

Union Calendar No. 41

104TH CONGRESS
1ST SESSION

H. R. 1216

[Report No. 104-86]

A BILL

To amend the Atomic Energy Act of 1954 to provide for the privatization of the United States Enrichment Corporation.

MARCH 23, 1995

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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To amend the Atomic Energy Act of 1954 to provide for the privatization of the United States Enrichment Corporation.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 1995

Mr. BLILEY introduced the following bill; which was referred to the Committee on Commerce

MARCH 23, 1995

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 13, 1995]

A BILL

To amend the Atomic Energy Act of 1954 to provide for the privatization of the United States Enrichment Corporation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE AND REFERENCE.**

2 (a) *SHORT TITLE.*—This Act may be cited as the
3 “USEC Privatization Act”.

4 (b) *REFERENCE.*—Except as otherwise expressly pro-
5 vided, whenever in this Act an amendment or repeal is ex-
6 pressed in terms of an amendment to, or repeal of, a section
7 or other provision, the reference shall be considered to be
8 made to a section or other provision of the Atomic Energy
9 Act of 1954 (42 U.S.C. 2011 et seq.).

10 **SEC. 2. PRODUCTION FACILITY.**

11 Paragraph v. of section 11 (42 U.S.C. 2014 v.) is
12 amended by striking “or the construction and operation of
13 a uranium enrichment production facility using Atomic
14 Vapor Laser Isotope Separation technology”.

15 **SEC. 3. DEFINITIONS.**

16 Section 1201 (42 U.S.C. 2297) is amended—

17 (1) in paragraph (4), by inserting before the pe-
18 riod the following: “and any successor corporation es-
19 tablished through privatization of the Corporation”;

20 (2) by redesignating paragraphs (10) through
21 (13) as paragraphs (14) through (17), respectively,
22 and by inserting after paragraph (9) the following
23 new paragraphs:

24 “(10) The term ‘low-level radioactive waste’ has
25 the meaning given such term in section 102(9) of the

1 *Low-Level Radioactive Waste Policy Amendments Act*
2 *of 1985 (42 U.S.C. 2021b(9)).*

3 “(11) The term ‘mixed waste’ has the meaning
4 given such term in section 1004(41) of the *Solid*
5 *Waste Disposal Act (42 U.S.C. 6903(41)).*

6 “(12) The term ‘privatization’ means the trans-
7 fer of ownership of the Corporation to private inves-
8 tors pursuant to chapter 25.

9 “(13) The term ‘privatization date’ means the
10 date on which 100 percent of ownership of the Cor-
11 poration has been transferred to private investors.”;

12 (3) by inserting after paragraph (17) (as redes-
13 igned) the following new paragraph:

14 “(18) The term ‘transition date’ means July 1,
15 1993.”; and

16 (4) by redesignating the unredesignated para-
17 graph (14) as paragraph (19).

18 **SEC. 4. EMPLOYEES OF THE CORPORATION.**

19 (a) PARAGRAPH (2).—Paragraphs (1) and (2) of sec-
20 tion 1305(e) (42 U.S.C. 2297b–4(e)(1)(2)) are amended to
21 read as follows:

22 “(1) IN GENERAL.—It is the purpose of this sub-
23 section to ensure that the privatization of the Cor-
24 poration shall not result in any adverse effects on the
25 pension benefits of employees at facilities that are op-

1 erated, directly or under contract, in the performance
2 of the functions vested in the Corporation.

3 “(2) *APPLICABILITY OF EXISTING COLLECTIVE*
4 *BARGAINING AGREEMENT.*—The Corporation shall
5 abide by the terms of the collective bargaining agree-
6 ment in effect on the privatization date at each indi-
7 vidual facility.”.

8 (b) *PARAGRAPH (4).*—Paragraph (4) of section
9 1305(e) (42 U.S.C. 2297b-4(e)(4)) is amended—

10 (1) by striking “*AND DETAILEES*” in the head-
11 ing;

12 (2) by striking the first sentence;

13 (3) in the second sentence, by inserting “from
14 other Federal employment” after “transfer to the Cor-
15 poration”; and

16 (4) by striking the last sentence.

