



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 3, 2020

The Honorable John A. Barrasso
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of March 27, 2020, requesting that the NRC consider temporarily deferring collecting fees and charges from NRC's licensees that are experiencing challenges given the COVID-19 Pandemic. We understand that some of our licensees have pledged not to interrupt or disconnect service to institutions or individuals despite their inability to pay, and that this has the potential to create financial challenges for these licensees absent such deferral. To prepare for the possibility of a licensee request to defer fee payments, the NRC has assessed annual fee options, considered the flexibility within the billing schedule, and consulted with the Office of Management and Budget (OMB) regarding user fees.

Our evaluation considered existing statutory authorities and mandates. Under the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. § 2214), the NRC is obligated to collect approximately 90% of its appropriations from fees in the same fiscal year they are incurred. In addition, under the Independent Offices Appropriation Act of 1952 (31 U.S.C. § 9701), the NRC must recover the cost of providing services to identifiable recipients. Further, OMB Circular A-25 establishes federal policy regarding agency collection of fees for services. The NRC would assess the merits of any particular relief request submitted by an individual licensee or group of licensees within the flexibilities provided by these authorities.

If you have any questions or need additional information, please contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

Kristine L. Svinicki

Identical letter sent to:

The Honorable John A. Barrasso
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

The Honorable Thomas R. Carper
Ranking Member, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

The Honorable Greg Walden
Ranking Member, House Committee on
Energy and Commerce
United States House of Representatives
Washington, DC 20515