

I urge my colleagues to join us in supporting passage of this important resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2983. Mr. VOINOVICH (for himself, Mr. BINGAMAN, Mr. SMITH, of New Hampshire, Mr. DOMENICI, Ms. LANDRIEU, Mr. MURKOWSKI, Mr. HAGEL, Mr. CRAPO, Mr. THOMAS, Mr. INHOFE, Mr. THOMPSON, Mr. BOND, Mr. CAMPBELL, Mr. FRIST, Mr. KYL, Mr. CRAIG, Mrs. LINCOLN, Mr. HUTCHINSON, and Mr. SESSIONS) proposed an amendment to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

SA 2984. Mr. REID proposed an amendment to amendment SA 2983 proposed by Mr. VOINOVICH (for himself, Mr. BINGAMAN, Mr. SMITH of New Hampshire, Mr. DOMENICI, Ms. LANDRIEU, Mr. MURKOWSKI, Mr. HAGEL, Mr. CRAPO, Mr. THOMAS, Mr. INHOFE, Mr. THOMPSON, Mr. BOND, Mr. CAMPBELL, Mr. FRIST, Mr. KYL, Mr. CRAIG, Mrs. LINCOLN, Mr. HUTCHINSON, and Mr. SESSIONS) to the amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

SA 2985. Mr. BUNNING (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 2986. Mr. BINGAMAN (for himself, Mr. BAUCUS, Mr. BOND, Mr. BREAU, Mr. CAMPBELL, Mr. CONRAD, Mr. DORGAN, Mr. INHOFE, Ms. LANDRIEU, Mrs. LINCOLN, Mr. THOMAS, Mr. SESSIONS, Mr. ROCKEFELLER, Mr. ENZI, Mr. MURKOWSKI, Mr. NICKLES, Mr. HUTCHINSON, and Mr. VOINOVICH) proposed an amendment to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

SA 2987. Mr. CRAIG proposed an amendment to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

SA 2988. Mr. MURKOWSKI proposed an amendment to amendment SA 2979 proposed by Mr. McCAIN (for himself, Mr. HOLLINGS, Mrs. MURRAY, Mr. BINGAMAN, Mr. BREAU, Mr. SMITH of Oregon, Mr. DOMENICI, Mrs. HUTCHINSON, and Mr. WYDEN) to the amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

SA 2989. Mrs. FEINSTEIN (for herself, Ms. CANTWELL, Mr. WYDEN, Mrs. BOXER, Mr. LEAHY, Mr. DURBIN, Mr. FITZGERALD, and Mr. CORZINE) proposed an amendment to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

SA 2990. Mr. BINGAMAN (for himself and Mr. DOMENICI) proposed an amendment to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

SA 2991. Mr. BINGAMAN (for Mr. AKAKA) proposed an amendment to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

TEXT OF AMENDMENTS

SA 2983. Mr. VOINOVICH (for himself, Mr. BINGAMAN, Mr. SMITH of New Hampshire, Mr. DOMENICI, Ms.

LANDRIEU, Mr. MURKOWSKI, Mr. HAGEL, Mr. CRAPO, Mr. THOMAS, Mr. INHOFE, Mr. THOMPSON, Mr. BOND, Mr. CAMPBELL, Mr. FRIST, Mr. KYL, Mr. CRAIG, Mrs. LINCOLN, Mr. HUTCHINSON, and Mr. SESSIONS) proposed an amendment to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; as follows:

On page 115, strike line 5 and all that follows through page 119, line 10 and insert the following:

Subtitle A—Price-Anderson Act Reauthorization

SEC. 501. SHORT TITLE.

This subtitle may be cited as the “Price-Anderson Amendments Act of 2002”.

SEC. 502. EXTENSION OF INDEMNIFICATION AUTHORITY.

(a) INDEMNIFICATION OF NUCLEAR REGULATORY COMMISSION LICENSEES.—Section 170 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(c)) is amended—

(1) in the subsection heading, by striking “LICENSES” and inserting “LICENSEES”; and

(2) by striking “August 1, 2002” each place it appears and inserting “August 1, 2012”.

(b) INDEMNIFICATION OF DEPARTMENT OF ENERGY CONTRACTORS.—Section 170 d.(1)(A) of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)(1)(A)) is amended by striking “, until August 1, 2002,”.

(c) INDEMNIFICATION OF NONPROFIT EDUCATIONAL INSTITUTIONS.—Section 170 k. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(k)) is amended by striking “August 1, 2002” each place it appears and inserting “August 1, 2012”.

