

AMENDMENT TO RULES COMMITTEE PRINT 116-

19

OFFERED BY MR. LUJÁN OF NEW MEXICO

At the end of subtitle B of title XXXI, insert the following:

1 **SEC. 31___ . AUTHORITY FOR NATIONAL NUCLEAR SECUR-**
2 **RITY ADMINISTRATION TO ENTER INTO CER-**
3 **TAIN LEASE AGREEMENTS.**

4 (a) IN GENERAL.—Subtitle A of title XLVIII of the
5 Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is
6 amended by adding at the end the following new section:

7 **“SEC. 4807. AUTHORITY TO ENTER INTO CERTAIN LEASE**
8 **AGREEMENTS.**

9 “(a) AUTHORITY.—The Administrator may enter
10 into a lease agreement, a lease purchase agreement, or au-
11 thorize a Management and Operating Contractor of the
12 National Nuclear Security Administration to enter into a
13 lease agreement with any person for the accommodation
14 of the Administration in a building (or improvement), to
15 be used by the Administration as offices, warehouses ,
16 light laboratory use or other similar use, without regard
17 to whether the building exists or is being constructed by
18 the lessor.

1 “(b) TERMS.—

2 “(1) IN GENERAL.—A lease agreement or a
3 lease purchase agreement entered into under sub-
4 section (a) shall be on such terms as the Adminis-
5 trator considers to be in the interests of the Federal
6 Government and necessary for the accommodation of
7 the Administration.

8 “(2) DURATION OF LEASE AGREEMENTS.—A
9 lease agreement entered into under subsection (a)
10 shall be for a term of not more than 20 years.

11 “(3) DURATION OF LEASE PURCHASE AGREE-
12 MENTS.—A lease purchase agreement entered into
13 under subsection (a) shall be for a term of not more
14 than 30 years and shall provide that title to the
15 property shall transfer to the United States at or be-
16 fore the expiration of the agreement term and upon
17 fulfillment of the terms and conditions stipulated in
18 each of such lease purchase agreements.

19 “(4) LIMITATION.—The authority to enter into
20 lease agreements or a lease purchase agreement
21 under subsection (a) does not include the authority
22 to enter into agreements for facilities to hold Cat-
23 egory I or II quantities of special nuclear material.

24 “(c) SUBMISSION OF LEASE AGREEMENT OR LEASE
25 PURCHASE AGREEMENT TO CONGRESS.—The Adminis-

1 trator shall submit a lease agreement or lease purchase
2 agreement to be entered into under subsection (a) to the
3 congressional defense committees not less than 15 days
4 before the agreement takes effect.

5 “(d) OBLIGATION OF AMOUNTS ON FISCAL YEAR
6 BASIS.—Notwithstanding section 1341(a)(1)(B) of title
7 31, United States Code, the Administrator shall obligate
8 amounts for payments under a lease agreement or lease
9 purchase agreement entered into under subsection (a) only
10 for the fiscal year during which the payments are due,
11 subject to the availability of appropriations.

12 “(e) BUDGETARY REPORTING REQUIREMENT.—The
13 Secretary of Energy shall include in the budget justifica-
14 tion materials submitted to Congress in support of the De-
15 partment of Energy budget for any fiscal year (as sub-
16 mitted with the budget of the President under section
17 1105(a) of title 31, United States Code) specific identi-
18 fication of the amounts required for each lease purchase
19 agreement entered into under subsection (a) under which
20 a payment will be due during that fiscal year.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 for the Atomic Energy Defense Act is amended by insert-
23 ing after the item relating to section 4806 the following
24 new item:

“Sec. 4807. Authority to enter into lease agreements.”.

