118TH CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
118–296

PROHIBITING RUSSIAN URANIUM IMPORTS ACT

DECEMBER 1, 2023.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mrs. RODGERS of Washington, from the Committee on Energy and Commerce, submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 1042]

The Committee on Energy and Commerce, to whom was referred the bill (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, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

49–006

The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Prohibiting Russian Uranium Imports Act".

SEC. 2. AMENDMENTS TO THE USEC PRIVATIZATION ACT.

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

"(d) PROHIBITION ON IMPORTS OF LOW-ENRICHED URANIUM.—

"(1) PROHIBITION.—Beginning on the date that is 90 days after the date of enactment of this subsection, and subject to paragraphs (2) and (3), no unirradiated low-enriched uranium that is produced in the Russian Federation may be imported into the United States.

"(2) WAIVER.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of Energy, in consultation with the Secretary of State and the Secretary of Commerce, may waive application of paragraph (1) to authorize the importation of unirradiated low-enriched uranium that is produced in the Russian Federation if the Secretary of Energy determines that—

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

"(ii) importation of low-enriched uranium that is produced in the Russian Federation is in the national interest.

"(B) LIMITATION ON AMOUNTS OF IMPORTS OF LOW-ENRICHED URANIUM.—

"(i) IN GENERAL.—The importation into the United States of low-enriched uranium, including low-enriched uranium obtained under contracts for separative work units, that is produced in the Russian Federation, whether or not such low-enriched uranium is derived from highly enriched uranium of weapons origin, may not exceed—

"(I) in calendar year 2023, 578,877 kilograms;

"(II) in calendar year 2024, 476,536 kilograms;

"(III) in calendar year 2025, 470,376 kilograms;

"(IV) in calendar year 2026, 464,183 kilograms; and

"(V) in calendar year 2027, 459,083 kilograms.

"(ii) TERMINATION.—Any waiver issued under this subsection shall terminate not later than January 1, 2028.

"(C) ADMINISTRATION.—The Secretary of Commerce shall—

"(i) administer the import limitations described in subparagraph (B) in accordance with the provisions of the Suspension Agreement, including the provisions described in subsection (c)(2)(B)(i);

"(ii) be responsible for enforcing the import limitations described in subparagraph (B); and

"(iii) enforce the import limitations described in subparagraph (B) in a manner that imposes a minimal burden on the commercial nuclear industry.

"(D) NOTIFICATION TO CONGRESS.—Upon 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 nonproliferation 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)—

(I) in clause (viii), by inserting "and" after the semicolon at the end;

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

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

(ii) in subparagraph (C)(i), by striking "paragraph (10)" and inserting "paragraph (9)";

(B) in paragraph (3), by striking "United States" and all that follows through "for processing" and inserting "United States for processing";

(C) by striking paragraph (5);

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

(E) in paragraph (5), as redesignated by subparagraph (D), by striking "In addition to the adjustment under paragraph (5)(A), the" and inserting "The";

(F) in subparagraph (A) of paragraph (7), as so redesignated, by striking "paragraph (10)" 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 Privatization Act (42 U.S.C. 2297h–10a(a))) available to replace imports of low-enriched uranium produced in the Russian Federation, taking into account—

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

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

(C) market demand for low-enriched uranium products; and

(D) current orders and announced plans for expansion of low-enriched uranium production capacity, including domestic production capacity; and

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

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

(B) low-enriched uranium supply diversity; and

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

PURPOSE AND SUMMARY

H.R. 1042 would amend the USEC Privatization Act to prohibit the importation into the United States of unirradiated, low-enriched uranium that is produced in the Russian Federation.

H.R. 1042 would provide a date certain, after which no Russian-sourced unirradiated, low-enriched uranium [1] will be available for U.S. nuclear reactors through at least 2040. This would create the market conditions for the long-term commercial contracts that domestic fuel producers need to invest in new U.S. supply capacity, including uranium conversion and enrichment capacity, which has atrophied substantially over the past decade.

To reduce supply disruption risks and to allow time for new production capacity to come on-line, H.R. 1042 would provide the Sec-

[1] Unirradiated, or fresh, fuel has not yet been used in a reactor.

retary of Energy waiver authority through 2027 to authorize certain imports of such low-enriched uranium, subject to specific limits, if no alternative source of the uranium is available to sustain U.S. nuclear operations or if such imports are in the public interest. (The prohibition on imports would not apply to imports for national security purposes.) In addition, H.R. 1042 would require the Secretary to conduct a thorough market evaluation of the anticipated supply of low-enriched uranium, to determine what, if any, U.S. federal assistance may be needed to support expansion of production capacity sufficient to replace Russian supplies.

BACKGROUND AND NEED FOR LEGISLATION

Russia's invasion of Ukraine demonstrated the looming threat to global energy security created by dependence on Russian-supplied fuels. The threat extends beyond oil and gas to include reliance on Russian-sourced enriched uranium for the U.S. nuclear fuel market.