17 **SEC. 5. MARKETING AND CONTRACTING AUTHORITY.**

18 (a) *MARKETING AUTHORITY.*—Section 1401(a) (42
19 U.S.C. 2297c(a)) is amended effective on the privatization
20 date (as defined in section 1201(13) of the Atomic Energy
21 Act of 1954)—

22 (1) by amending the subsection heading to read
23 “*MARKETING AUTHORITY.*—”; and

24 (2) by striking the first sentence.

1 (b) *TRANSFER OF CONTRACTS.*—Section 1401(b) (42
2 *U.S.C. 2297c(b)*) is amended—

3 (1) in paragraph (2)(B), by adding at the end
4 the following: “The privatization of the Corporation
5 shall not affect the terms of, or the rights or obliga-
6 tions of the parties to, any such power purchase con-
7 tract.”; and

8 (2) by adding at the end the following:

9 “(3) *EFFECT OF TRANSFER.*—

10 “(A) As a result of the transfer pursuant to
11 paragraph (1), all rights, privileges, and benefits
12 under such contracts, agreements, and leases, in-
13 cluding the right to amend, modify, extend, re-
14 vise, or terminate any of such contracts, agree-
15 ments, or leases were irrevocably assigned to the
16 Corporation for its exclusive benefit.

17 “(B) Notwithstanding the transfer pursuant
18 to paragraph (1), the United States shall remain
19 obligated to the parties to the contracts, agree-
20 ments, and leases transferred pursuant to para-
21 graph (1) for the performance of the obligations
22 of the United States thereunder during the term
23 thereof. The Corporation shall reimburse the
24 United States for any amount paid by the
25 United States in respect of such obligations aris-

1 *ing after the privatization date to the extent such*
2 *amount is a legal and valid obligation of the*
3 *Corporation then due.*

4 “(C) After the privatization date, upon any
5 material amendment, modification, extension, re-
6 vision, replacement, or termination of any con-
7 tract, agreement, or lease transferred under
8 paragraph (1), the United States shall be re-
9 leased from further obligation under such con-
10 tract, agreement, or lease, except that such action
11 shall not release the United States from obliga-
12 tions arising under such contract, agreement, or
13 lease prior to such time.”.

14 (c) *PRICING.*—Section 1402 (42 U.S.C. 2297c-1) is
15 amended to read as follows:

16 ***“SEC. 1402. PRICING.***

17 *“The Corporation shall establish prices for its prod-*
18 *ucts, materials, and services provided to customers on a*
19 *basis that will allow it to attain the normal business objec-*
20 *tives of a profitmaking corporation.”.*

21 (d) *LEASING OF GASEOUS DIFFUSION FACILITIES OF*
22 *DEPARTMENT.*—Effective on the privatization date (as de-
23 fined in section 1201(13) of the Atomic Energy Act of
24 1954), section 1403 (42 U.S.C. 2297c-2) is amended by
25 adding at the end the following:

1 “(h) *LOW-LEVEL RADIOACTIVE WASTE AND MIXED*
2 *WASTE.*—

3 “(1) *RESPONSIBILITY OF THE DEPARTMENT;*
4 *COSTS.*—

5 “(A) *With respect to low-level radioactive*
6 *waste and mixed waste generated by the Cor-*
7 *poration as a result of the operation of the facili-*
8 *ties and related property leased by the Corpora-*
9 *tion pursuant to subsection (a) or as a result of*
10 *treatment of such wastes at a location other than*
11 *the facilities and related property leased by the*
12 *Corporation pursuant to subsection (a) the De-*
13 *partment, at the request of the Corporation,*
14 *shall—*

15 “(i) *accept for treatment or disposal of*
16 *all such wastes for which treatment or dis-*
17 *posal technologies and capacities exist,*
18 *whether within the Department or else-*
19 *where; and*

20 “(ii) *accept for storage (or ultimately*
21 *treatment or disposal) all such wastes for*
22 *which treatment and disposal technologies*
23 *or capacities do not exist, pending develop-*
24 *ment of such technologies or availability of*
25 *such capacities for such wastes.*

