

ESTIMATED CHANGES IN DIRECT SPENDING FOR RULES COMMITTEE PRINT 115-69 (H.R. 3053, THE NUCLEAR WASTE POLICY ACT AMENDMENTS ACT OF 2018, AS REPORTED BY THE COMMITTEE ON ENERGY AND COMMERCE, WITH MODIFICATIONS)

By Fiscal Year, in Millions of Dollars												
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2019-2023	2019-2028

INCREASES IN DIRECT SPENDING RELATIVE TO DIRECTION BY THE HOUSE COMMITTEE ON THE BUDGET

Forgone Receipts from Annual Fees												
Estimated Budget Authority	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays	0	0	0	0	0	0	0	0	0	0	0	0

Memorandum:

INCREASES IN DIRECT SPENDING RELATIVE TO CBO'S BASELINE PROJECTIONS

Forgone Receipts from Annual Fees												
Estimated Budget Authority	385	385	385	385	385	385	385	385	385	385	1,925	3,850
Estimated Outlays	385	385	385	385	385	385	385	385	385	385	1,925	3,850

DESCRIPTION

Rules Committee Print 115-69 would modify the Department of Energy's (DOE's) authority to collect annual fees charged to utilities with nuclear plants. (Such fees are governed by statutory provisions of the Nuclear Waste Policy Act and the terms of contracts entered into pursuant to that act. As a result, they are classified as offsetting receipts, which are credited against mandatory spending.) The legislation would prohibit DOE from accepting any payments of such fees until the Nuclear Regulatory Commission (NRC) issues a decision related to DOE's application for a license to build a geologic repository to permanently dispose of civilian nuclear waste at Yucca Mountain, Nevada. In years following the NRC's decision, the committee print would require any annual fees collected pursuant to the act to be credited as offsetting collections to annual appropriation acts that provide funding for DOE to construct such a repository—effectively reclassifying projected fees from mandatory offsetting receipts to discretionary offsetting collections.

BUDGETARY EFFECTS

CBO estimates that the committee print would reduce projected mandatory receipts from annual fees that utilities might otherwise pay by nearly \$3.9 billion over the 2019-2028

period. However, the House Committee on the Budget has directed CBO to estimate the legislation's budgetary effects using an assumption that utilities will not pay such fees over the 2019-2028 period. Under that assumption, CBO estimates that the fee-related provisions of the committee print would have no effect on direct spending over that period. For more information on CBO's baseline projections of receipts see the cost estimate linked below.

Because the committee print would reclassify, from mandatory to discretionary, projected receipts from annual fees paid by utilities under the NWPA, CBO estimates that enacting that version would increase net direct spending by more than \$2.5 billion in each of the four consecutive 10-year periods beginning after 2028.

PREVIOUS CBO ESTIMATE

On October 4, 2017, CBO transmitted a cost estimate for H.R. 3053, the Nuclear Waste Policy Amendments Act of 2017, as ordered reported by the House Committee on Energy and Commerce on June 28, 2017 (www.cbo.gov/publication/53182). Differences in our estimates of direct spending reflect modifications that were incorporated into Rules Committee Print 115-69. In particular, the committee print would:

- Reclassify, from mandatory to discretionary, annual fees assessed on nuclear utilities in years after the Nuclear Regulatory Commission issues a decision related to the DOE's application for a license to construct a geologic repository at Yucca Mountain in Nevada;
- Specify that any spending to provide assistance to state or local governments affected by the disposal program would be subject to appropriation; and
- Eliminate provisions of the previous version of H.R. 3053 that would authorize direct spending of balances in the Nuclear Waste Fund.