy

The NRC has examined this direct final rule and has determined that it is consistent with the policies and directives outlined in E.O. 14154.

C. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is a deregulatory action as defined by E.O. 14192. Details on the estimated cost savings of this direct final rule can be found in Section VI of this document, "Regulatory Analysis."

D. Executive Order 14270: Zero-Based Regulatory Budgeting To Unleash American Energy

E.O. 14270, "Zero-Based Regulatory Budgeting to Unleash American Energy," requires the NRC to insert a conditional sunset date into all new or amended NRC regulations provided the regulations are (1) promulgated under the AEA, the Energy Reorganization Act of 1974, as amended (ERA), or the Nuclear Waste Policy Act of 1982, as amended (NWPA); (2) not statutorily required; and (3) not part of the NRC's permitting regime. The NRC determined that the regulatory changes in this rule are required for statutory compliance. Therefore, the NRC views this rulemaking to be outside the scope of E.O. 14270 and did not insert conditional sunset dates for the regulatory changes in this direct final rule.

XII. Congressional Review Act

This direct final rule is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

XIII. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document	ADAMS accession No./web link/ Federal Register citation
“Draft Standard Review Plan on Foreign Ownership, Control, or Domination,” Revision 1, April 2016	ML16048A025
“Regulatory Guide X.XX: Foreign Ownership, Control, or Domination of Nuclear Power, and Non-Power Production or Utilization Facility, Draft,” May 2016.	ML16137A520
Executive Order 12866, “Regulatory Planning and Review,” October 4, 1993	58 FR 51735
Executive Order 14154, “Unleashing American Energy,” January 29, 2025	90 FR 8353
Executive Order 14192, “Unleashing Prosperity Through Deregulation,” February 6, 2025	90 FR 9065
Executive Order 14215, “Ensuring Accountability for All Agencies,” February 24, 2025	90 FR 10447
Executive Order 14267, “Reducing Anti-Competitive Regulatory Barriers,” April 15, 2025	90 FR 15629
Executive Order 14270, “Zero-Based Regulatory Budgeting to Unleash American Energy,” April 15, 2025	90 FR 15643
Executive Order 14300, “Ordering the Reform of the Nuclear Regulatory Commission,” May 29, 2025	90 FR 22587
Presidential Memorandum, “Plain Language in Government Writing,” June 10, 1998	63 FR 31885

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at <https://www.regulations.gov> under Docket ID NRC–2024–0218. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC–2024–0218); (2) click the “Subscribe” button; and (3) enter an email address and click on the “Subscribe” button.

List of Subjects

10 CFR Part 50

Administrative practice and procedure, Antitrust, Backfitting, Classified information, Criminal penalties, Education, Emergency planning, Fire prevention, Fire protection, Intergovernmental relations, Nuclear power plants and reactors, Penalties, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements, Whistleblowing.

10 CFR Part 54

Administrative practice and procedure, Age-related degradation, Backfitting, Classified information, Criminal penalties, Environmental protection, Nuclear power plants and reactors, Penalties, Radiation protection, Reporting and recordkeeping requirements.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR parts 50 and 54:

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

■ 1. The authority citation for part 50 is revised to read as follows:

Authority: Atomic Energy Act of 1954, secs. 11, 101, 102, 103, 104, 105, 108, 122, 147, 149, 161, 181, 182, 183, 184, 185, 186, 187, 189, 223, 234 (42 U.S.C. 2014, 2131, 2132, 2133, 2134, 2135, 2138, 2152, 2167, 2169, 2201, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2239, 2273, 2282); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); Nuclear Waste Policy Act of 1982, sec. 306 (42 U.S.C. 10226); National Environmental Policy Act of 1969 (42 U.S.C. 4332); 44 U.S.C. 3504 note; ADVANCE Act of 2024, sec. 301 (42 U.S.C. 2133 note).

■ 2. Revise § 50.38 to read as follows:

§ 50.38 Ineligibility of certain applicants.

(a) Any person who is a citizen, national, or agent of a foreign country, or any corporation, or other entity which the Commission knows or has reason to believe is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government shall be ineligible to apply for and obtain a license for a utilization facility unless—

(1) The Commission determines that issuance of the applicable license to the entity is not inimical to the common defense and security or the health and safety of the public; and

(2) The entity is an alien, corporation, or other entity that is owned, controlled, or dominated by the government of, a corporation that is incorporated in, or an alien who is a citizen or national of Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, or the United Kingdom;

(b) Any person who is a citizen, national, or agent of a foreign country, or any corporation, or other entity which the Commission knows or has reason to believe is owned, controlled, or dominated by an alien, a foreign

corporation, or a foreign government, shall be ineligible to apply for and obtain a license for a production facility.

PART—54 REQUIREMENTS FOR RENEWAL OF OPERATING LICENSES FOR NUCLEAR POWER PLANTS

■ 3. The authority citation for part 54 is revised to read as follows:

Authority: Atomic Energy Act of 1954, secs. 102, 103, 104, 161, 181, 182, 183, 186, 189, 223, 234 (42 U.S.C. 2132, 2133, 2134, 2136, 2137, 2201, 2231, 2232, 2233, 2236, 2239, 2273, 2282); Energy Reorganization Act of 1974, secs. 201, 202, 206 (42 U.S.C. 5841, 5842, 5846); 44 U.S.C. 3504 note. Section 54.17 also issued under E.O. 12829, 58 FR 3479, 3 CFR, 1993 Comp., p. 570; E.O. 13526, 75 FR 707, 3 CFR, 2009 Comp., p. 298; E.O. 12968, 60 FR 40245, 3 CFR, 1995 Comp., p. 391; ADVANCE Act of 2024, sec. 301 (42 U.S.C. 2133 note).

■ 4. In § 54.17, revise paragraph (b) to read as follows:

§ 54.17 Filing of application.

* * * * *

(b) Any person, except one excluded by 10 CFR 50.38, may file an application for a renewed license under this subpart with the Director, Office of Nuclear Reactor Regulation.

* * * * *

Dated: April 6, 2026.

For the Nuclear Regulatory Commission.

Michael King,

Executive Director for Operations.

[FR Doc. 2026–07917 Filed 4–22–26; 8:45 am]

BILLING CODE 7590–01–P