1 “(B) All low-level wastes and mixed wastes
2 that the Department accepts for treatment, stor-
3 age, or disposal pursuant to subparagraph (A)
4 shall, for the purpose of any permits, licenses,
5 authorizations, agreements, or orders involving
6 the Department and other Federal agencies or
7 State or local governments, be deemed to be gen-
8 erated by the Department and the Department
9 shall handle such wastes in accordance with any
10 such permits, licenses, authorizations, agree-
11 ments, or orders. The Department shall obtain
12 any additional permits, licenses, or authoriza-
13 tions necessary to handle such wastes, shall
14 amend any such agreements or orders as nec-
15 essary to handle such wastes, and shall handle
16 such wastes in accordance therewith.

17 “(C) The Corporation shall reimburse the
18 Department for the treatment, storage, or dis-
19 posal of low-level radioactive waste or mixed
20 waste pursuant to subparagraph (A) in an
21 amount equal to the Department’s costs but in
22 no event greater than an amount equal to that
23 which would be charged by commercial, State,
24 regional, or interstate compact entities for treat-
25 ment, storage, or disposal of such waste.

1 “(2) *AGREEMENTS WITH OTHER PERSONS.*—The
2 *Corporation may also enter into agreements for the*
3 *treatment, storage, or disposal of low-level radioactive*
4 *waste and mixed waste generated by the Corporation*
5 *as a result of the operation of the facilities and relat-*
6 *ed property leased by the Corporation pursuant to*
7 *subsection (a) with any person other than the Depart-*
8 *ment that is authorized by applicable laws and regu-*
9 *lations to treat, store, or dispose of such wastes.”.*

10 *(e) LIABILITIES.*—

11 (1) *Subsection (a) of section 1406 (42 U.S.C.*
12 *2297c-5(a)) is amended—*

13 (A) *by inserting “AND PRIVATIZATION”*
14 *after “TRANSITION” in the heading; and*

15 (B) *by adding at the end the following: “As*
16 *of the privatization date, all liabilities attrib-*
17 *utable to the operation of the Corporation from*
18 *the transition date to the privatization date shall*
19 *be direct liabilities of the United States.”.*

20 (2) *Subsection (b) of section 1406 (42 U.S.C.*
21 *2297c-5(b)) is amended—*

22 (A) *by inserting “AND PRIVATIZATION”*
23 *after “TRANSITION” in the heading; and*

24 (B) *by adding at the end the following: “As*
25 *of the privatization date, any judgment entered*

1 *against the Corporation imposing liability arising out of the operation of the Corporation from the transition date to the privatization date shall be considered a judgment against the United States.”.*

2 (3) *Subsection (d) of section 1406 (42 U.S.C. 2297c-5(d)) is amended—*

3 (A) *by inserting “AND PRIVATIZATION” after “TRANSITION” in the heading; and*

4 (B) *by striking “the transition date” and inserting “the privatization date (or, in the event the privatization date does not occur, the transition date)”.*

5 (f) *TRANSFER OF URANIUM.—Title II (42 U.S.C. 2297 et seq.) is amended by redesignating section 1408 as section 1409 and by inserting after section 1407 the following:*

6 ***“SEC. 1408. TRANSFER OF URANIUM.***

7 *“The Secretary may, before the privatization date, transfer to the Corporation without charge raw uranium, low-enriched uranium, and highly enriched uranium.”.*

8 ***SEC. 6. PRIVATIZATION OF THE CORPORATION.***

9 (a) *ESTABLISHMENT OF PRIVATE CORPORATION.—Chapter 25 (42 U.S.C. 2297d et seq.) is amended by adding at the end the following new section:*

1 **“SEC. 1503. ESTABLISHMENT OF PRIVATE CORPORATION.**

2 “(a) *ESTABLISHMENT.*—

3 “(1) *IN GENERAL.*—*In order to facilitate privat-*
4 *ization, the Corporation may provide for the estab-*
5 *lishment of a private corporation organized under the*
6 *laws of any of the several States. Such corporation*
7 *shall have among its purposes the following:*