SEC. 503. DEPARTMENT OF ENERGY LIABILITY LIMIT.

(a) INDEMNIFICATION OF DEPARTMENT OF ENERGY CONTRACTORS.—Section 170 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)) is amended by striking paragraph (2) and inserting the following:

“(2) In agreements of indemnification entered into under paragraph (1), the Secretary—

“(A) may require the contractor to provide and maintain financial protection of such a type and in such amounts as the Secretary shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity; and

“(B) shall indemnify the persons indemnified against such liability above the amount of the financial protection required, in the amount of \$10,000,000,000 (subject to adjustment for inflation under subsection t.), in the aggregate, for all persons indemnified in connection with such contract and for each nuclear incident, including such legal costs of the contractor as are approved by the Secretary.”.

(b) CONTRACT AMENDMENTS.—Section 170 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)) is further amended by striking paragraph (3) and inserting the following:

“(3) All agreements of indemnification under which the Department of Energy (or its predecessor agencies) may be required to indemnify any person under this section shall be deemed to be amended, on the date of the enactment of the Price-Anderson Amendments Act of 2002, to reflect the amount of indemnity for public liability and any applicable financial protection required of the contractor under this subsection.”.

(c) LIABILITY LIMIT.—Section 170 e.(1)(B) of the Atomic Energy Act of 1954 (42 U.S.C. 2210(e)(1)(B)) is amended

(1) by striking “the maximum amount of financial protection required under subsection b. or”; and

(2) by striking “paragraph (3) of subsection d., whichever amount is more” and inserting “paragraph (2) of subsection d.”.

SEC. 504. INCIDENTS OUTSIDE THE UNITED STATES.

(a) AMOUNT OF INDEMNIFICATION.—Section 170 d.(5) of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)(5)) is amended by striking “\$100,000,000” and inserting “\$500,000,000”.

(b) LIABILITY LIMIT.—Section 170 e.(4) of the Atomic Energy Act of 1954 (42 U.S.C. 2210(e)(4)) is amended by striking “\$100,000,000” and inserting “\$500,000,000”.

SEC. 505. REPORTS.

Section 170 p. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(p)) is amended by striking “August 1, 1998” and inserting “August 1, 2008”.

SEC. 506. INFLATION ADJUSTMENT.

Section 170 t. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(t)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by adding after paragraph (1) the following:

“(2) The Secretary shall adjust the amount of indemnification provided under an agreement of indemnification under subsection d. not less than once during each 5-year period following July 1, 2002, in accordance with the aggregate percentage change in the Consumer Price Index since—

“(A) that date, in the case of the first adjustment under this paragraph; or

“(B) the previous adjustment under this paragraph.”.

SEC. 507. CIVIL PENALTIES.

(a) REPEAL OF AUTOMATIC REMISSION.—Section 234A b.(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2282a (b)(2)) is amended by striking the last sentence.

(b) LIMITATION FOR NOT-FOR-PROFIT INSTITUTIONS.—Subsection d. of section 234A of the Atomic Energy Act of 1954 (42 U.S.C. 2282a(d)) is amended to read as follows:

“d. (1) Notwithstanding subsection a., in the case of any not-for-profit contractor, subcontractor, or supplier, the total amount of civil penalties assessed under subsection a. may not exceed the total amount of fees paid within any one-year period (as determined by the Secretary) under the contract under which the violation occurs.

“(2) For purposes of this section, the term ‘not-for-profit’ means that no part of the net earnings of the contractor, subcontractor, or supplier inures, or may lawfully inure, to the benefit of any natural person or for-profit artificial person.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall not apply to any violation of the Atomic Energy Act of 1954 occurring under a contract entered into before the date of enactment of this section.

SEC. 508. TREATMENT OF MODULAR REACTORS.

Section 170 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(b)) is amended by adding at the end the following:

“(5)(A) For purposes of this section only, the Commission shall consider a combination of facilities described in subparagraph (B) to be a single facility having a rated capacity of 100,000 electrical kilowatts or more.

“(B) A combination of facilities referred to in subparagraph (A) is 2 or more facilities located at a single site, each of which has a rated capacity of 100,000 electrical kilowatts or more but not more than 300,000 electrical kilowatts, with a combined rated capacity of not more than 1,300,000 electrical kilowatts.”.

SEC. 509. EFFECTIVE DATE.

The amendments made by sections 503(a) and 504 do not apply to any nuclear incident