

107TH CONGRESS  
1ST SESSION

# H. R. 2983

To extend indemnification authority under section 170 of the Atomic Energy Act of 1954, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 2, 2001

Mrs. WILSON (for herself, Mr. BARTON of Texas, Mr. NORWOOD, Mrs. TAUSCHER, Mr. FOSSELLA, Mr. BLUNT, Mr. BURR of North Carolina, Mr. WELLER, and Mr. WHITFIELD) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To extend indemnification authority under section 170 of the Atomic Energy Act of 1954, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Price-Anderson Reau-  
5 thorization Act of 2001”.

6 **SEC. 2. EXTENSION OF INDEMNIFICATION AUTHORITY.**

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

1 (1) in the subsection heading, by striking “LI-  
2 CENSES” and inserting “LICENSEES”; and

3 (2) by striking “August 1, 2002” each place it  
4 appears and inserting “August 1, 2017”.

5 (b) INDEMNIFICATION OF DEPARTMENT OF ENERGY  
6 CONTRACTORS.—Section 170 d.(1)(A) of the Atomic En-  
7 ergy Act of 1954 (42 U.S.C. 2210(d)(1)(A)) is amended  
8 by striking “August 1, 2002” and inserting “August 1,  
9 2017”.

10 (c) INDEMNIFICATION OF NONPROFIT EDUCATIONAL  
11 INSTITUTIONS.—Section 170 k. of the Atomic Energy Act  
12 of 1954 (42 U.S.C. 2210(k)) is amended by striking “Au-  
13 gust 1, 2002” each place it appears and inserting “August  
14 1, 2017”.

15 **SEC. 3. MAXIMUM ASSESSMENT.**

16 Section 170 b.(1) of the Atomic Energy Act of 1954  
17 (42 U.S.C. 2210(b)(1)) is amended—

18 (1) in the second proviso of the third  
19 sentence—

20 (A) by striking “\$63,000,000” and insert-  
21 ing “\$94,000,000”; and

22 (B) by striking “\$10,000,000 in any 1  
23 year” and inserting “\$15,000,000 in any 1 year  
24 (subject to adjustment for inflation under sub-  
25 section t.)”; and

1 (2) in subsection t.—

2 (A) by inserting “total and annual” after  
3 “amount of the maximum”;

4 (B) by striking “the date of the enactment  
5 of the Price-Anderson Amendments Act of  
6 1988” and inserting “July 1, 2001”; and

7 (C) by striking “such date of enactment”  
8 and inserting “July 1, 2001”.

9 **SEC. 4. DEPARTMENT OF ENERGY LIABILITY LIMIT.**

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

14 “(2) INDEMNIFICATION AGREEMENTS.—In an agree-  
15 ment of indemnification entered into under paragraph (1),  
16 the Secretary—

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

22 “(B) shall indemnify the persons indemnified  
23 against such liability above the amount of the finan-  
24 cial protection required, in the amount of  
25 \$10,000,000,000 (subject to adjustment for inflation

1 under subsection t.), in the aggregate, for all per-  
2 sons indemnified in connection with the contract and  
3 for each nuclear incident, including such legal costs  
4 of the contractor as are approved by the Secretary.”.

5 (b) CONTRACT AMENDMENTS.—Section 170 d. of the  
6 Atomic Energy Act of 1954 (42 U.S.C. 2210(d)) is  
7 amended by striking paragraph (3) and inserting the fol-  
8 lowing:

9 “(3) CONTRACT AMENDMENTS.—All agreements of  
10 indemnification under which the Department of Energy  
11 (or its predecessor agencies) may be required to indemnify  
12 any person under this section shall be deemed to be  
13 amended, on the date of enactment of the Price-Anderson  
14 Reauthorization Act of 2001, to reflect the amount of in-  
15 demnity for public liability and any applicable financial  
16 protection required of the contractor under this sub-  
17 section.”.

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

21 (1) by striking “the maximum amount of finan-  
22 cial protection required under subsection b. or”; and

23 (2) by striking “paragraph (3) of subsection d.,  
24 whichever amount is more.” and inserting “para-  
25 graph (2) of subsection d.”.

1 **SEC. 5. INCIDENTS OUTSIDE THE UNITED STATES.**

2 (a) AMOUNT OF INDEMNIFICATION.—Section 170  
3 d.(5) of the Atomic Energy Act of 1954 (42 U.S.C.  
4 2210(d)(5)) is amended by striking “\$100,000,000” and  
5 inserting “\$500,000,000”.

6 (b) LIABILITY LIMIT.—Section 170 e.(4) of the  
7 Atomic Energy Act of 1954 (42 U.S.C. 2210(e)(4)) is  
8 amended by striking “\$100,000,000” and inserting  
9 “\$500,000,000”.

10 **SEC. 6. REPORTS.**

11 Section 170 p. of the Atomic Energy Act of 1954 (42  
12 U.S.C. 2210(p)) is amended by striking “August 1, 1998”  
13 and inserting “August 1, 2013”.

14 **SEC. 7. INFLATION ADJUSTMENT.**

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

17 (1) by redesignating paragraph (2) as para-  
18 graph (3); and

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

20 “(2) ADJUSTMENT.—The Secretary shall adjust the  
21 amount of indemnification provided under an agreement  
22 of indemnification under subsection d. not less than once  
23 during each 5-year period following July 1, 2001, in ac-  
24 cordance with the aggregate percentage change in the  
25 Consumer Price Index since—