8 “(A) *To help maintain a reliable and eco-*
9 *nomical domestic source of uranium enrichment*
10 *services.*

11 “(B) *To undertake any and all activities as*
12 *provided in its corporate charter.*

13 “(2) *AUTHORITIES.*—*The corporation established*
14 *pursuant to paragraph (1) shall be authorized to—*

15 “(A) *enrich uranium, provide for uranium*
16 *to be enriched by others, or acquire enriched ura-*
17 *anium (including low-enriched uranium derived*
18 *from highly enriched uranium);*

19 “(B) *conduct, or provide for conducting,*
20 *those research and development activities related*
21 *to uranium enrichment and related processes*
22 *and activities the corporation considers nec-*
23 *essary or advisable to maintain itself as a com-*
24 *mercial enterprise operating on a profitable and*
25 *efficient basis;*

1 “(C) enter into transactions regarding ura-
2 nium, enriched uranium, or depleted uranium
3 with—

4 “(i) persons licensed under section 53,
5 63, 103, or 104 in accordance with the li-
6 censes held by those persons;

7 “(ii) persons in accordance with, and
8 within the period of, an agreement for co-
9 operation arranged under section 123; or

10 “(iii) persons otherwise authorized by
11 law to enter into such transactions;

12 “(D) enter into contracts with persons li-
13 censed under section 53, 63, 103, or 104, for as
14 long as the corporation considers necessary or
15 desirable, to provide uranium or uranium en-
16 richment and related services;

17 “(E) enter into contracts to provide ura-
18 nium or uranium enrichment and related serv-
19 ices in accordance with, and within the period
20 of, an agreement for cooperation arranged under
21 section 123 or as otherwise authorized by law;
22 and

23 “(F) take any and all such other actions as
24 are permitted by the law of the jurisdiction of
25 incorporation of the corporation.

1 “(3) *TRANSFER OF ASSETS.*—For purposes of
2 *implementing the privatization, the Corporation may*
3 *transfer some or all of its assets and obligations to the*
4 *corporation established pursuant to this section, in-*
5 *cluding—*

6 “(A) *all of the Corporation’s assets, includ-*
7 *ing all contracts, agreements, and leases, includ-*
8 *ing all uranium enrichment contracts and power*
9 *purchase contracts;*

10 “(B) *all funds in accounts of the Corpora-*
11 *tion held by the Treasury or on deposit with any*
12 *bank or other financial institution;*

13 “(C) *all of the Corporation’s rights, duties,*
14 *and obligations, accruing subsequent to the pri-*
15 *vatization date, under the power purchase con-*
16 *tracts covered by section 1401(b)(2)(B); and*

17 “(D) *all of the Corporation’s rights, duties,*
18 *and obligations, accruing subsequent to the pri-*
19 *vatization date, under the lease agreement be-*
20 *tween the Department and the Corporation exe-*
21 *cuted by the Department and the Corporation*
22 *pursuant to section 1403.*

23 “(4) *MERGER OR CONSOLIDATION.*—For pur-
24 *poses of implementing the privatization, the Corpora-*
25 *tion may merge or consolidate with the corporation*

1 *established pursuant to subsection (a)(1) if such ac-*
2 *tion is contemplated by the plan for privatization ap-*
3 *proved by the President under section 1502(b). The*
4 *Board shall have exclusive authority to approve such*
5 *merger or consolidation and to take all further ac-*
6 *tions necessary to consummate such merger or con-*
7 *solidation, and no action by or in respect of share-*
8 *holders shall be required. The merger or consolidation*
9 *shall be effected in accordance with, and have the ef-*
10 *fects of a merger or consolidation under, the laws of*
11 *the jurisdiction of incorporation of the surviving cor-*
12 *poration, and all rights and benefits provided under*
13 *this title to the Corporation shall apply to the surviv-*
14 *ing corporation as if it were the Corporation.*

