

117TH CONGRESS
2D SESSION

H. R. 9215

To establish an Office of Public Engagement and Participation within the Nuclear Regulatory Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 2022

Mr. LEVIN of California introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To establish an Office of Public Engagement and Participation within the Nuclear Regulatory Commission, 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 “NRC Office of Public
5 Engagement and Participation Act of 2022”.

6 **SEC. 2. OFFICE OF PUBLIC ENGAGEMENT AND PARTICIPA-**
7 **TION.**

8 (a) ESTABLISHMENT.—There is established in the
9 Commission an office to be known as the Office of Public
10 Engagement and Participation.

1 (b) DIRECTOR.—

2 (1) IN GENERAL.—The Office shall be adminis-
3 tered by a Director.

4 (2) APPOINTMENT.—Subject to the approval of
5 the Commission, the Chairman shall appoint the Di-
6 rector.

7 (3) TERM.—Subject to paragraph (7), the Di-
8 rector shall serve for—

9 (A) a term of five years; and

10 (B) no more than two terms.

11 (4) DUTIES.—The Director—

12 (A) shall be responsible for the discharge
13 of the functions of the Office; and

14 (B) may appoint, and assign the duties of,
15 staff of the Office as necessary to carry out the
16 functions of the Office.

17 (5) COMPENSATION.—The Director shall be
18 compensated at a rate of pay not greater than the
19 maximum rate of pay prescribed for a senior execu-
20 tive in the Senior Executive Service under section
21 5382 of title 5, United States Code.

22 (6) REMOVAL.—

23 (A) IN GENERAL.—Subject to the approval
24 of the Commission to initiate an action, the

1 Chairman or a member of the Commission may
2 initiate an action for removal of the Director.

3 (B) REMOVAL LIMITATIONS.—The Com-
4 mission may remove the Director for ineffi-
5 ciency, neglect of duty, or malfeasance in office
6 but for no other cause.

7 (7) EXPIRATION OF TERM.—A Director may
8 continue to serve after the expiration of the term of
9 such Director until a successor is appointed.

10 (c) FUNCTIONS OF THE OFFICE.—

11 (1) IN GENERAL.—The functions of the Office
12 shall be to—

13 (A) support public participation in pro-
14 ceedings before the Commission;

15 (B) advocate for the public interest within
16 the jurisdiction of the Commission;

17 (C) provide educational, legal, and tech-
18 nical guidance and assistance to members of
19 the public with respect to participating in pro-
20 ceedings before the Commission, including guid-
21 ance on submitting comments, contentions, and
22 hearing requests;

23 (D) coordinate assistance available to per-
24 sons participating or proposing to participate in
25 proceedings before the Commission; and

1 (E) coordinate assistance to the public
2 with respect to authorities exercised by the
3 Commission.

4 (2) COMPENSATION OF FEES.—Notwith-
5 standing section 502 of the Energy and Water De-
6 velopment Appropriations Act, 1993 (5 U.S.C. 504
7 note; Public Law 102–377), the Commission may,
8 under rules promulgated by the Commission, provide
9 compensation for reasonable attorney’s fees, expert
10 witness fees, and other costs of participating in any
11 proceeding before the Commission to any person
12 whose participation substantially contributed to the
13 approval, in whole or in part, of a position advocated
14 by such person, if the Commission determines
15 that—

16 (A) the proceeding is significant; and

17 (B) the participation of such person in
18 such proceeding without receipt of compensa-
19 tion constitutes a significant financial hardship
20 to such person.

21 (d) INDEPENDENT OFFICE.—The Chairman shall
22 take appropriate actions to ensure the independence of the
23 Office within the Commission, including independence
24 from other officers and employees of the Commission.

25 (e) ANNUAL REPORT.—

1 (1) IN GENERAL.—Not later than one year
2 after the date of enactment of this Act, and annually
3 thereafter, the Director shall submit to Congress a
4 report on the activities of the Office.

5 (2) REQUIREMENTS.—Each report under para-
6 graph (1) shall include—

7 (A) the number and types of requests for
8 assistance received by the Office during the pre-
9 ceding year; and

10 (B) an assessment of the most common
11 difficulties encountered by members of the pub-
12 lic with participating or proposing to participate
13 in proceedings before the Commission in the
14 preceding year.

15 (f) NO EFFECT ON EXISTING PUBLIC ENGAGEMENT
16 STANDARDS.—Nothing in this Act shall be interpreted as
17 reducing the standards for the Commission to engage the
18 public in any proceedings or decisions.

19 (g) DEFINITIONS.—In this section:

20 (1) CHAIRMAN.—The term “Chairman” means
21 the Chairman of the Commission.

22 (2) COMMISSION.—The term “Commission”
23 means the Nuclear Regulatory Commission.

1 (3) OFFICE.—The term “Office” means the Of-
2 fice of Public Engagement and Participation estab-
3 lished under subsection (a).

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