

111TH CONGRESS
1ST SESSION

H. R. 3385

To authorize the use of amounts in the Nuclear Waste Fund to promote the recycling of spent nuclear fuel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2009

Mr. BARTON of Texas (for himself, Mr. UPTON, Mr. TERRY, Mr. SHIMKUS, Mr. ROGERS of Michigan, Mr. BRADY of Texas, Mr. BURGESS, Mr. WHITFIELD, Mr. POE of Texas, Mrs. MYRICK, Mrs. BONO MACK, Mr. GALLEGLY, and Mr. PITTS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the use of amounts in the Nuclear Waste Fund to promote the recycling of spent nuclear fuel, 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. USE OF FUNDS FOR RECYCLING.**

4 Section 302 of the Nuclear Waste Policy Act of 1982
5 (42 U.S.C. 10222) is amended—

1 (1) in subsection (d), by striking “The Sec-
2 retary may” and inserting “Except as provided in
3 subsection (f), the Secretary may”; and

4 (2) by adding at the end the following new sub-
5 section:

6 “(f) RECYCLING.—

7 “(1) IN GENERAL.—Amounts in the Waste
8 Fund may be used by the Secretary of Energy to
9 make grants to or enter into long-term contracts
10 with private sector entities for the recycling of spent
11 nuclear fuel.

12 “(2) COMPETITIVE SELECTION.—Grants and
13 contracts authorized under paragraph (1) shall be
14 awarded on the basis of a competitive bidding proc-
15 ess that—

16 “(A) maximizes the competitive efficiency
17 of the projects funded;

18 “(B) best serves the goal of reducing the
19 amount of waste requiring disposal under this
20 Act; and

21 “(C) ensures adequate protection against
22 the proliferation of nuclear materials that could
23 be used in the manufacture of nuclear weap-
24 ons.”.

1 **SEC. 2. RULEMAKING FOR LICENSING OF SPENT NUCLEAR**
2 **FUEL RECYCLING FACILITIES.**

3 (a) REQUIREMENT.—The Nuclear Regulatory Com-
4 mission shall, as expeditiously as possible, but in no event
5 later than 2 years after the date of enactment of this Act,
6 complete a rulemaking establishing a process for the li-
7 censing by the Nuclear Regulatory Commission, under the
8 Atomic Energy Act of 1954, of facilities for the recycling
9 of spent nuclear fuel.

10 (b) FUNDING.—Amounts in the Nuclear Waste Fund
11 established under section 302 of the Nuclear Waste Policy
12 Act of 1982 (42 U.S.C. 10222) shall be made available
13 to the Nuclear Regulatory Commission to cover the costs
14 of carrying out subsection (a) of this section.

15 **SEC. 3. NUCLEAR WASTE FUND BUDGET STATUS.**

16 Section 302(e) of the Nuclear Waste Policy Act of
17 1982 (42 U.S.C. 10222(e)) is amended by adding at the
18 end the following new paragraph:

19 “(7) The receipts and disbursements of the Waste
20 Fund shall not be counted as new budget authority, out-
21 lays, receipts, or deficits or surplus for purposes of—

22 “(A) the budget of the United States Govern-
23 ment as submitted by the President;

24 “(B) the congressional budget; or

1 “(C) the Balanced Budget and Emergency Def-
2 icit Control Act of 1985.”.

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