

## FOR IMMEDIATE RELEASE

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### 13 ORGANIZATIONS: TRUMP NUCLEAR PLAN VIOLATES ATOMIC ENERGY ACT

*Nuclear “Rubber Stamp” Plan Likely to Face Serious Legal Challenges if Proposed Rule Isn’t Fixed Before November*

**WASHINGTON, DC - May 7, 2026** – The so-called “Rubber-Stamp Rule”, an effort by the Trump administration to “Make America Nuclear Again”, violates key components of the Atomic Energy Act (AEA) and Energy Reorganization Act, according [to comments filed](#) this week by 13 organizations including the Nuclear Information and Resource Service (NIRS) and Beyond Nuclear. The Nuclear Regulatory Commission’s (NRC) proposed rule will allow reactor designs that the Department of Energy (DOE) and Department of Defense (DOD) have approved to bypass required safety reviews by the NRC.

In a separate comment filing in March, 11 state attorneys general concurred with the organizations’ findings that the Department of Energy ’s new policy to exclude "pilot reactors" from both NRC licensing and environmental reviews violates existing law. In that case, the Department of Energy announced, in violation of federal law, that it would exempt previously untested reactors that it approves to be built and operated from any review of their environmental impacts.

**“Along with the DOE’s environmental ‘free pass’ policy, the whole ‘expedited licensing’ regime the administration is attempting to set up appears to be illegal,”** said Tim Judson, executive director of NIRS and co-author of comments filed to the NRC. **“The White House is trying to create a ‘regulatory tunnel’ around NRC’s safety regulations. That would mean DOE’s biases and obviously false assumptions about the safety of nuclear power plants become the new normal, exposing the public to unacceptable dangers to our health and safety.”**

The NRC’s proposed regulation would allow companies that want to build a nuclear reactor of the same design as one DOE has previously approved to merely submit documentation of that approval and claim that the previously built reactor “is safe.” Such companies would likely never have to go through a detailed safety review by NRC to build and operate such reactors. In 1974, Congress amended the Atomic Energy Act to prohibit such a scheme.

**“Fifty years ago, the Atomic Energy Commission was abolished because they became too much of a promoter and lost the confidence of Congress and the public over safety,”** said Paul Gunter, director of the reactor oversight project at Beyond Nuclear. **“The NRC was established to provide a regulator that prioritizes**

**safety and is obligated not to take shortcuts for a production agenda. Instead, half a century later, we are on the same dangerous collision course, casting aside the NRC in favor of the DOE, which doesn't have the experience or the staff to get the industry in line with safety and security. This capitulation to the Trump agenda could lead to the NRC being abolished altogether, because nobody will have confidence in them."**

The groups also told NRC that it cannot simply "rubber-stamp" reactors that the military builds, either. **"And while the law allows the DOD to build its own nuclear reactors,"** said Tim Judson of NIRS, **"it does not allow the NRC to skip safety reviews for civilian nuclear plants just because they use the same designs. The military routinely exposes its personnel to dangers that civilians are supposed to be protected from."**

**"In its eagerness to short-circuit reactor safeguards, the Trump administration is once again doing what it does best – demonstrating a complete disregard for the law,"** said Linda Pentz Gunter, executive director of Beyond Nuclear. **"But nuclear technology is too inherently dangerous to operate as an outlaw. Ignoring those dangers will put millions of Americans at risk of another catastrophic nuclear accident."**

- **NIRS, BN, et al comments on NRC Proposed Rule -- [https://www.nirs.org/wp-content/uploads/2026/05/DocketID\\_NRC-2025-1503\\_Comments\\_-\\_BeyondNuclear-NIRS-et-al.pdf](https://www.nirs.org/wp-content/uploads/2026/05/DocketID_NRC-2025-1503_Comments_-_BeyondNuclear-NIRS-et-al.pdf)**
- **Comments on DOE Categorical Exclusion Policy -- <https://www.nirs.org/wp-content/uploads/2026/03/2026.03.04-NIRS-et-al-Comments-re-DOE-categorical-exclusion-for-advanced-nuclear-reactors.pdf>**

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