

103^D CONGRESS
1ST SESSION

H. R. 2143

To authorize appropriations for the Nuclear Regulatory Commission for fiscal years 1994 and 1995.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 1993

Mr. LEHMAN (by request) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize appropriations for the Nuclear Regulatory Commission for fiscal years 1994 and 1995.

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 “Nuclear Regulatory
5 Commission Authorization Act for Fiscal Years 1994 and
6 1995”.

7 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL**
8 **YEARS 1994 AND 1995.**

9 (a) IN GENERAL.—There are authorized to be appro-
10 priated to the Nuclear Regulatory Commission, in accord-

1 ance with section 261 of the Atomic Energy Act of 1954
2 (42 U.S.C. 2017) and section 305 of the Energy Reorga-
3 nization Act of 1974 (42 U.S.C. 5875), the following
4 amounts:

5 (1) FISCAL YEAR 1994.—\$542,900,000 for fiscal
6 year 1994, to remain available until expended, of
7 which \$22,000,000 is authorized from the Nuclear
8 Waste Fund.

9 (2) FISCAL YEAR 1995.—\$546,800,000 for fiscal
10 year 1995, to remain available until expended, of
11 which \$22,000,000 is authorized from the Nuclear
12 Waste Fund.

13 (b) OFFICE OF INSPECTOR GENERAL.—There are
14 authorized to be appropriated to the Nuclear Regulatory
15 Commission's Office of Inspector General, in accordance
16 with the provisions of section 1105(a)(25) of title 31,
17 United States Code, the following amounts:

18 (1) FISCAL YEAR 1994.—\$4,800,000 for fiscal
19 year 1994, to remain available until expended.

20 (2) FISCAL YEAR 1995.—\$5,000,000 for fiscal
21 year 1995, to remain available until expended.

22 **SEC. 3. ALLOCATION OF AMOUNTS AUTHORIZED.**

23 (a) IN GENERAL.—The amounts authorized to be ap-
24 propriated under section 2(a) for fiscal years 1994 and
25 1995 shall be allocated as follows:

1 (1) REACTOR SAFETY AND SAFEGUARDS REGU-
2 LATION.—Not more than \$163,807,000 for fiscal
3 year 1994, and not more than \$168,005,000 for fis-
4 cal year 1995, may be used for “Reactor Safety and
5 Safeguards Regulation”.

6 (2) REACTOR SAFETY RESEARCH.—Not more
7 than \$99,969,000 for fiscal year 1994, and not more
8 than \$98,339,000 for fiscal year 1995, may be used
9 for “Reactor Safety Research”.

10 (3) NUCLEAR MATERIAL AND LOW-LEVEL
11 WASTE SAFETY AND SAFEGUARDS REGULATION.—
12 Not more than \$61,880,000 for fiscal year 1994,
13 and not more than \$63,025,000 for fiscal year 1995,
14 may be used for “Nuclear Material and Low-Level
15 Waste Safety and Safeguards Regulation”.

16 (4) HIGH-LEVEL NUCLEAR WASTE REGULA-
17 TION.—Not more than \$22,000,000 for fiscal year
18 1994 from the Nuclear Waste Fund, and not more
19 than \$22,000,000 for fiscal year 1995 from the Nu-
20 clear Waste Fund, may be used for “High-Level Nu-
21 clear Waste Regulation”.

22 (5) REACTOR SPECIAL AND INDEPENDENT RE-
23 VIEWS, INVESTIGATIONS, AND ENFORCEMENT.—Not
24 more than \$31,000,000 for fiscal year 1994, and not
25 more than \$31,369,000 for fiscal year 1995, may be

1 used for “Reactor Special and Independent Reviews,
2 Investigations, and Enforcement”.

3 (6) NUCLEAR SAFETY MANAGEMENT AND SUP-
4 PORT.—Not more than \$164,244,000 for fiscal year
5 1994, and not more than \$164,062,000 for fiscal
6 year 1995, may be used for “Nuclear Safety Man-
7 agement and Support”.

8 (b) LIMITATIONS.—The Nuclear Regulatory Commis-
9 sion may not use more than 1 percent of the amounts allo-
10 cated under subsection (a) to exercise its authority under
11 section 31 a. of the Atomic Energy Act of 1954 (42 U.S.C.
12 2051(a)) to enter into grants and cooperative agreements
13 with organizations such as universities, State and local
14 governments, and not-for-profit institutions. Grants made
15 by the Commission shall be made in accordance with chap-
16 ter 63 of title 31, United States Code, and other applicable
17 law.

18 (c) REALLOCATION.—

19 (1) IN GENERAL.—Except as provided in para-
20 graphs (2) and (3), any amount allocated for a fiscal
21 year pursuant to any paragraph of subsection (a) for
22 purposes of the program referred to in any such
23 paragraph may be reallocated by the Nuclear Regu-
24 latory Commission for use in a program referred to

1 in any other paragraph of such subsection, or for
2 use in any other activity within a program.

3 (2) LIMITATION.—The amount available from
4 appropriations in any fiscal year for use in any pro-
5 gram or activity specified in subsection (a) may not,
6 as a result of reallocations made under paragraph
7 (1), be increased or reduced by more than \$500,000,
8 unless the Nuclear Regulatory Commission submits
9 advance notification of such reallocation to the Com-
10 mittee on Energy and Commerce and the Committee
11 on Natural Resources of the House of Representa-
12 tives and the Committee on Environment and Public
13 Works of the Senate. Such notification shall contain
14 a full and complete statement of the reallocation to
15 be made and the facts and circumstances relied upon
16 in support of such reallocation.

17 (3) NUCLEAR WASTE FUND.—Funds authorized
18 to be appropriated from the Nuclear Waste Fund
19 may be used only for the high-level nuclear waste ac-
20 tivities of the Nuclear Regulatory Commission and
21 may not be reprogrammed for other Commission ac-
22 tivities.

23 **SEC. 4. RETENTION OF CERTAIN FUNDS.**

24 Money received by the Nuclear Regulatory Commis-
25 sion for the cooperative nuclear safety research program,

1 services rendered to foreign governments and international
2 organizations, and the material and information access au-
3 thorization programs (including criminal history checks
4 under section 149 of the Atomic Energy Act of 1954 (42
5 U.S.C. 2169)) may be retained and used, subject to appro-
6 priations, for salaries and expenses associated with such
7 activities, notwithstanding the provisions of section 3302
8 of title 31, United States Code, and shall remain available
9 until expended.

10 **SEC. 5. TRANSFER OF CERTAIN FUNDS.**

11 From amounts appropriated to the Nuclear Regu-
12 latory Commission pursuant to section 2(a), except for ap-
13 propriations from the Nuclear Waste Fund, the Commis-
14 sion may transfer amounts to its Office of Inspector Gen-
15 eral, except that the total amount so transferred during
16 any fiscal year may not exceed 5 percent of the amount
17 authorized under section 2(b) for such fiscal year.

18 **SEC. 6. LIMITATION ON SPENDING AUTHORITY.**

19 Notwithstanding any other provision of this Act, no
20 authority to make payments under this Act shall be effec-
21 tive except to such extent or in such amounts as are pro-
22 vided in advance in appropriation Acts.

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