With production capacity that far outstrips its own domestic requirements and a vertically integrated, state-owned system that excludes external competition, Russia maintains an influential position in global nuclear fuel supply chains, particularly in uranium conversion and enrichment—two essential processing steps in the production of nuclear fuels for reactors. It is the largest enricher, with about 46 percent of global capacity. It maintains roughly 20 percent of global uranium conversion capacity and has been supplying some 40 percent of conversion services, including to the United States.[2]

The U.K. and European Union's enrichment capacity is also substantially larger than European domestic requirements and provides a large portion of conversion and enrichment services to the U.S. market.[3] By contrast, while the United States maintains the largest market globally for nuclear fuels, its current domestic enrichment capacity can supply just 30 percent of domestic fuel requirements at present. Its one conversion facility is restarting and will be able to supply the equivalent of about 40 percent of U.S. market demand in the near term.[4]

The size of Russian state-owned enrichment capacity, along with its large enriched-uranium inventories, enables it to export enriched uranium products at prices that would undercut allied and domestic producers, to the detriment of domestic supply chains, as U.S. International Trade Commission (ITC) investigations have repeatedly found over the past 30 years.[5] In point of fact, this past March 2023, the ITC's five year review of uranium from Russia found that, absent current import limits, Russian suppliers would likely undersell domestic supplies and depress prices, to the detriment of U.S. supply chains.[6]

---

[2] For general data on global capacities see World Nuclear Association at https://world-nuclear.org/information-library/nuclear-fuel-cycle.aspx.

[3] A Canadian supplier also provides substantial conversion services.

[4] Honeywell's ConverDyn Metropolis Works facility, the only U.S. uranium conversion facility, had shuttered in 2017 due to a collapse in market prices, but has restarted in 2023 to previous production levels.

[5] See *Uranium from Russia: Investigation No. 731–TA–539–C (Fifth Review)*, U.S. International Trade Administration, March 2023 Publican 5416.

[6] Id.

Given Russia's long-standing ability to flood markets and undercut prices—and indications it would do so if provided the opportunity—the United States has established import limits on Russian-sourced uranium fuels.[7] Yet under these limits, the United States continues to import more than 20 percent of enriched uranium from Russia's state-owned nuclear power company, Rosatom and its subsidiary Tenex.[8]

Meanwhile, for a variety of reasons, the U.S. domestic nuclear fuel supply chain atrophied over the past decade. Nuclear fuel market disruptions in the wake of Japanese and German nuclear reactor shutdowns following the Fukushima accident in 2011, as well as U.S. reactor shutdowns over the past decade, depressed global nuclear fuel demand and undermined domestic uranium mining, conversion, and enrichment services as market prices for uranium product collapsed. This eroded U.S. domestic nuclear fuel infrastructure—and created a vulnerability to supply disruptions and dependence on cheap Russian fuels.[9]

The Russian invasion of Ukraine raises concerns that access to Russian supplies may cease without adequate new capacity to fill the gap.[10] The impacts of Russian cut-off would not be immediate, given the long lead times of nuclear refueling, current utility and U.S. government stocks, and Western movement to take actions to wean off of Russian supplies have been mitigating supply risks.[11] Nevertheless, more capacity from U.S. and Western producers is necessary before the end of the decade to eliminate vulnerabilities, and to meet increasing demand, including for advanced reactors. As the Department of Energy's (DOE's) top nuclear energy official stated in testimony before the Senate Committee on Energy and Natural Resources:

> Conversion and enrichment services from trusted sources are insufficient to replace current U.S. imports from Russia. Without expansion of the domestic and international allies' and partners' fuel cycle capacity, the United States cannot reliably make sufficient low enriched uranium (LEU) or high-assay LEU (HALEU) available to

---

[7] The limits were established in the so-called Russian Suspension agreement, first established in 1992, the continuance of which was signed in October 2020. See https://www.govinfo.gov/content/pkg/FR-2020-10-09/pdf/2020-22431.pdf. In addition, Congress has enacted the import limits into law, in the USEC Privatization Act, updating the October limits in the Energy Act of 2020. H.R. 1042 is amending these statutory limits.

[8] Under the Russian Suspension Agreement, Russia is scheduled to export to U.S. utilities and fuel brokers the equivalent of 24% of U.S. domestic supply in 2023. This limit declines to 20% of the market in 2024 and down to 15% of the market in 2028 through 2040.

[9] USEC (now Centrus Energy) ceased enrichment operations in 2013; The French nuclear fuel cycle company AREVA (now Orano) canceled plans to build an enrichment facility in the United States, and GLE, or Global Laser Enrichment, had slowed efforts to commercialize new enrichment technology in the United States due to market conditions, ITC's Fifth Review reports. Op. Cit.

[10] Continuing reliance on Russian fuels also raises concerns about U.S. industry revenues supporting Rosatom, which helps finance the Ukraine War and China's nuclear weapons breakout. See Catherine Belton, "Russia's state nuclear company aids war effort, leading to calls for sanctions," *The Washington Post*, January 20, 2023, and March 16, 2023, letter to the Honorable Jake Sullivan, Assistant to the President for National Security, from House Armed Services Committee Chair Mike D. Rogers, Foreign Affairs Committee Chair Michael McCaul, and Permanent Select Committee on Intelligency Chair Michael R. Turner.

[11] U.S. reactors typically maintain working inventories of fuel to cover a refuel every 18 to 24 months. There are additional liquid inventories that could also cover short-term domestic gaps from loss of Russian imports, including U.S. utility surplus inventories, American Assured Fuel Supply, MOX backup, Asian inventories, contract restructuring, and enrichment optimization (reversal of underfeeding), according to public information compiled by Urenco USA. Meantime, DOE reported to Congress that "ConverDyn could increase capacity from 7 million kgU to 13 million kgU by late 2024 eliminating shortfalls [from Russian cut off] after 2024."

> support the needs of today's power reactor fleet, advanced reactors, research reactors, and medical isotope production facilities. This strategic vulnerability is unsustainable.[12]

Restoration of America's domestic nuclear fuel supply chain is a national and energy security imperative. A robust nuclear sector is essential for the nation's defense and nuclear industrial base, for energy security, and the long-term health of the domestic nuclear industry. It is key to strengthening the geostrategic relationships necessary to compete with Russia and China.

