

**AMENDMENT TO THE COMMITTEE PRINT
OFFERED BY MR. UPTON OF MICHIGAN (FOR
HIMSELF AND MR. TOWNS OF NEW YORK)**

In title VI, subtitle B, add at the end the following
new section:

1 SEC. 639. NUCLEAR WASTE FUND MANAGEMENT.

2 (a) OFFSETTING COLLECTIONS.—Beginning on Oc-
3 tober 1, 2006, and continuing through September 30,
4 2011, fees collected by the Secretary of Energy and depos-
5 ited into the Nuclear Waste Fund under the Nuclear
6 Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.) shall
7 be credited to the Nuclear Waste Fund as offsetting collec-
8 tions in amounts not to exceed the amounts annually ap-
9 propriated during that period from the Nuclear Waste
10 Fund. For fiscal year 2007, such amounts shall not exceed
11 \$576,000,000. Consistent with existing law, such amounts
12 may only be used for purposes authorized under the Nu-
13 clear Waste Policy Act 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
18 are authorized to be appropriated for implementing those



1 activities such additional sums as may be necessary from
2 the balances in the Nuclear Waste Fund.

3 (c) REPORT.—Not later than one year after the date
4 of enactment of this Act, and every two years thereafter,
5 the Secretary shall submit to the Congress a report on
6 the adequacy of the Nuclear Waste Fund that includes
7 an assessment of whether current unexpended balances in
8 the Fund, if made fully available to the Secretary, would
9 affect annual fee determinations (including whether a re-
10 duction to the fee may be necessary) made pursuant to
11 section 302(a)(4) of the Nuclear Waste Policy Act of 1982
12 (42 U.S.C. 10222(a)(4)). The report shall also include rec-
13 ommendations to Congress on whether this Act should be
14 extended beyond its current expiration date of September
15 30, 2009, and whether alternative approaches may be nec-
16 essary to access unexpended balances in the Nuclear
17 Waste Fund.

