

Calendar No. 433105TH CONGRESS
2^D SESSION**S. 2090****[Report No. 105-223]**

To extend the authority of the Nuclear Regulatory Commission to collect fees through 2003, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 18, 1998

Mr. CHAFEE (for himself, Mr. INHOFE, Mr. GRAHAM, Mr. SMITH of New Hampshire, and Mr. JEFFORDS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

JUNE 25, 1998

Reported by Mr. CHAFEE, without amendment

A BILL

To extend the authority of the Nuclear Regulatory Commission to collect fees through 2003, 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 1998”.

1 **SEC. 2. NUCLEAR REGULATORY COMMISSION ANNUAL**
2 **CHARGES.**

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

5 (1) in subsection (a)(3), by striking “September
6 30, 1998” and inserting “September 30, 2003”; and

7 (2) in subsection (c)—

8 (A) by striking paragraph (2) and insert-
9 ing the following:

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

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

19 “(B) the amount of fees collected under
20 subsection (b); and

21 “(C) for fiscal year 1999 and each fiscal
22 year thereafter, to the extent provided in para-
23 graph (5), the costs of activities of the Commis-
24 sion with respect to which a determination is
25 made under paragraph (5).”; and

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

1 “(5) EXCLUDED BUDGET COSTS.—

2 “(A) IN GENERAL.—The rulemaking under
3 paragraph (3) shall include a determination of
4 the costs of activities of the Commission for
5 which it would not be fair and equitable to as-
6 sess annual charges on a Nuclear Regulatory
7 Commission licensee or class of licensee.

8 “(B) CONSIDERATIONS.—In making the
9 determination under subparagraph (A), the
10 Commission shall consider—

11 “(i) the extent to which activities of
12 the Commission provide benefits to persons
13 that are not licensees of the Commission;

14 “(ii) the extent to which the Commis-
15 sion is unable to assess fees or charges on
16 a licensee or class of licensee that benefits
17 from the activities; and

18 “(iii) the extent to which the costs to
19 the Nuclear Regulatory Commission of ac-
20 tivities are commensurate with the benefits
21 provided to the licensees from the activi-
22 ties.

23 “(C) MAXIMUM EXCLUDED COSTS.—The
24 total amount of costs excluded by the Commis-
25 sion pursuant to the determination under sub-

1 paragraph (A) shall not exceed \$30,000,000 for
2 any fiscal year.”.

Calendar No. 433

105TH CONGRESS
2^D SESSION

S. 2090

[Report No. 105-223]

A BILL

To extend the authority of the Nuclear Regulatory Commission to collect fees through 2003, and for other purposes.

JUNE 25, 1998

Reported without amendment