Restoration of America's domestic nuclear fuel supply chain requires ending Russia's supply of cheap fuels to the domestic market for the long-term, without the prospect of Russia reentering the market after the Ukraine war, for example. For capacity to be built, "U.S. suppliers need certainty that investments will not be undercut by policy reversal," DOE states in its Uranium Strategy, presented to Congress. What is necessary, DOE states, is "long term stability in import policy."[13] This means long-term certainty that, should Russia be excluded from U.S. markets, suppliers know there is no chance Russia will be back in the market for a long time. That certainty would create the market conditions for the long-term commercial contracts that producers need to invest in expanded capacity.

Restoration also takes time for new capacity to be built. Investment decisions must be made well in advance of needed capacity. Fortunately, provided adequate contracts and demand signals, current conversion and enrichment suppliers in the United States have the requisite licensing to build out capacity to fill the Russian-supply gap.[14] Other companies are expected to join the competition for supplying U.S. nuclear demand, provided appropriate market certainty.[15]

The Committee recognizes that, for advanced nuclear fuels—the so-called high assay, low enriched uranium or HALEU fuels—there is a federal role to assist with buildout. Because there is no domestic HALEU infrastructure, and the future market demand is uncertain, the Committee developed legislation authorizing the Department of Energy to stand up a program to support building capacity for these fuels, in coordination with the private sector. The 116th Congress enacted this legislation, the Advanced Nuclear Fuel Availability program, in the Energy Act of 2020. Although the program has been plagued by delay, it provides an essential framework upon which DOE, and Congress, may continue to assist developing an advanced fuel infrastructure.[16]

The role for federal support for conventional low-enriched uranium (LEU) used to supply the existing fleet of U.S. reactors re-

---

[12] Testimony of Dr. Kathryn Huff, Assistant Secretary of Nuclear Energy, Department of Energy, before the Committee on Energy and Natural Resources, March 9, 2023.

[13] U.S. DOE Uranium Strategy, presented to congressional authorizing and appropriations committees, August, 2022. (Official Use Only.)

[14] For example, Honeywell's ConverDyn uranium conversion facility, Centrus Energy's enrichment facility, and Urenco USA's enrichment facility all have Nuclear Regulatory Commission licenses that allow expansion to capacity to meet U.S. needs.

[15] Global Laser Enrichment, already under the contract with the Department of Energy to produce fuel from depleted uranium, has signed engagement letters with three major American utilities in support of its emerging technology and diversity of domestic enrichment supplies. See https://www.gle-us.com/news/.

[16] Current legislative proposals in the House and Senate concerning nuclear fuel security provide direction to DOE consistent with this framework. Notably, Centrus Energy, with DOE support under the program, expects to be producing HALEU in 2023.

quires closer scrutiny. The existing, multi-billion-dollar market for LEU is well-developed. It would not need the type of taxpayer support that HALEU infrastructure may require, because there already is a mature market and identifiable demand.

The DOE's proposal to purchase LEU for existing reactors and then resell it to utilities [17] risks distorting pricing and the orderly signals of mature supply and demand. While this may be a workable approach for incentivizing HALEU for advanced reactors, for the existing fleet it creates a dynamic where utilities will be bidding against DOE for limited supply of fuel, which will drive up costs and increase scarcity of an already challenged fuel supply. "Simply creating demand-side pressure is not constructive in an already constrained market," one industry official explained to the Committee in testimony.[18]

The Committee finds that, while targeted DOE support may be necessary, the most important action to address the urgency of Russian threats and the imperative to build out capacity is to establish that, after a date certain, Russian sourced LEU will not be allowed into U.S. markets. The U.S. industry generally relies on long-term contracting, and operates with long-term horizons, which means market signals and forecasts become increasingly important as the market rebalances away from Russian sources.[19]

To protect taxpayers and ensure the benefits of efficient market response to supply constraints, the appropriate sequence of Congressional action is first to create the long-term certainty that Russian fuels will not enter the U.S. market. This allows accurate evaluation of the market response, and other priorities for nuclear infrastructure, to identify what, if any, additional federal support is necessary to assist diverse and adequate capacity expansion.

H.R. 1042, as amended and reported by the Committee, would take this approach. It would provide the appropriate market signal, waivers to allow time to transition to U.S. and Western supplies, and a timely evaluation to identify where, if necessary, federal and taxpayer assistance is needed. It would provide the information for targeted, appropriate assistance. The Committee disagrees with the view that infrastructure must be constructed before a ban can be put in place. This gets the sequencing backwards and risks market distortions and taxpayer waste.

H.R. 1042 would establish the market conditions that would responsibly secure our supply chains, protect taxpayers, and ensure a robust nuclear future.

COMMITTEE ACTION

On February 7, 2023, the Subcommittee on Energy, Climate, and Grid Security and the Subcommittee on Environment, Manufacturing, and Critical Materials held a joint hearing on 17 pieces of legislation, including a discussion draft that would become H.R. 1042. The title of the hearing was "Unleashing American Energy,

[17] Uranium Strategy, op cit.

[18] June 6, 2023, Response to questions for the record by Regis Repko, Senior Vice President, Generation and Transmission Strategy, Duke Energy, for hearing entitled: "American Nuclear Energy Expansion: Powering a Clean and Secure Future," Subcommittee on Energy, Climate, and Grid Security, April 19, 2023.

