

Committee Print

(SHOWING THE TEXT OF H.R. 1042, AS FAVORABLY FORWARDED BY THE
SUBCOMMITTEE ON ENERGY, CLIMATE, AND GRID SECURITY ON MAY
16, 2023)

118TH CONGRESS
1ST SESSION

H. R. 1042

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

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

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”.

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

2 (a) PROHIBITION ON IMPORTS.—Section 3112A of
3 the USEC Privatization Act (42 U.S.C. 2297h–10a) is
4 amended by adding at the end the following:

5 “(d) PROHIBITION ON IMPORTS OF LOW-ENRICHED
6 URANIUM.—

7 “(1) PROHIBITION.—Beginning on the date
8 that is 90 days after the date of enactment of this
9 subsection, and subject to paragraphs (2) and (3),
10 no unirradiated low-enriched uranium that is pro-
11 duced in the Russian Federation may be imported
12 into the United States.

13 “(2) WAIVER.—

14 “(A) IN GENERAL.—Subject to subpara-
15 graph (B), the Secretary of Energy, in con-
16 sultation with the Secretary of State and the
17 Secretary of Commerce, may waive application
18 of paragraph (1) to authorize the importation
19 of unirradiated low-enriched uranium that is
20 produced in the Russian Federation if the Sec-
21 retary of Energy determines that—

22 “(i) no alternative viable source of
23 low-enriched uranium is available to sus-
24 tain the continued operation of a nuclear
25 reactor or a United States nuclear energy
26 company; or

1 “(ii) importation of low-enriched ura-
2 nium that is produced in the Russian Fed-
3 eration is in the national interest.

4 “(B) LIMITATION ON AMOUNTS OF IM-
5 PORTS OF LOW-ENRICHED URANIUM.—

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

15 “(I) in calendar year 2023,
16 578,877 kilograms;

17 “(II) in calendar year 2024,
18 476,536 kilograms;

19 “(III) in calendar year 2025,
20 470,376 kilograms;

21 “(IV) in calendar year 2026,
22 464,183 kilograms; and

23 “(V) in calendar year 2027,
24 459,083 kilograms.

1 “(ii) TERMINATION.—Any waiver
2 issued under this subsection shall termi-
3 nate not later than January 1, 2028.

4 “(C) ADMINISTRATION.—The Secretary of
5 Commerce shall—

6 “(i) administer the import limitations
7 described in subparagraph (B) in accord-
8 ance with the provisions of the Suspension
9 Agreement, including the provisions de-
10 scribed in subsection (c)(2)(B)(i);

11 “(ii) be responsible for enforcing the
12 import limitations described in subpara-
13 graph (B); and

14 “(iii) enforce the import limitations
15 described in subparagraph (B) in a man-
16 ner that imposes a minimal burden on the
17 commercial nuclear industry.

18 “(D) NOTIFICATION TO CONGRESS.—Upon
19 issuing a waiver under subparagraph (A), the
20 Secretary of Energy shall submit to the Com-
21 mittee on Energy and Commerce of the House
22 of Representatives, the Committee on Ways and
23 Means of the House of Representatives, the
24 Committee on Finance of the Senate, and the
25 Committee on Energy and Natural Resources of

1 the Senate a notification that a waiver has been
2 issued, which shall include identification of the
3 recipient of the waiver.

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

6 “(A) by or under contract to the Depart-
7 ment of Energy for national security or non-
8 proliferation purposes, as determined by the
9 Secretary of Energy; or

10 “(B) of non-uranium isotopes.

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

13 (b) CONFORMING AMENDMENTS.—

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

17 (A) in paragraph (2)—

18 (i) in subparagraph (A)—

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

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

23 (III) by striking clauses (x)
24 through (xxvii); and

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

4 (B) in paragraph (3), by striking “United
5 States” and all that follows through “for proc-
6 essing” and inserting “United States for proc-
7 essing”;

8 (C) by striking paragraph (5);

9 (D) by redesignating paragraphs (6)
10 through (12) as paragraphs (5) through (11),
11 respectively;

12 (E) in paragraph (5), as redesignated by
13 subparagraph (D), by striking “In addition to
14 the adjustment under paragraph (5)(A), the”
15 and inserting “The”;

16 (F) in subparagraph (A) of paragraph (7),
17 as so redesignated, by striking “paragraph
18 (10)” and inserting “paragraph (9)”;

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

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

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

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

8 Not later than 60 days after the date of enactment
9 of this Act, the Secretary of Energy shall submit to the
10 Committee on Energy and Commerce of the House of
11 Representatives, the Committee on Appropriations of the
12 House of Representatives, the Committee on Appropria-
13 tions of the Senate, and the Committee on Energy and
14 Natural Resources of the Senate a report that includes—

15 (1) an evaluation, with respect to the 5-year pe-
16 riod that begins on the date of enactment of this
17 Act, of the anticipated supply of low-enriched ura-
18 nium (as defined in section 3112A(a) of the USEC
19 Privatization Act (42 U.S.C. 2297h–10a(a))) avail-
20 able to replace imports of low-enriched uranium pro-
21 duced in the Russian Federation, taking into ac-
22 count—

23 (A) waivers authorized to be issued under
24 section 3112A(d) of the USEC Privatization
25 Act (as added by section 2 of this Act);

1 (B) private and government inventories of
2 low-enriched uranium;

3 (C) market demand for low-enriched ura-
4 nium products; and

5 (D) current orders and announced plans
6 for expansion of low-enriched uranium produc-
7 tion capacity, including domestic production ca-
8 pacity; and

9 (2) a description of proposed Department of
10 Energy assistance, if the Secretary determines such
11 assistance is needed based on the evaluation under
12 paragraph (1), to support the expansion of domestic
13 low-enriched uranium production capacity sufficient
14 to meet domestic market demand for low-enriched
15 uranium, taking into consideration—

16 (A) market competition for low-enriched
17 uranium production services;

18 (B) low-enriched uranium supply diversity;
19 and

20 (C) the long-term uranium fuel supply
21 needs of the United States.