15 *“(5) TAX TREATMENT OF PRIVATIZATION.—*

16 *“(A) TRANSFER OF ASSETS OR MERGER.—*

17 *No income, gain, or loss shall be recognized by*
18 *any person by reason of the transfer of the Cor-*
19 *poration’s assets to, or the Corporation’s merger*
20 *with, the corporation established pursuant to*
21 *subsection (a)(1) in connection with the privat-*
22 *ization.*

23 *“(B) CANCELLATION OF DEBT AND COMMON*

24 *STOCK.—No income, gain, or loss shall be recog-*
25 *nized by any person by reason of any cancella-*

1 *tion of any obligation or common stock of the*
2 *Corporation in connection with the privatiza-*
3 *tion.*

4 *“(b) OSHA REQUIREMENTS.—For purposes of the reg-*
5 *ulation of radiological and nonradiological hazards under*
6 *the Occupational Safety and Health Act of 1970, the cor-*
7 *poration established pursuant to subsection (a)(1) shall be*
8 *treated in the same manner as other employers licensed by*
9 *the Nuclear Regulatory Commission. Any interagency*
10 *agreement entered into between the Nuclear Regulatory*
11 *Commission and the Occupational Safety and Health Ad-*
12 *ministration governing the scope of their respective regu-*
13 *latory authorities shall apply to the corporation as if*
14 *the corporation were a Nuclear Regulatory Commission*
15 *licensee.*

16 *“(c) LEGAL STATUS OF PRIVATE CORPORATION.—*

17 *“(1) NOT FEDERAL AGENCY.—The corporation*
18 *established pursuant to subsection (a)(1) shall not be*
19 *an agency, instrumentality, or establishment of the*
20 *United States Government and shall not be a Govern-*
21 *ment corporation or Government-controlled corpora-*
22 *tion.*

23 *“(2) NO RECOURSE AGAINST UNITED STATES.—*
24 *Obligations of the corporation established pursuant to*
25 *subsection (a)(1) shall not be obligations of, or guar-*

1 *anted as to principal or interest by, the Corporation*
2 *or the United States, and the obligations shall so*
3 *plainly state.*

4 *“(3) NO CLAIMS COURT JURISDICTION.—No ac-*
5 *tion under section 1491 of title 28, United States*
6 *Code, shall be allowable against the United States*
7 *based on the actions of the corporation established*
8 *pursuant to subsection (a)(1).*

9 *“(d) BOARD OF DIRECTOR’S ELECTION AFTER PUBLIC*
10 *OFFERING.—In the event that the privatization is imple-*
11 *mented by means of a public offering, an election of the*
12 *members of the board of directors of the Corporation by the*
13 *shareholders shall be conducted before the end of the 1-year*
14 *period beginning the date shares are first offered to the pub-*
15 *lic pursuant to such public offering.*

16 *“(e) ADEQUATE PROCEEDS.—The Secretary of Energy*
17 *shall not allow the privatization of the Corporation unless*
18 *before the sale date the Secretary determines that the esti-*
19 *mated sum of the gross proceeds from the sale of the Cor-*
20 *poration will be an adequate amount.”.*

21 *(b) OWNERSHIP LIMITATIONS.—Chapter 25 (as*
22 *amended by subsection (a)) is amended by adding at the*
23 *end the following new section:*

1 **“SEC. 1504. OWNERSHIP LIMITATIONS.**

2 “(a) *SECURITIES LIMITATION.*—In the event that the
3 *privatization is implemented by means of a public offering,*
4 *during a period of 3 years beginning on the privatization*
5 *date, no person, directly or indirectly, may acquire or hold*
6 *securities representing more than 10 percent of the total*
7 *votes of all outstanding voting securities of the Corporation.*

8 “(b) *APPLICATION.*—Subsection (a) shall not apply—

9 “(1) *to any employee stock ownership plan of the*
10 *Corporation,*

11 “(2) *to underwriting syndicates holding shares*
12 *for resale, or*

13 “(3) *in the case of shares beneficially held for*
14 *others, to commercial banks, broker-dealers, clearing*
15 *corporations, or other nominees.*

16 “(c) *No director, officer, or employee of the Corpora-*
17 *tion may acquire any securities, or any right to acquire*
18 *securities, of the Corporation—*

19 “(1) *in the public offering of securities of the*
20 *Corporation in the implementation of the privatiza-*
21 *tion,*

22 “(2) *pursuant to any agreement, arrangement,*
23 *or understanding entered into before the privatization*
24 *date, or*

1 “(3) before the election of directors of the Cor-
2 poration under section 1503(d) on any terms more fa-
3 vorable than those offered to the general public.”.