[19] See International Trade Commission, Post-Preliminary Analysis Memorandum in the 2017–2108 Administrative Review of the Agreement Suspending the Antidumping Investigation of Uranium from the Russian Federation, June 17, 2020.

Lowering Energy Costs, and Strengthening Supply Chains." The Subcommittees received testimony from:

- The Honorable Mark Menezes, Former United States Deputy Secretary of Energy, Department of Energy;
- The Honorable Bernard McNamee, Former Commissioner, Federal Energy Regulatory Commission;
- Jeffrey Eshelman, II, President and Chief Executive Officer, Independent Petroleum Association of America;
- Katie Sweeney, Executive Vice President and Chief Operating Officer, National Mining Association;
- Raul Garcia, Legislative Director for Healthy Communities, Earthjustice; and
- Tyson Slocum, Director of the Energy Program, Public Citizen.

H.R. 1042, Prohibiting Russian Uranium Imports Act, was introduced by Rep. Cathy McMorris Rodgers (R–WA) and Rep. Robert E. Latta (R–Ohio) on February 14, 2023.

On May 16, 2023, the Subcommittee on Energy, Climate, and Grid Security met in open markup session and forwarded H.R. 1042, with amendment, to the full Committee by a record vote of 18 yeas and 12 nays.

On May 24, 2023, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 1042 favorably reported, as amended, to the House by a record vote of 29 yeas and 21 nays.

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto. The following reflects the record votes taken during the Committee consideration:

COMMITTEE ON ENERGY AND COMMERCE
118TH CONGRESS
ROLL CALL VOTE # 22

BILL: H.R. 1042, the "Prohibiting Russian Uranium Imports Act"

AMENDMENT: An amendment to H.R. 1042, offered by Rep. Pallone, No. 1, to add a new section 4, which would authorize Department of Energy programs to support domestic nuclear fuel supplies and require the purchase of certain amounts of low enriched uranium and advanced nuclear fuels by the Department.

DISPOSITION: NOT AGREED TO, by a roll call vote of 23 Yeas and 26 Nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Rep. Burgess		X		Rep. Pallone	X		
Rep. Latta		X		Rep. Eshoo	X		
Rep. Guthrie		X		Rep. DeGette	X		
Rep. Griffith		X		Rep. Schakowsky	X		
Rep. Bilirakis		X		Rep. Matsui	X		
Rep. Johnson		X		Rep. Castor	X		
Rep. Bucshon		X		Rep. Sarbanes	X		
Rep. Hudson				Rep. Tonko	X		
Rep. Walberg		X		Rep. Clarke	X		
Rep. Carter		X		Rep. Cárdenas	X		
Rep. Duncan		X		Rep. Ruiz	X		
Rep. Palmer				Rep. Peters	X		
Rep. Dunn		X		Rep. Dingell	X		
Rep. Curtis		X		Rep. Veasey	X		
Rep. Lesko		X		Rep. Kuster	X		
Rep. Pence		X		Rep. Kelly	X		
Rep. Crenshaw		X		Rep. Barragán	X		
Rep. Joyce		X		Rep. Blunt Rochester	X		
Rep. Armstrong		X		Rep. Soto	X		
Rep. Weber		X		Rep. Craig	X		
Rep. Allen		X		Rep. Schrier	X		
Rep. Balderson		X		Rep. Trahan	X		
Rep. Fulcher		X		Rep. Fletcher	X		
Rep. Pfluger		X					
Rep. Harshbarger		X					
Rep. Miller-Meeks		X					
Rep. Cammack		X					
Rep. Obernolte							
Rep. Rodgers		X					

COMMITTEE ON ENERGY AND COMMERCE
118TH CONGRESS
ROLL CALL VOTE # 23

BILL: H.R. 1042, the "Prohibiting Russian Uranium Imports Act"

AMENDMENT: A motion by Rep. Rodgers to order H.R. 1042 favorably reported to the House, as amended (Final Passage)

DISPOSITION: **AGREED TO,** by a roll call vote of 29 Yeas and 21 Nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Rep. Burgess	X			Rep. Pallone		X	
Rep. Latta	X			Rep. Eshoo		X	
Rep. Guthrie	X			Rep. DeGette		X	
Rep. Griffith	X			Rep. Schakowsky		X	
Rep. Bilirakis	X			Rep. Matsui		X	
Rep. Johnson	X			Rep. Castor		X	
Rep. Bucshon	X			Rep. Sarbanes		X	
Rep. Hudson				Rep. Tonko		X	
Rep. Walberg	X			Rep. Clarke		X	
Rep. Carter	X			Rep. Cárdenas		X	
Rep. Duncan	X			Rep. Ruiz		X	
Rep. Palmer	X			Rep. Peters		X	
Rep. Dunn	X			Rep. Dingell		X	
Rep. Curtis	X			Rep. Veasey		X	
Rep. Lesko	X			Rep. Kuster		X	
Rep. Pence	X			Rep. Kelly		X	
Rep. Crenshaw	X			Rep. Barragán		X	
Rep. Joyce	X			Rep. Blunt Rochester		X	
Rep. Armstrong	X			Rep. Soto		X	
Rep. Weber	X			Rep. Craig	X		
Rep. Allen	X			Rep. Schrier	X		
Rep. Balderson	X			Rep. Trahan		X	
Rep. Fulcher	X			Rep. Fletcher		X	
Rep. Pfluger	X						
Rep. Harshbarger	X						
Rep. Miller-Meeks	X						
Rep. Cammack	X						
Rep. Obernolte							
Rep. Rodgers	X						

OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII, the Committee held hearings and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 1042 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to ensure there is an adequate and reliable supply of critical energy resources that are essential to the energy security of the United States.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 1042 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

RELATED COMMITTEE AND SUBCOMMITTEE HEARINGS

Pursuant to clause 3(c)(6) of rule XIII, the following related hearings were used to develop or consider H.R. 1042:

- On January 31, 2023, the Committee on Energy and Commerce held an oversight hearing entitled, "American Energy Expansion: Strengthening Economic, Environmental, and National Security." The Committee received testimony from:
  - The Honorable Paul Dabbar, Former Under Secretary of Energy, Department of Energy;
  - Robert McNalley, President, Rapidan Energy Group, LLC;
  - Donna Jackson, Director of Membership Development—National Center for Public Policy Research, Project 21; and
  - Ana Unruh Cohen, Former Majority Staff Director, U.S. House Select Committee on the Climate Crisis.

