

July 23, 2001

MEMORANDUM TO: Chairman Meserve  
Commissioner Dicus  
Commissioner McGaffigan  
Commissioner Merrifield

FROM: Dennis K. Rathbun, Director **/RA/**  
Office of Congressional Affairs

SUBJECT: SENATE ENERGY AND WATER DEVELOPMENT  
APPROPRIATIONS FOR FY 2002

On July 19, 2001, the Senate amended and passed H.R. 2311 by a vote of 97-2. Senators McCain (R-AZ) and Voinovich (R-OH) voted against the bill and Senator Ensign (R-NV) did not vote. There are significant differences between the Senate and House bills. The Senate bill is about \$1.4 billion higher than the House level - - and (as is usually the case) the Senate bill has more money for DOE nuclear weapons programs while the House version emphasizes the Corps of Engineers water projects.

The Senate bill and relevant report language are attached for your information. The NRC received \$516.9 million for its Salaries and Expenses, which is \$10 million more than our budget request. The additional funding recognizes the possibility that several entities are considering applications to the Commission for an Early Site Permit, a Combined Operating License, and/or a Design Certificate for new nuclear power plants. The Senate recommended that the cost of the activities for these initial reviews should be shared between the Federal Government and the nuclear industry. As such, \$5 million will be appropriated from the general fund of the Treasury and \$5 million will be recovered through fees assessed to NRC licensees and applicants. Additionally, the Senate bill states that no funds shall be made available to implement or enforce 10 CFR Part 35 as adopted by the Commission on October 23, 2000. The Senate report accompanying the bill also addresses the implementation of Part 35.

Regarding the Office of the Inspector General, the Senate provided \$5.5 million, which is approximately \$700 thousand less than the request and what the House provided for the IG.

Also, Yucca Mountain is among the few DOE programs that would receive less funding under the Senate bill. The Senate provided \$275 million - - that is \$160 million less than the Administration's request and what the House bill would provide for the program.

The Conference has not been scheduled.

Attachment: As Stated

cc:	EDO	OGC	NRR
	RES	OGC/Cyr	OCAA
	CFO	SECY	OIP
	OPA	ACRS/ACNW	NMSS

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