

## Union Calendar No. 240

118TH CONGRESS  
1ST SESSION

# H. R. 1042

**[Report No. 118–296]**

To prohibit the importation into the United States of unirradiated low-enriched uranium that is produced in the Russian Federation, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2023

Mrs. RODGERS of Washington (for herself and Mr. LATTA) introduced the following bill; which was referred to the Committee on Energy and Commerce

DECEMBER 1, 2023

Additional sponsors: Mrs. MILLER-MEEKS, Mr. DUNCAN, Mrs. LESKO, Mrs. SPARTZ, and Mr. CURTIS

DECEMBER 1, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 14, 2023]

# **A BILL**

To prohibit the importation into the United States of unirradiated low-enriched uranium that is produced in the Russian Federation, 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 “Prohibiting Russian*  
 5       *Uranium Imports Act”.*

6       **SEC. 2. AMENDMENTS TO THE USEC PRIVATIZATION ACT.**

7       *(a) PROHIBITION ON IMPORTS.—Section 3112A of the*  
 8       *USEC Privatization Act (42 U.S.C. 2297h–10a) is amend-*  
 9       *ed by adding at the end the following:*

10       *“(d) PROHIBITION ON IMPORTS OF LOW-ENRICHED*  
 11       *URANIUM.—*

12               *“(1) PROHIBITION.—Beginning on the date that*  
 13       *is 90 days after the date of enactment of this sub-*  
 14       *section, and subject to paragraphs (2) and (3), no*  
 15       *unirradiated low-enriched uranium that is produced*  
 16       *in the Russian Federation may be imported into the*  
 17       *United States.*

18               *“(2) WAIVER.—*

19               *“(A) IN GENERAL.—Subject to subpara-*  
 20       *graph (B), the Secretary of Energy, in consulta-*  
 21       *tion with the Secretary of State and the Sec-*  
 22       *retary of Commerce, may waive application of*  
 23       *paragraph (1) to authorize the importation of*  
 24       *unirradiated low-enriched uranium that is pro-*

1           *duced in the Russian Federation if the Secretary*  
2           *of Energy determines that—*

3                     “(i) *no alternative viable source of low-*  
4                     *enriched uranium is available to sustain the*  
5                     *continued operation of a nuclear reactor or*  
6                     *a United States nuclear energy company; or*

7                     “(ii) *importation of low-enriched ura-*  
8                     *nium that is produced in the Russian Fed-*  
9                     *eration is in the national interest.*

10                    “(B) *LIMITATION ON AMOUNTS OF IMPORTS*  
11                    *OF LOW-ENRICHED URANIUM.—*

12                    “(i) *IN GENERAL.—The importation*  
13                    *into the United States of low-enriched ura-*  
14                    *nium, including low-enriched uranium ob-*  
15                    *tained under contracts for separative work*  
16                    *units, that is produced in the Russian Fed-*  
17                    *eration, whether or not such low-enriched*  
18                    *uranium is derived from highly enriched*  
19                    *uranium of weapons origin, may not ex-*  
20                    *ceed—*

21                    “(I) *in calendar year 2023,*  
22                    *578,877 kilograms;*

23                    “(II) *in calendar year 2024,*  
24                    *476,536 kilograms;*

1                   “(III) in calendar year 2025,  
2                   470,376 kilograms;

3                   “(IV) in calendar year 2026,  
4                   464,183 kilograms; and

5                   “(V) in calendar year 2027,  
6                   459,083 kilograms.

7                   “(ii) *TERMINATION.*—Any waiver  
8                   issued under this subsection shall terminate  
9                   not later than January 1, 2028.

10                  “(C) *ADMINISTRATION.*—The Secretary of  
11                  Commerce shall—

12                   “(i) administer the import limitations  
13                   described in subparagraph (B) in accord-  
14                   ance with the provisions of the Suspension  
15                   Agreement, including the provisions de-  
16                   scribed in subsection (c)(2)(B)(i);

17                   “(ii) be responsible for enforcing the  
18                   import limitations described in subpara-  
19                   graph (B); and

20                   “(iii) enforce the import limitations  
21                   described in subparagraph (B) in a manner  
22                   that imposes a minimal burden on the com-  
23                   mercial nuclear industry.

