

106TH CONGRESS
1ST SESSION

S. 1627

To extend the authority of the Nuclear Regulatory Commission to collect fees through 2004, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23 (legislative day, SEPTEMBER 22), 1999

Mr. INHOFE introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To extend the authority of the Nuclear Regulatory Commission to collect fees through 2004, 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 “NRC Fairness in
5 Funding Act of 1999”.

6 **SEC. 2. NUCLEAR REGULATORY COMMISSION ANNUAL**
7 **CHARGES.**

8 Section 6101 of the Omnibus Budget Reconciliation
9 Act of 1990 (42 U.S.C. 2214) is amended—

1 (1) in subsection (a)(3), by striking “September
2 30, 1999” and inserting “September 30, 2004”; and

3 (2) in subsection (c)—

4 (A) by striking paragraph (2) and insert-
5 ing the following:

6 “(2) AGGREGATE AMOUNT OF CHARGES.—The
7 aggregate amount of the annual charges collected
8 from all licensees shall equal an amount that ap-
9 proximates 100 percent of the budget authority of
10 the Commission for the fiscal year for which the
11 charge is collected, less, with respect to the fiscal
12 year, the sum of—

13 “(A) any amount appropriated to the Com-
14 mission from the Nuclear Waste Fund;

15 “(B) the amount of fees collected under
16 subsection (b); and

17 “(C) for fiscal year 2000 and each fiscal
18 year thereafter, to the extent provided in para-
19 graph (5), the costs of activities of the Commis-
20 sion with respect to which a determination is
21 made under paragraph (5).”; and

22 (B) by adding at the end the following:

23 “(5) EXCLUDED BUDGET COSTS.—

1 “(A) IN GENERAL.—In the budget request
2 for fiscal year 2001 and each fiscal year there-
3 after, the Commission shall—

4 “(i) determine the activities of the
5 Commission that could not be fairly and
6 equitably funded through assessments of
7 annual charges on a licensee or class of li-
8 censee of the Commission; and

9 “(ii) subject to subparagraph (C), re-
10 quest that funding for the activities de-
11 scribed in clause (i) be appropriated to the
12 Commission out of the general fund of the
13 Treasury.

14 “(B) CONSIDERATIONS.—In making the
15 determination under subparagraph (A), the
16 Commission shall consider—

17 “(i) the extent to which activities of
18 the Commission provide benefits to persons
19 that are not licensees of the Commission;
20 and

21 “(ii) the extent to which the Commis-
22 sion cannot, as a matter of law, or does
23 not, as a matter of policy, assess fees or
24 charges on a licensee or class of licensee
25 that benefits from the activities.

1 “(C) MAXIMUM EXCLUDED AMOUNT.—The
2 total amount of costs for which appropriations
3 from the general fund of the Treasury may be
4 sought by the Commission under subparagraph
5 (A)(ii) shall not exceed 12 percent of the budg-
6 et authority of the Commission for any fiscal
7 year.”.

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