- On February 7, 2023, the Subcommittee on Energy, Climate, and Grid Security and the Subcommittee on Environment, Manufacturing, and Critical Materials held a joint legislative hearing entitled, "Unleashing American Energy, Lowering Energy Costs, and Strengthening Supply Chains," on 17 pieces of legislation, including a discussion draft that would become H.R. 1042. The Subcommittees received testimony from:
  - The Honorable Mark Menezes, Former United States Deputy Secretary of Energy, Department of Energy;
  - The Honorable Bernard McNamee, Former Commissioner, Federal Energy Regulatory Commission;
  - Jeffrey Eshelman, II, President and Chief Executive Officer, Independent Petroleum Association of America;
  - Katie Sweeney, Executive Vice President and Chief Operating Officer, National Mining Association;
  - Raul Garcia, Legislative Director for Healthy Communities, Earthjustice; and
  - Tyson Slocum, Director of the Energy Program, Public Citizen.
- On April 18, 2023, the Subcommittee on Energy, Climate, and Grid Security held an oversight hearing entitled, "American Nuclear Energy Expansion: Powering a Clean and Secure Future." The Subcommittee received testimony from:
  - Jess C. Gehin, Ph.D., Associate Laboratory Director, Nuclear Science and Technology, Idaho National Laboratory;
  - Regis Repko, Senior Vice President, Generation and Transmission, Duke Energy;
  - Jeremy Harrell, Board of Directors Chair, U.S. Nuclear Industry Council and Chief Strategy Officer, ClearPath; and
  - Armond Cohen, Executive Director, Clean Air Task Force.
- On May 11, 2023, the Subcommittee on Energy, Climate, and Grid Security held an oversight hearing entitled, "The Fiscal Year 2024 Department of Energy Budget." The Committee received testimony from:
  - The Honorable Jennifer Granholm, Secretary, U.S. Department of Energy.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. At the time this report was filed, the estimate was not available.

EARMARK, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 1042 contains no earmarks, limited tax benefits, or limited tariff benefits.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 provides that the Act may be cites as the "Prohibiting Russian Uranium Imports Act."

Section 2. Amendments to the USEC Privatization Act

Section 2 amends the USEC Privatization Act to prohibit the importation of unirradiated, low-enriched uranium that is produced in the Russian Federation. The prohibition begins 90 days after enactment of the Act. The provision provides waiver authority until January 2028 to the Secretary of Energy to authorize the importation of such uranium, subject to certain limits specified in the text, if no alternative, viable source of low-enriched uranium is available to sustain U.S. nuclear reactor or U.S. nuclear company operations or is determined to be in the national interest. This prohibition would not apply to imports of non-uranium isotopes or certain imports for national security or nonproliferation purposes. The prohibition terminates on December 31, 2040.

Section 3. Market evaluation and support

Section 3 directs the Secretary of Energy to submit to Congress an evaluation of anticipated low-enriched uranium supplies to replace Russian supplies and proposed Department of Energy assistance, if determined necessary, to support expansion of domestic low-enriched uranium production capacity sufficient to meet domestic demand, accounting for market competition, supply diversity, and long-term fuel supply needs of the United States.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

USEC PRIVATIZATION ACT

* * * * * * *

TITLE III—RESCISSIONS AND OFFSETS

CHAPTER 1—ENERGY AND WATER DEVELOPMENT

SUBCHAPTER A—UNITED STATES ENRICHMENT CORPORATION PRIVATIZATION

* * * * * * *

SEC. 3112A. INCENTIVES FOR ADDITIONAL DOWNBLENDING OF HIGHLY ENRICHED URANIUM BY THE RUSSIAN FEDERATION.

(a) DEFINITIONS.—In this section:

(1) COMPLETION OF THE RUSSIAN HEU AGREEMENT.—The term "completion of the Russian HEU Agreement" means the importation into the United States from the Russian Federation pursuant to the Russian HEU Agreement of uranium derived from the downblending of not less than 500 metric tons of highly enriched uranium of weapons origin.

(2) DOWNBLENDING.—The term "downblending" means processing highly enriched uranium into a uranium product in any form in which the uranium contains less than 20 percent uranium-235.

(3) HIGHLY ENRICHED URANIUM.—The term "highly enriched uranium" has the meaning given that term in section 3102(4).

(4) HIGHLY ENRICHED URANIUM OF WEAPONS ORIGIN.—The term "highly enriched uranium of weapons origin" means highly enriched uranium that—

(A) contains 90 percent or more uranium-235; and

(B) is verified by the Secretary of Energy to be of weapons origin.

(5) LOW-ENRICHED URANIUM.—The term "low-enriched uranium" means a uranium product in any form, including uranium hexafluoride (UF_6) and uranium oxide (UO_2), in which the uranium contains less than 20 percent uranium-235, including natural uranium, without regard to whether the uranium is incorporated into fuel rods or complete fuel assemblies.

