

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 904

To provide for the disposition of United States Government uranium inventories.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

Mrs. CUBIN introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To provide for the disposition of United States Government uranium inventories.

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. AMENDMENT.**

4       Section 3112 of the USEC Privatization Act (42  
5       U.S.C. 2297h–10) is amended by striking subsections (d)  
6       and (e) and inserting the following:

7       “(d)(1)(A) The aggregate annual deliveries of ura-  
8       nium in any form (including natural uranium con-  
9       centrates, natural uranium hexafluoride, enriched ura-  
10      nium, and depleted uranium) sold or transferred by the

1 United States Government shall not exceed 3,000,000  
2 pounds U<sub>3</sub>O<sub>8</sub> equivalent per year through calendar year  
3 2009. Such aggregate annual deliveries shall not exceed  
4 5,000,000 pounds U<sub>3</sub>O<sub>8</sub> equivalent per year in calendar  
5 years 2010 and 2011. Such aggregate annual deliveries  
6 shall not exceed 7,000,000 pounds U<sub>3</sub>O<sub>8</sub> equivalent in cal-  
7 endar year 2012. Such aggregate annual deliveries shall  
8 not exceed 10,000,000 pounds U<sub>3</sub>O<sub>8</sub> equivalent per year  
9 in calendar year 2013 and each year thereafter. Any sales  
10 or transfers by the United States Government shall be lim-  
11 ited to long-term contracts with end users of no less than  
12 3 years duration.

13 “(B) Sales or transfers of uranium by the United  
14 States Government for the following purposes are exempt  
15 from the provisions of this subsection:

16 “(i) Sales or transfers provided for under exist-  
17 ing law for use by the Tennessee Valley Authority in  
18 relation to the Department of Energy’s high-en-  
19 riched uranium or tritium programs.

20 “(ii) Sales or transfers to the Department of  
21 Energy research reactor sales program.

22 “(iii) The transfer of any natural uranium to  
23 the United States Enrichment Corporation to re-  
24 place contaminated uranium received from the De-

1       partment of Energy when the United States Enrich-  
2       ment Corporation was privatized in July 1998.

3               “(iv) The sale or transfer of any natural ura-  
4       nium for emergency purposes in the event of a dis-  
5       ruption in supply to end users in the United States.

6               “(v) The sale or transfer of any natural ura-  
7       nium in fulfillment of the United States Govern-  
8       ment’s obligations to provide security of supply with  
9       respect to implementation of the Russian HEU  
10       Agreement.

11              “(vi) The sale or transfer of any enriched ura-  
12       nium for use in a Pebble Bed Modular Reactor, a  
13       Gas Turbine Modular Helium Reactor, a High Tem-  
14       perature Gas Reactor, or any other advanced com-  
15       mercial nuclear power plant in the United States  
16       with nonstandard fuel requirements.

17              “(C) The Secretary may transfer or sell enriched ura-  
18       nium to any person for national security purposes, as de-  
19       termined by the Secretary.

20              “(2) Except as provided in subsections (b) and (c),  
21       and in paragraph (1)(B) and (C) of this subsection, no  
22       sale or transfer of uranium in any form shall be made  
23       by the United States Government unless—

24                      “(A) the President determines that the material  
25       is not necessary for national security needs;

1           “(B) the price paid to the Secretary will not be  
2           less than the fair market value of the material, as  
3           determined at the time that such material is con-  
4           tracted for sale;

5           “(C) prior to any sale or transfer, the Secretary  
6           solicits the written views of the Department of State  
7           and the National Security Council with regard to  
8           whether such sale or transfer would have any ad-  
9           verse effect on national security interests of the  
10          United States, including interests related to the im-  
11          plementation of the Russian HEU Agreement; and

12          “(D) neither the Department of State or the  
13          National Security Council objects to such sale or  
14          transfer.

15          The Secretary shall endeavor to determine whether a sale  
16          or transfer is permitted under this paragraph within 30  
17          days. The Secretary’s determinations pursuant to this  
18          paragraph shall be made available to interested members  
19          of the public prior to authorizing any such sale or transfer.

20          “(3) Within 1 year after the date of enactment of  
21          this subsection and annually thereafter the Secretary shall  
22          undertake an assessment for the purpose of reviewing  
23          available excess Government uranium inventories, and de-  
24          termining, consistent with the procedures and limitations

1 established in this subsection, the level of inventory to be  
2 sold or transferred to end users.

3       “(4) Within 5 years after the date of enactment of  
4 this subsection and biennially thereafter the Secretary  
5 shall report to the Congress on the implementation of this  
6 subsection. The report shall include a discussion of all  
7 sales or transfers made by the United States Government,  
8 the impact of such sales or transfers on the domestic ura-  
9 nium industry, the spot market uranium price, and the  
10 national security interests of the United States, and any  
11 steps taken to remediate any adverse impacts of such sales  
12 or transfers.

13       “(5) For purposes of this subsection, the term  
14 ‘United States Government’ does not include the Ten-  
15 nessee Valley Authority.”.

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