

tion [amending section 2214 of this title and repealing this section] take effect on October 1, 2006.”

**§ 2214. Repealed. Pub. L. 115–439, title I, § 101(b), Jan. 14, 2019, 132 Stat. 5568**

Section, Pub. L. 101–508, title VI, §6101, Nov. 5, 1990, 104 Stat. 1388–298; Pub. L. 102–486, title XXIX, §2903(a), Oct. 24, 1992, 106 Stat. 3125; Pub. L. 103–66, title VII, §7001, Aug. 10, 1993, 107 Stat. 401; Pub. L. 105–245, title V, §505, Oct. 7, 1998, 112 Stat. 1856; Pub. L. 106–60, title VI, §604, Sept. 29, 1999, 113 Stat. 501; Pub. L. 106–377, §1(a)(2) [title VIII], Oct. 27, 2000, 114 Stat. 1441, 1441A–86; Pub. L. 109–58, title VI, §637(a), Aug. 8, 2005, 119 Stat. 791; Pub. L. 109–103, title IV, Nov. 19, 2005, 119 Stat. 2283; Pub. L. 115–439, title I, §101(a), Jan. 14, 2019, 132 Stat. 5567, related to NRC user fees and annual charges. See section 2215 of this title.

**EFFECTIVE DATE OF REPEAL**

Pub. L. 115–439, title I, §101(b), Jan. 14, 2019, 132 Stat. 5568, provided that: “Effective October 1, 2020, section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is repealed.”

**§ 2215. Nuclear Regulatory Commission user fees and annual charges for fiscal year 2021 and each fiscal year thereafter**

**(a) Annual budget justification**

**(1) In general**

In the annual budget justification submitted by the Commission to Congress, the Commission shall expressly identify anticipated expenditures necessary for completion of the requested activities of the Commission anticipated to occur during the applicable fiscal year.

**(2) Restriction**

Budget authority granted to the Commission for purposes of the requested activities of the Commission shall be used, to the maximum extent practicable, solely for conducting requested activities of the Commission.

**(3) Limitation on corporate support costs**

With respect to the annual budget justification submitted to Congress, corporate support costs, to the maximum extent practicable, shall not exceed the following percentages of the total budget authority of the Commission requested in the annual budget justification:

(A) 30 percent for each of fiscal years 2021 and 2022.

(B) 29 percent for each of fiscal years 2023 and 2024.

(C) 28 percent for fiscal year 2025 and each fiscal year thereafter.

**(b) Fees and charges**

**(1) Annual assessment**

**(A) In general**

Each fiscal year, the Commission shall assess and collect fees and charges in accordance with paragraphs (2) and (3) in a manner that ensures that, to the maximum extent practicable, the amount assessed and collected is equal to an amount that approximates—

(i) the total budget authority of the Commission for that fiscal year; less

(ii) the budget authority of the Commission for the activities described in subparagraph (B).

**(B) Excluded activities described**

The activities referred to in subparagraph (A)(ii) are the following:

(i) Any fee relief activity, as identified by the Commission.

(ii) Amounts appropriated for a fiscal year to the Commission—

(I) from the Nuclear Waste Fund established under section 10222(c) of this title;

(II) for implementation of section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2601 note;<sup>1</sup> Public Law 108–375);

(III) for the homeland security activities of the Commission (other than for the costs of fingerprinting and background checks required under section 2169 of this title and the costs of conducting security inspections);

(IV) for the Inspector General services of the Commission provided to the Defense Nuclear Facilities Safety Board;

(V) for research and development at universities in areas relevant to the mission of the Commission; and

(VI) for a nuclear science and engineering grant program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

(iii) Costs for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, including activities required under section 103.<sup>1</sup>

**(C) Exception**

The exclusion described in subparagraph (B)(iii) shall cease to be effective on January 1, 2031.

**(D) Report**

Not later than December 31, 2029, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the views of the Commission on the continued appropriateness and necessity of the funding described in subparagraph (B)(iii).

**(2) Fees for service or thing of value**

In accordance with section 9701 of title 31, the Commission shall assess and collect fees from any person who receives a service or thing of value from the Commission to cover the costs to the Commission of providing the service or thing of value.

**(3) Annual charges**

**(A) In general**

Subject to subparagraph (B) and except as provided in subparagraph (D), the Commission may charge to any licensee or certificate holder of the Commission an annual

<sup>1</sup> See References in Text below.