

116TH CONGRESS
2D SESSION

H. R. 7141

To extend limitations on the importation of uranium from the Russian Federation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2020

Ms. TORRES SMALL of New Mexico (for herself and Mr. BISHOP of Utah) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To extend limitations on the importation of uranium from 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 “Defending Against
5 Rosatom Exports Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Russia has repeatedly used its energy re-
2 sources as a tool to advance its policy goals and as
3 a weapon to manipulate the decisions of other coun-
4 tries.

5 (2) Such efforts include the nuclear energy sec-
6 tor, in which the Rosatom State Nuclear Energy
7 Corporation (ROSATOM) uses subsidies and other
8 state support to advance the political goals of Rus-
9 sia's leadership.

10 (3) Russia has long sought to expand its role
11 and influence in the nuclear energy sector of the
12 United States and of United States allies and part-
13 ners.

14 (4) Since October 1992, the Department of
15 Commerce has suspended an antidumping duty in-
16 vestigation involving uranium from Russia on the
17 basis of an agreement by Russia to restrict the vol-
18 ume of exports of uranium to the United States in
19 order to prevent the suppression or undercutting of
20 price levels of United States uranium.

21 (5) That agreement to suspend such anti-
22 dumping duty investigation is set to expire at the
23 end of 2020.

24 (6) Section 3112A of the USEC Privatization
25 Act (42 U.S.C. 2997h-10a), commonly known as the

1 “Domenici Amendment”, provides limits on the im-
2 portation into the United States of low-enriched ura-
3 nium produced in Russia through 2020.

4 (7) While Russia has mounted a disinformation
5 campaign regarding the suitability of using nuclear
6 fuel produced by United States companies in Rus-
7 sian-built nuclear reactors, ROSATOM is seeking to
8 produce nuclear fuel for use in United States reac-
9 tors.

10 **SEC. 3. STATEMENT OF POLICY.**

11 It is the policy of the United States to—

12 (1) ensure that the United States is not de-
13 pendent on Russian energy sources, including low-
14 enriched uranium and the inputs for nuclear fuel;

15 (2) assist United States allies and partner
16 countries to reduce their dependency on Russian en-
17 ergy sources, including nuclear power and the inputs
18 for nuclear fuel; and

19 (3) use all necessary tools, including the De-
20 partment of Commerce’s entity list, to ensure that
21 technology transferred to entities in Russia’s civil
22 nuclear sector do not—

23 (A) in any way contribute to Russia’s nu-
24 clear weapons program; or

1 (B) enable Russia to expand its export of
2 nuclear power to the United States or United
3 States allies and partners.

4 **SEC. 4. EXTENSION OF LIMITATIONS ON IMPORTATION OF**
5 **URANIUM FROM THE RUSSIAN FEDERATION.**

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

8 (1) in paragraph (2)—

9 (A) in subparagraph (A)—

10 (i) in clause (vi), by striking “; and”
11 and inserting a semicolon;

12 (ii) in clause (vii), by striking the pe-
13 riod at the end and inserting a semicolon;
14 and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(viii) in calendar year 2021, 362,045
18 kilograms;

19 “(ix) in calendar year 2022, 356,499
20 kilograms;

21 “(x) in calendar year 2023, 351,242
22 kilograms;

23 “(xi) in calendar year 2024, 346,974
24 kilograms;

1 “(xii) in calendar year 2025, 342,489

2 kilograms;

3 “(xiii) in calendar year 2026, 337,979

4 kilograms;

5 “(xiv) in calendar year 2027, 334,266

6 kilograms;

7 “(xv) in calendar year 2028, 334,266

8 kilograms;

9 “(xvi) in calendar year 2029, 330,190

10 kilograms;

11 “(xvii) in calendar year 2030,

12 322,450 kilograms;

13 “(xviii) in calendar year 2031,

14 319,267 kilograms;

15 “(xix) in calendar year 2032, 312,853

16 kilograms;

17 “(xx) in calendar year 2033, 308,271

18 kilograms;

19 “(xxi) in calendar year 2034, 289,390

20 kilograms; and

21 “(xxii) in calendar year 2035,

22 285,918 kilograms.”;

23 (B) by redesignating subparagraph (B) as

24 subparagraph (C); and

1 (C) by inserting after subparagraph (A)
2 the following:

3 “(B) SEPARATIVE WORK UNITS REQUIRE-
4 MENT.—Not more than 25 percent of the quan-
5 tity of low-enriched uranium produced in the
6 Russian Federation and imported under sub-
7 paragraph (A) in any year may be imported
8 under contracts other than contracts exclusively
9 for separative work units.”;

