

# Union Calendar No. 356

108TH CONGRESS  
2D SESSION

# H. R. 3981

[Report No. 108–594]

To reclassify fees paid into the Nuclear Waste Fund as offsetting collections,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2004

Mr. BARTON of Texas (by request): introduced the following bill; which was  
referred to the Committee on Energy and Commerce

JULY 9, 2004

Additional sponsors: Mr. NORWOOD, Mr. PICKERING, Mr. BONNER, Mr.  
EVERETT, Mr. ROGERS of Alabama, and Mr. BROWN of South Carolina

JULY 9, 2004

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 *italie*]

[For text of introduced bill, see copy of bill as introduced on March 17, 2004]

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## A BILL

To reclassify fees paid into the Nuclear Waste Fund as  
offsetting collections, 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,*

1 **SECTION 1. NUCLEAR WASTE FUND MANAGEMENT.**

2       (a) *OFFSETTING COLLECTIONS.*—Beginning on Octo-  
3 ber 1, 2004, and continuing through September 30, 2009,  
4 fees collected by the Secretary of Energy and deposited into  
5 the Nuclear Waste Fund under the Nuclear Waste Policy  
6 Act of 1982 (42 U.S.C. 10101 et seq.) shall be credited to  
7 the Nuclear Waste Fund as offsetting collections in amounts  
8 not to exceed the amounts annually appropriated during  
9 that period from the Nuclear Waste Fund. For fiscal year  
10 2005, such amounts shall not exceed \$576,000,000. Con-  
11 sistent with existing law, such amounts may only be used  
12 for purposes authorized under the Nuclear Waste Policy Act  
13 of 1982.

14       (b) *ADDITIONAL NECESSARY SUMS.*—To the extent  
15 that the level of budgetary resources from offsetting collec-  
16 tions is insufficient to implement activities under the Nu-  
17 clear Waste Policy Act of 1982 for a fiscal year, there are  
18 authorized to be appropriated for implementing those ac-  
19 tivities such additional sums as may be necessary from the  
20 balances in the Nuclear Waste Fund.

21 **SEC. 2. REPORT.**

22       Not later than one year after the date of enactment  
23 of this Act, and every two years thereafter, the Secretary  
24 shall submit to the Congress a report on the adequacy of  
25 the Nuclear Waste Fund that includes an assessment of  
26 whether current unexpended balances in the Fund, if made

1 *fully available to the Secretary, would affect annual fee de-*  
2 *terminations (including whether a reduction to the fee may*  
3 *be necessary) made pursuant to section 302(a)(4) of the Nu-*  
4 *clear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(4)).*  
5 *The report shall also include recommendations to Congress*  
6 *on whether this Act should be extended beyond its current*  
7 *expiration date of September 30, 2009, and whether alter-*  
8 *native approaches may be necessary to access unexpended*  
9 *balances in the Nuclear Waste Fund.*

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