(6) RUSSIAN HEU AGREEMENT.—The term "Russian HEU Agreement" has the meaning given that term in section 3102(11).

(7) SUSPENSION AGREEMENT.—The term "Suspension Agreement" has the meaning given that term in section 3102(13).

(8) URANIUM-235.—The term "uranium-235" means the isotope U.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to support the continued downblending of highly enriched uranium of weapons origin in the Russian Federation in order to protect the essential security interests of the United States with respect to the nonproliferation of nuclear weapons;

(2) to reduce reliance on uranium imports in order to protect essential national security interests;

(3) to revive and strengthen the supply chain for nuclear fuel produced and used in the United States; and

(4) to expand production of nuclear fuel in the United States.

(c) PROMOTION OF DOWNBLENDING OF RUSSIAN HIGHLY ENRICHED URANIUM.—

(1) COMPLETION OF THE RUSSIAN HEU AGREEMENT.—Prior to the completion of the Russian HEU Agreement, the importation into the United States of low-enriched uranium, including low-enriched uranium obtained under contracts for separative work units, that is produced in the Russian Federation and is not imported pursuant to the Russian HEU Agreement, may not exceed the following amounts:

(A) In the 4-year period beginning with calendar year 2008, 16,559 kilograms.

(B) In calendar year 2012, 24,839 kilograms.

(C) In calendar year 2013 and each calendar year thereafter through the calendar year of the completion of the Russian HEU Agreement, 41,398 kilograms.

(2) INCENTIVES TO CONTINUE DOWNBLENDING RUSSIAN HIGHLY ENRICHED URANIUM AFTER THE COMPLETION OF THE RUSSIAN HEU AGREEMENT.—

(A) IN GENERAL.—After the completion of the Russian HEU Agreement, the importation into the United States of low-enriched uranium, including low-enriched uranium obtained under contracts for separative work units, that is produced in the Russian Federation, whether or not such low-enriched uranium is derived from highly enriched uranium of weapons origin, may not exceed—

(i) in calendar year 2014, 485,279 kilograms;
(ii) in calendar year 2015, 455,142 kilograms;
(iii) in calendar year 2016, 480,146 kilograms;
(iv) in calendar year 2017, 490,710 kilograms;
(v) in calendar year 2018, 492,731 kilograms;
(vi) in calendar year 2019, 509,058 kilograms;
(vii) in calendar year 2020, 514,754 kilograms;
(viii) in calendar year 2021, 596,682 kilograms; *and*
(ix) in calendar year 2022, 489,617 kilograms**[**;**]**.
[(x) in calendar year 2023, 578,877 kilograms;
[(xi) in calendar year 2024, 476,536 kilograms;
[(xii) in calendar year 2025, 470,376 kilograms;
[(xiii) in calendar year 2026, 464,183 kilograms;
[(xiv) in calendar year 2027, 459,083 kilograms;
[(xv) in calendar year 2028, 344,312 kilograms;
[(xvi) in calendar year 2029, 340,114 kilograms;
[(xvii) in calendar year 2030, 332,141 kilograms;
[(xviii) in calendar year 2031, 328,862 kilograms;
[(xix) in calendar year 2032, 322,255 kilograms;
[(xx) in calendar year 2033, 317,536 kilograms;
[(xxi) in calendar year 2034, 298,088 kilograms;
[(xxii) in calendar year 2035, 294,511 kilograms;
[(xxiii) in calendar year 2036, 286,066 kilograms;
[(xxiv) in calendar year 2037, 281,272 kilograms;
[(xxv) in calendar year 2038, 277,124 kilograms;
[(xxvi) in calendar year 2039, 277,124 kilograms; and
[(xxvii) in calendar year 2040, 267,685 kilograms.**]**

(B) ADMINISTRATION.—

(i) IN GENERAL.—The Secretary of Commerce shall administer the import limitations described in sub-

paragraph (A) in accordance with the provisions of the Suspension Agreement, including—

(I) the limitations on sales of enriched uranium product and separative work units plus conversion, in amounts determined in accordance with Section IV.B.1 of the Suspension Agreement (as amended by the amendment published in the Federal Register on October 9, 2020 (85 Fed. Reg. 64112));

(II) the export limit allocations set forth in Appendix 5 of the Suspension Agreement (as so amended);

(III) the requirements for natural uranium returned feed associated with imports of low-enriched uranium, including pursuant to sales of enrichment, with or without conversion, from the Russian Federation, as set forth in Section IV.B.1 of the Suspension Agreement (as so amended);

(IV) any other provisions of the Suspension Agreement (as so amended); and

(V) any related administrative guidance issued by the Department of Commerce.

(ii) EFFECT OF TERMINATION OF SUSPENSION AGREEMENT.—Clause (i) shall remain in effect if the Suspension Agreement is terminated.

(C) ADDITIONAL IMPORTS IN EXCHANGE FOR A COMMITMENT TO DOWNBLEND AN ADDITIONAL 300 METRIC TONS OF HIGHLY ENRICHED URANIUM.—

(i) IN GENERAL.—In addition to the amount authorized to be imported under subparagraph (A) and except as provided in clause (ii), if the Russian Federation enters into a bilateral agreement with the United States under which the Russian Federation agrees to downblend an additional 300 metric tons of highly enriched uranium after the completion of the Russian HEU Agreement, 4 kilograms of low-enriched uranium, whether or not such low-enriched uranium is derived from highly enriched uranium of weapons origin and including low-enriched uranium obtained under contracts for separative work units, may be imported in a calendar year for every 1 kilogram of Russian highly enriched uranium of weapons origin that was downblended in the preceding calendar year, subject to the verification of the Secretary of Energy under ⟦paragraph (10)⟧ *paragraph (9)*.