10 (2) in paragraph (3), by striking “United
11 States—” and all that follows and inserting the fol-
12 lowing: “United States for processing and to be cer-
13 tified for reexportation and not for consumption in
14 the United States.”;

15 (3) in paragraph (5)—

16 (A) in subparagraph (A)—

17 (i) by striking “reference data” and
18 all that follows through “2019” and insert-
19 ing the following: “Lower Scenario data in
20 the 2019 report of the World Nuclear As-
21 sociation entitled ‘The Nuclear Fuel Re-
22 port: Global Scenarios for Demand and
23 Supply Availability 2019–2040’. In each of
24 calendar years 2022, 2025, 2028, 2031,
25 and 2034”; and

1 (ii) by striking “report or a subse-
2 quent report” and inserting “report”;

3 (B) by redesignating subparagraphs (B)
4 and (C) as subparagraphs (C) and (D), respec-
5 tively;

6 (C) by inserting after subparagraph (A)
7 the following:

8 “(B) REPORT REQUIRED.—Not later than
9 one year after the date of the enactment of the
10 Defending Against Rosatom Exports Act, and
11 every 3 years thereafter, the Secretary of Com-
12 merce shall submit to Congress a report that
13 includes—

14 “(i) a recommendation on the use of
15 all publicly available data to ensure accu-
16 rate forecasting by scenario data to com-
17 port to actual demand for low-enriched
18 uranium for nuclear reactors in the United
19 States; and

20 “(ii) an identification of the steps to
21 be taken to adjust the import limitations
22 described in paragraph (2)(A) based on the
23 most accurate scenario data.”; and

24 (D) in subparagraph (D), as redesignated
25 by subparagraph (B) of this paragraph, by

1 striking “subparagraph (B)” and inserting
2 “subparagraph (C)”;

3 (4) in paragraph (7)(A), by striking “0.3 per-
4 cent” and inserting “0.16 percent”;

5 (5) in paragraph (9), by striking “2020” and
6 inserting “2035”; and

7 (6) by striking “(2)(B)” each place it appears
8 and inserting “(2)(C)”.

9 (b) APPLICABILITY.—The amendments made by sub-
10 section (a) apply with respect to uranium imported from
11 the Russian Federation on or after January 1, 2021.

12 **SEC. 5. REPORTS AND BRIEFINGS TO CONGRESS.**

13 (a) SECRETARY OF STATE.—Not later than 180 days
14 after the date of the enactment of this Act, the Secretary
15 of State shall submit to the appropriate congressional
16 committees a report, which shall be in an unclassified
17 form, but may contain a classified annex, that provides
18 an assessment of Russia’s attempts to use its civil nuclear
19 sector as a tool of malign influence and includes the fol-
20 lowing elements:

21 (1) An analysis of the extent to which Russian
22 civil nuclear-related enterprises advance policy goals
23 of Russia instead of strictly commercial interests.

1 (2) A description of Russian efforts to increase
2 their role in the civil nuclear sector of the United
3 States and United States allies and partners.

4 (3) A description of Russian disinformation ef-
5 forts against United States and other non-Russian
6 civil nuclear-related companies.

7 (4) An analysis of the national security threat
8 posed by deeper Russian involvement in the civil nu-
9 clear sector of the United States.

10 (5) A description of any links between Russia's
11 civil nuclear sector and its nuclear weapons pro-
12 gram.

13 (b) SECRETARY OF ENERGY.—Not later than 180
14 days after the date of enactment of this Act, the Secretary
15 of Energy shall submit to the appropriate congressional
16 committees a report, which shall be in an unclassified
17 form, but may contain a classified annex, that describes
18 any ongoing efforts by the United States Government or
19 United States persons to introduce Russian-fabricated or
20 Russian-designed nuclear fuel into reactors located in the
21 United States.

22 (c) SECRETARY OF COMMERCE.—Not later than July
23 1, 2020, or 30 days after the date of the enactment of
24 this Act, whichever is later, the Secretary of Commerce
25 shall provide a briefing to the appropriate congressional

1 committees on the status of negotiations to extend beyond
2 2020 the agreement to suspend the antidumping duty in-
3 vestigation limiting the importation into the United States
4 of low-enriched uranium produced in Russia.

5 **SEC. 6. DEFINITION.**

6 In this Act, the term “appropriate congressional com-
7 mittees” means—

8 (1) the Committee on Foreign Affairs, the
9 Committee on Ways and Means, and the Committee
10 on Energy and Commerce of the House of Rep-
11 resentatives; and

12 (2) the Committee on Foreign Relations, the
13 Committee on Finance, and the Committee on En-
14 ergy and Natural Resources of the Senate.

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