

1 Purpose: To modify a requirement relating to export licenses for the transfer of certain items to
2 certain countries.

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4

5 S. 4897

6 To reestablish United States global leadership in nuclear energy,
7 revitalize domestic nuclear energy supply chain infrastructure,
8 support the licensing of advanced nuclear technologies, and
9 improve the regulation of nuclear energy, and for other
10 purposes.

11 Referred to the Committee on _____ and ordered to be
12 printed

13 Ordered to lie on the table and to be printed

14 AMENDMENT INTENDED TO BE PROPOSED BY MR. VAN HOLLEN

15 Viz:

16 Strike section 103 and insert the following:

17 **SEC. 103. EXPORT LICENSE REQUIREMENTS.**

18 (a) Definition of Low-Enriched Uranium.—In this section, the term “low-enriched uranium”
19 means uranium enriched to less than 20 percent of the uranium-235 isotope.

20 (b) Requirement.—The Commission shall not issue an export license for the transfer of any
21 item described in subsection (d) to a country described in subsection (c) unless the Commission
22 makes a determination that such transfer will not be inimical to the interests of the United States.

23 (c) Countries Described.—A country referred to in subsection (b) is a country that—

24 (1) has not concluded and ratified an Additional Protocol to its safeguards agreement
25 with the International Atomic Energy Agency; or

26 (2) has not ratified or acceded to the amendment to the Convention on the Physical
27 Protection of Nuclear Material, signed at Vienna and New York March 3, 1980, described
28 in the information circular of the International Atomic Energy Agency numbered
29 INFCIRC/274/Rev.1/Mod.1 and dated May 9, 2016.

30 (d) Items Described.—An item referred to in subsection (b) includes—

31 (1) unirradiated nuclear fuel containing special nuclear material (as defined in section 11
32 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)), excluding low-enriched uranium;

33 (2) a nuclear reactor that uses nuclear fuel described in paragraph (1); and

34 (3) any plant or component listed in Appendix I to part 110 of title 10, Code of Federal

- 1 Regulations (or successor regulations), that is involved in—
- 2 (A) the reprocessing of irradiated nuclear reactor fuel elements;
- 3 (B) the separation of plutonium; or
- 4 (C) the separation of the uranium-233 isotope.
- 5 (e) Notification.—If the Commission makes a determination under subsection (b) that the
- 6 transfer of any item described in subsection (d) to a country described in subsection (c) will not
- 7 be inimical to the interests of the United States, the Commission shall notify the appropriate
- 8 committees of Congress.