4 (c) *EXEMPTION FROM LIABILITY.*—Chapter 25 (as
5 amended by subsection (b)) is amended by adding at the
6 end the following new section:

7 “**SEC. 1505. EXEMPTION FROM LIABILITY.**

8 “(a) *IN GENERAL.*—No director, officer, employee, or
9 agent of the Corporation shall be liable, for money damages
10 or otherwise, to any party if, with respect to the subject
11 matter of the action, suit, or proceeding, such person was
12 fulfilling a duty, in connection with any action taken in
13 connection with the privatization, which such person in
14 good faith reasonably believed to be required by law or vest-
15 ed in such person.

16 “(b) *EXCEPTION.*—The privatization shall be subject
17 to the Securities Act of 1933 and the Securities Exchange
18 Act of 1934. The exemption set forth in subsection (a) shall
19 not apply to claims arising under such Acts or under the
20 Constitution or laws of any State, territory, or possession
21 of the United States relating to transactions in securities,
22 which claims are in connection with a public offering im-
23 plementing the privatization.”.

1 (d) *RESOLUTION OF CERTAIN ISSUES.*—Chapter 25
2 *(as amended by subsection (c)) is amended by adding at*
3 *the end the following new section:*

4 ***“SEC. 1506. RESOLUTION OF CERTAIN ISSUES.***

5 “(a) *CORPORATION ACTIONS.*—Notwithstanding any
6 *provision of any agreement to which the Corporation is a*
7 *party, the Corporation shall not be considered to be in*
8 *breach, default, or violation of any such agreement because*
9 *of any provision of this chapter or any action the Corpora-*
10 *tion is required to take under this chapter.*

11 “(b) *RIGHT TO SUE WITHDRAWN.*—The United States
12 *hereby withdraws any stated or implied consent for the*
13 *United States, or any agent or officer of the United States,*
14 *to be sued by any person for any legal, equitable, or other*
15 *relief with respect to any claim arising out of, or resulting*
16 *from, acts or omissions under this chapter.”.*

17 (e) *APPLICATION OF PRIVATIZATION PROCEEDS.*—
18 *Chapter 25 (as amended by subsection (d)) is amended by*
19 *adding at the end the following new section:*

20 ***“SEC. 1507. APPLICATION OF PRIVATIZATION PROCEEDS.***

21 “*The proceeds from the privatization shall be included*
22 *in the budget baseline required by the Balanced Budget and*
23 *Emergency Deficit Control Act of 1985 and shall be counted*
24 *as an offset to direct spending for purposes of section 252*
25 *of such Act, notwithstanding section 257(e) of such Act.”.*

1 (f) *CONFORMING AMENDMENT.*—*The table of contents*
 2 *for chapter 25 is amended by inserting after the item for*
 3 *section 1502 the following:*

“*Sec. 1503. Establishment of Private Corporation.*

“*Sec. 1504. Ownership Limitations.*

“*Sec. 1505. Exemption from Liability.*

“*Sec. 1506. Resolution of Certain Issues.*

“*Sec. 1507. Application of Privatization Proceeds.*”.