(ii) MAXIMUM ANNUAL IMPORTS.—Not more than 120,000 kilograms of low-enriched uranium may be imported in a calendar year under clause (i).

(3) EXCEPTIONS.—The import limitations described in paragraphs (1) and (2) shall not apply to low-enriched uranium produced in the Russian Federation that is imported into the United States—

(A) for use in the initial core of a new nuclear reactor; or

(B) for processing and to be certified for reexportation and not for consumption in the United States.

(4) LIMITED WAIVER AUTHORITY.—

(A) IN GENERAL.—Notwithstanding paragraph (1)(C), if the completion of the Russian HEU Agreement does not occur before December 31, 2013, the import limitations under paragraph (1)(C) shall be waived, and low-enriched uranium may be imported into the United States in the quantities specified in paragraph (2) in a calendar year after 2013, if—

(i) the Secretary of Energy and the Secretary of State jointly determine that—

(I) the failure of the completion of the Russian HEU Agreement arises from causes beyond the control and without the fault or negligence of the Government of the Russian Federation; and

(II) the Government of the Russian Federation has made reasonable efforts to avoid and mitigate the effects of the failure of the completion of the Russian HEU Agreement; and

(ii) the Secretary of Energy and the Secretary of State jointly notify Congress of, and publish in the Federal Register, the determination under clause (i) and the reasons for the determination.

(B) NOTICE AND WAIT.—A waiver under subparagraph (A) may not take effect until the date that is 180 days after the date on which Secretary of Energy and the Secretary of State notify Congress under subparagraph (A)(ii).

(C) TERMINATION.—A waiver under subparagraph (A) shall terminate on December 31 of the calendar year with respect to which the Secretary makes the determination under subparagraph (A)(i).

[(5) ADJUSTMENTS TO IMPORT LIMITATIONS.—

[(A) IN GENERAL.—The import limitations described in paragraph (2)(A) are based on the lower scenario data in the report of the World Nuclear Association entitled "The Nuclear Fuel Report: Global Scenarios for Demand and Supply Availability 2019–2040". In each of calendar years 2023, 2029, and 2035, the Secretary of Commerce shall review the projected demand for uranium for nuclear reactors in the United States and adjust the import limitations described in paragraph (2)(A) to account for changes in such demand in years after the year in which that report or a subsequent report is published.

[(B) REPORT REQUIRED.—Not later than one year after the date of the enactment of the Energy Act of 2020, and every 3 years thereafter, the Secretary shall submit to Congress a report that includes—

[(i) a recommendation on the use of all publicly available data to ensure accurate forecasting by scenario data to comport to actual demand for low-enriched uranium for nuclear reactors in the United States; and

[(ii) an identification of the steps to be taken to adjust the import limitations described in paragraph (2)(A) based on the most accurate scenario data.

[(C) INCENTIVE ADJUSTMENT.—Beginning in the second calendar year after the calendar year of the completion of the Russian HEU Agreement, the Secretary of Energy shall increase or decrease the amount of low-enriched uranium that may be imported in a calendar year under paragraph (2)(C) (including the amount of low-enriched uranium that may be imported for each kilogram of highly enriched uranium downblended under paragraph (2)(B)(i)) by a percentage equal to the percentage increase or decrease, as the case may be, in the average amount of uranium loaded into nuclear power reactors in the United States in the most recent 3-calendar-year period for which data are available, as reported by the Energy Information Administration of the Department of Energy, compared to the average amount of uranium loaded into such reactors during the 3-calendar-year period beginning on January 1, 2011, as reported by the Energy Information Administration.

[(D) PUBLICATION OF ADJUSTMENTS.—As soon as practicable, but not later than July 31 of each calendar year, the Secretary of Energy shall publish in the Federal Register the amount of low-enriched uranium that may be imported in the current calendar year after the adjustments under subparagraph (C).]

[(6)] *(5)* AUTHORITY FOR ADDITIONAL ADJUSTMENT.—[In addition to the adjustment under paragraph (5)(A), the] *The* Secretary of Commerce may adjust the import limitations under paragraph (2)(A) for a calendar year if the Secretary—

(A) in consultation with the Secretary of Energy, determines that the available supply of low-enriched uranium and the available stockpiles of uranium of the Department of Energy are insufficient to meet demand in the United States in the following calendar year; and

(B) notifies Congress of the adjustment not less than 45 days before making the adjustment.

[(7)] *(6)* EQUIVALENT QUANTITIES OF LOW-ENRICHED URANIUM IMPORTS.—

(A) IN GENERAL.—The import limitations described in paragraphs (1) and (2) are expressed in terms of uranium containing 4.4 percent uranium-235 and a tails assay of 0.3 percent.

(B) ADJUSTMENT FOR OTHER URANIUM.—Imports of low-enriched uranium under paragraphs (1) and (2), including low-enriched uranium obtained under contracts for separative work units, shall count against the import limitations described in such paragraphs in amounts calculated as the quantity of low-enriched uranium containing 4.4 percent uranium-235 necessary to equal the total amount of uranium-235 contained in such imports.