24                   “(D) *NOTIFICATION TO CONGRESS.*—Upon  
25                   issuing a waiver under subparagraph (A), the

Secretary of Energy shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, and the Committee on Energy and Natural Resources of the Senate a notification that a waiver has been issued, which shall include identification of the recipient of the waiver.

“(3) *APPLICABILITY.*—This subsection does not apply to imports—

“(A) by or under contract to the Department of Energy for national security or non-proliferation purposes, as determined by the Secretary of Energy; or

“(B) of non-uranium isotopes.

“(4) *TERMINATION.*—The provisions of this subsection shall terminate on December 31, 2040.”.

(b) *CONFORMING AMENDMENTS.*—

(1) *IN GENERAL.*—Section 3112A(c) of the USEC Privatization Act (42 U.S.C. 2297h–10a(c)) is amended—

(A) in paragraph (2)—

(i) in subparagraph (A)—

1                   (I) in clause (viii), by inserting  
2                   “and” after the semicolon at the end;

3                   (II) in clause (ix), by striking the  
4                   semicolon and inserting a period; and

5                   (III) by striking clauses (x)  
6                   through (xxvii); and

7                   (ii) in subparagraph (C)(i), by strik-  
8                   ing “paragraph (10)” and inserting “para-  
9                   graph (9)”;

10                  (B) in paragraph (3), by striking “United  
11                  States” and all that follows through “for proc-  
12                  essing” and inserting “United States for proc-  
13                  essing”;

14                  (C) by striking paragraph (5);

15                  (D) by redesignating paragraphs (6)  
16                  through (12) as paragraphs (5) through (11), re-  
17                  spectively;

18                  (E) in paragraph (5), as redesignated by  
19                  subparagraph (D), by striking “In addition to  
20                  the adjustment under paragraph (5)(A), the”  
21                  and inserting “The”;

22                  (F) in subparagraph (A) of paragraph (7),  
23                  as so redesignated, by striking “paragraph (10)”  
24                  and inserting “paragraph (9)”;

(G) in paragraph (8), as so redesignated, by striking “December 31, 2040” and inserting “the date described in subsection (d)(1)”; and

(H) in subparagraph (A) of paragraph (9), as so redesignated, by striking “paragraphs (2)(C) and (8)” and inserting “paragraphs (2)(C) and (7)”.

(2) *EFFECTIVE DATE.*—The amendment to section 3112A(c)(2)(A)(x) of the USEC Privatization Act (42 U.S.C. 2297h–10a(c)(2)(A)(x)) made by paragraph (1)(A) of this subsection shall take effect on the date that is 90 days after the date of enactment of this Act.

### **SEC. 3. MARKET EVALUATION AND SUPPORT.**

Not later than 60 days after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Appropriations of the Senate, and the Committee on Energy and Natural Resources of the Senate a report that includes—

(1) an evaluation, with respect to the 5-year period that begins on the date of enactment of this Act, of the anticipated supply of low-enriched uranium (as defined in section 3112A(a) of the USEC Privatiza-



1        *tion Act (42 U.S.C. 2297h–10a(a)) available to re-*  
2        *place imports of low-enriched uranium produced in*  
3        *the Russian Federation, taking into account—*

4                *(A) waivers authorized to be issued under*  
5                *section 3112A(d) of the USEC Privatization Act*  
6                *(as added by section 2 of this Act);*

7                *(B) private and government inventories of*  
8                *low-enriched uranium;*

9                *(C) market demand for low-enriched ura-*  
10               *anium products; and*

11               *(D) current orders and announced plans for*  
12               *expansion of low-enriched uranium production*  
13               *capacity, including domestic production capac-*  
14               *ity; and*

15               *(2) a description of proposed Department of En-*  
16               *ergy assistance, if the Secretary determines such as-*  
17               *sistance is needed based on the evaluation under*  
18               *paragraph (1), to support the expansion of domestic*  
19               *low-enriched uranium production capacity sufficient*  
20               *to meet domestic market demand for low-enriched*  
21               *uranium, taking into consideration—*

22               *(A) market competition for low-enriched*  
23               *uranium production services;*

24               *(B) low-enriched uranium supply diversity;*  
25               *and*

- 1                    *(C) the long-term uranium fuel supply*
- 2                    *needs of the United States.*



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