4 (g) *Section 193 (42 U.S.C. 2243) is amended by add-*
 5 *ing at the end the following:*

6 “(f) *LIMITATION.*—*If the privatization of the United*
 7 *States Enrichment Corporation results in the Corporation*
 8 *being—*

9 “(1) *owned, controlled, or dominated by a for-*
 10 *foreign corporation or a foreign government, or*

11 “(2) *otherwise inimical to the common defense or*
 12 *security of the United States,*

13 *any license held by the Corporation under sections 53 and*
 14 *63 shall be terminated.”.*

15 (h) *PERIOD FOR CONGRESSIONAL REVIEW.*—*Section*
 16 *1502(d) (42 U.S.C. 2297d–1(d)) is amended by striking*
 17 *“less than 60 days after notification of the Congress” and*
 18 *inserting “less than 60 days after the date of the report to*
 19 *Congress by the Comptroller General under subsection (c)”.*

20 ***SEC. 7. PERIODIC CERTIFICATION OF COMPLIANCE.***

21 *Section 1701(c)(2) (42 U.S.C. 2297f(c)(2)) is amended*
 22 *by striking “ANNUAL APPLICATION FOR CERTIFICATE OF*
 23 *COMPLIANCE.*—*The Corporation shall apply at least annu-*

1 *ally to the Nuclear Regulatory Commission for a certificate*
2 *of compliance under paragraph (1).” and inserting “PERI-*
3 *ODIC APPLICATION FOR CERTIFICATE OF COMPLIANCE.—*
4 *The Corporation shall apply to the Nuclear Regulatory*
5 *Commission for a certificate of compliance under para-*
6 *graph (1) periodically, as determined by the Nuclear Regu-*
7 *latory Commission, but not less than every 5 years.”.*

8 **SEC. 8. LICENSING OF OTHER TECHNOLOGIES.**

9 *Subsection (a) of section 1702 (42 U.S.C. 2297f-1(a))*
10 *is amended by striking “other than” and inserting “includ-*
11 *ing”.*

12 **SEC. 9. CONFORMING AMENDMENTS.**

13 *(a) REPEALS IN ATOMIC ENERGY ACT OF 1954 AS OF*
14 *THE PRIVATIZATION DATE.—*

15 *(1) REPEALS.—As of the privatization date (as*
16 *defined in section 1201(13) of the Atomic Energy Act*
17 *of 1954), the following sections (as in effect on such*
18 *privatization date) of the Atomic Energy Act of 1954*
19 *are repealed:*

20 *(A) Section 1202.*

21 *(B) Sections 1301 through 1304.*

22 *(C) Sections 1306 through 1316.*

23 *(D) Sections 1404 and 1405.*

24 *(E) Section 1601.*

25 *(F) Sections 1603 through 1607.*

1 (2) *CONFORMING AMENDMENT.*—The table of
2 contents of such Act is amended by repealing the
3 items referring to sections repealed by paragraph (1).

4 (b) *STATUTORY MODIFICATIONS.*—As of such privat-
5 ization date, the following shall take effect:

6 (1) For purposes of title I of the Atomic Energy
7 Act of 1954, all references in such Act to the “United
8 States Enrichment Corporation” shall be deemed to be
9 references to the corporation established pursuant to
10 section 1503 of the Atomic Energy Act of 1954 (as
11 added by section 6(a)).

12 (2) Section 1018(1) of the Energy Policy Act of
13 1992 (42 U.S.C. 2296b–7(1)) is amended by striking
14 “the United States” and all that follows through the
15 period and inserting “the corporation referred to in
16 section 1201(4) of the Atomic Energy Act of 1954.”.

17 (3) Section 9101(3) of title 31, United States
18 Code, is amended by striking subparagraph (N), as
19 added by section 902(b) of Public Law 102–486.

20 (c) *REVISION OF SECTION 1305.*—As of such privatiza-
21 tion date, section 1305 of the Atomic Energy Act of 1954
22 (42 U.S.C 2297b–4) is amended—

23 (1) by repealing subsections (a), (b), (c), and (d),
24 and

25 (2) in subsection (e)—

1 (A) by striking the subsection designation
2 and heading,

3 (B) by redesignating paragraphs (1) and
4 (2) (as added by section 4(a)) as subsections (a)
5 and (b) and by moving the margins 2-ems to
6 the left,

7 (C) by striking paragraph (3), and

8 (D) by redesignating paragraph (4) (as
9 amended by section 4(b)) as subsection (c), and
10 by moving the margins 2-ems to the left.

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HR 1216 RH—2