[(8)] *(7)* DOWNBLENDING OF OTHER HIGHLY ENRICHED URANIUM.—

(A) IN GENERAL.—The downblending of highly enriched uranium not of weapons origin may be counted for pur-

poses of paragraph (2)(C, subject to verification under [paragraph (10)] *paragraph (9)*, if the Secretary of Energy determines that the highly enriched uranium to be downblended poses a risk to the national security of the United States.

(B) EQUIVALENT QUANTITIES OF HIGHLY ENRICHED URANIUM.—For purposes of determining the additional low-enriched uranium imports allowed under paragraph (2)(C), highly enriched uranium not of weapons origin downblended pursuant to subparagraph (A) shall count as downblended highly enriched uranium of weapons origin in amounts calculated as the quantity of highly enriched uranium containing 90 percent uranium-235 necessary to equal the total amount of uranium-235 contained in the highly enriched uranium not of weapons origin downblended pursuant to subparagraph (A).

[(9)] *(8)* TERMINATION OF IMPORT RESTRICTIONS.—The provisions of this subsection shall terminate on [December 31, 2040] *the date described in subsection (d)(1)*.

[(10)] *(9)* TECHNICAL VERIFICATIONS BY SECRETARY OF ENERGY.—

(A) IN GENERAL.—The Secretary of Energy shall verify the origin, quantity, and uranium-235 content of the highly enriched uranium downblended for purposes of [paragraphs (2)(C) and (8)] *paragraphs (2)(C) and (7)*.

(B) METHODS OF VERIFICATION.—In conducting the verification required under subparagraph (A), the Secretary of Energy shall employ the transparency measures and access provisions agreed to under the Russian HEU Agreement for monitoring the downblending of Russian highly enriched uranium of weapons origin and such other methods as the Secretary determines appropriate.

[(11)] *(10)* ENFORCEMENT OF IMPORT LIMITATIONS.—The Secretary of Commerce shall be responsible for enforcing the import limitations imposed under this subsection and shall enforce such import limitations in a manner that imposes a minimal burden on the commercial nuclear industry.

[(12)] *(11)* EFFECT ON OTHER AGREEMENTS.—

(A) RUSSIAN HEU AGREEMENT.—Nothing in this section shall be construed to modify the terms of the Russian HEU Agreement, including the provisions of the Agreement relating to the amount of low-enriched uranium that may be imported into the United States.

(B) OTHER AGREEMENTS.—If a provision of any agreement between the United States and the Russian Federation, other than the Russian HEU Agreement or the Suspension Agreement, relating to the importation of low-enriched uranium, including low-enriched uranium obtained under contracts for separative work units, into the United States conflicts with a provision of this section, the provision of this section shall supersede the provision of the agreement to the extent of the conflict.

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

(1) PROHIBITION.—Beginning on the date that is 90 days after the date of enactment of this subsection, and subject to para-

graphs (2) and (3), no unirradiated low-enriched uranium that is produced in the Russian Federation may be imported into the United States.

(2) WAIVER.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of Energy, in consultation with the Secretary of State and the Secretary of Commerce, may waive application of paragraph (1) to authorize the importation of unirradiated low-enriched uranium that is produced in the Russian Federation if the Secretary of Energy determines that—

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

(ii) importation of low-enriched uranium that is produced in the Russian Federation is in the national interest.

(B) LIMITATION ON AMOUNTS OF IMPORTS OF LOW-ENRICHED URANIUM.—

(i) IN GENERAL.—The importation into the United States of low-enriched uranium, including low-enriched uranium obtained under contracts for separative work units, that is produced in the Russian Federation, whether or not such low-enriched uranium is derived from highly enriched uranium of weapons origin, may not exceed—

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

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

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

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

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

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

(C) ADMINISTRATION.—The Secretary of Commerce shall—

(i) administer the import limitations described in subparagraph (B) in accordance with the provisions of the Suspension Agreement, including the provisions described in subsection (c)(2)(B)(i);

(ii) be responsible for enforcing the import limitations described in subparagraph (B); and

(iii) enforce the import limitations described in subparagraph (B) in a manner that imposes a minimal burden on the commercial nuclear industry.

(D) NOTIFICATION TO CONGRESS.—Upon 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 nonproliferation 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.

* * * * * * *

MINORITY VIEWS

We support restrictions on the importation of uranium from Russia. However, we need to partner any effort to lessen our dependence on Russian uranium with efforts to boost the domestic uranium fuel cycle supply chain. Otherwise, we risk swapping our dependence on one country for dependence on another. Right now, the United States has only one enrichment facility that produces roughly one-third of the enriched uranium that our domestic nuclear power fleet consumes.

In testimony before the Energy Subcommittee, Secretary of Energy Jennifer Granholm indicated that she would consider a ban on Russian uranium if the United States developed its own domestic supply of enriched uranium.[1] The Administration underscored the importance of this issue when it included in a recent supplemental funding request $2.16 billion to secure the nuclear fuel supply chain by supporting the expansion of domestic uranium enrichment services. The request states that "expanding domestic fuel capacity would require both funding and a long-term ban on enriched uranium product imports from the Russian Federation into the United States."[2]

For these reasons, we believe it is critical to pair a ban on Russian uranium with support for expanding domestic nuclear fuel cycle capabilities.

FRANK PALLONE Jr.,
Ranking Member, Committee on Energy and Commerce.

○

[1] House Committee on Energy & Commerce, *Hearing on Fiscal Year 2024 Department of Energy Budget Request*, 118th Cong. (May 11, 2023).
[2] The White House, *Funding Request to Meet Critical Needs*, (Oct. 2023) (www.whitehouse.gov/wp-content/uploads/2023/10/Funding-Request-to-Meet-Critical-Needs.pdf).