

August 3, 2001

MEMORANDUM TO: Chairman Meserve
Commissioner Dicus
Commissioner McGaffigan
Commissioner Merrifield

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

SUBJECT: HOUSE AND SENATE ACTION ON ENERGY BILLS

During this last week before Congress recesses for the month of August, significant congressional action occurred on comprehensive energy legislation. The House approved H.R. 4, Securing America's Future Energy Act ("SAFE" Act) in the early hours of August 2, and the Senate Energy and Natural Resources Committee began to mark up S. 597, the Comprehensive and Balanced Energy Policy Act.

The House approved H.R. 4 by a vote of 240-189. Earlier in the week, during Rules Committee review of the rule for consideration of H.R. 4, Section 301--which would have taken the Nuclear Waste Fund off-budget--was deleted in response to a point of order raised by Rep. Jim Gibbons (R-NV). Earlier, Rep. Bill Young (R-FL), Chair of the House Appropriations Committee, said that taking the Waste Fund off-budget would be a budget buster and that he, too, opposed it for that reason. During Floor consideration, Energy and Commerce Committee Chairman Tauzin (R-LA) successfully offered an amendment authorizing various energy studies, including one regarding developing nuclear reactors at existing DOE sites. The nuclear sections include provisions regarding NRC Commission meetings, an annual report on energy independence, the license period for nuclear power plant combined licenses, NRC cost recovery from government agencies, the uranium industry, a DOE decontamination and decommissioning plan for Paducah, university nuclear science and engineering research, nuclear R&D, and nuclear decommissioning costs. The bill also includes several sections pertaining to energy efficiency in federal buildings. OCA will circulate the pertinent provisions of H.R. 4 as approved by the House when available; OGC will prepare an analysis of them.

The Senate Energy and Natural Resources Committee approved just the research and development title of S. 597 on August 2. Of interest to the NRC, Subtitle D-Nuclear Energy, includes sections on university nuclear science and engineering support, enhanced nuclear energy R&D, nuclear energy plant optimization, and nuclear energy technology development program (see my memo of 7/30/01 for the specific legislative language). The Committee intends to complete markup of the other titles of the bill in September.

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

CONTACT: Laura Gerke, 415-1692