

118TH CONGRESS  
2D SESSION

# H. R. 8046

To impose sanctions with respect to Rosatom, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2024

Mr. KEAN of New Jersey introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, 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 impose sanctions with respect to Rosatom, 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 “Rosatom Sanctions  
5 Enforcement Act”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 It shall be the policy of the United States—

8 (1) to end United States reliance on the nuclear  
9 energy sector of the Russian Federation, including

1 Rosatom, in light of Russia’s unprovoked war of ag-  
2 gression against Ukraine, a grave breach of inter-  
3 national law;

4 (2) to work with United States allies and part-  
5 ners to find alternative nuclear energy suppliers to  
6 Russia and help these allies and partners end their  
7 reliance on Rosatom;

8 (3) to limit access of the Government of Russia  
9 to revenue through the implementation of sanctions  
10 and export controls against Rosatom; and

11 (4) to inhibit the Government of Russia from  
12 using Rosatom as a tool of malign influence inter-  
13 nationally.

14 **SEC. 3. STRATEGY.**

15 (a) IN GENERAL.—Not later than 180 days after the  
16 date of the enactment of this Act, and biannually there-  
17 after for 5 years, the President shall submit to the appro-  
18 priate congressional committees a strategy that contains  
19 the contents described in subsection (b).

20 (b) CONTENTS DESCRIBED.—The contents of the  
21 strategy required by subsection (a) shall include the fol-  
22 lowing:

23 (1) A strategy to—

24 (A) replace Rosatom and other nuclear  
25 suppliers of the Russian Federation with those

1 from the United States and United States allies  
2 and partners;

3 (B) effect a permanent decoupling from  
4 the Russian nuclear industry; and

5 (C) replace Rosatom as the primary entity  
6 that can provide reactor safety and operation  
7 services to the existing Rosatom and Russian  
8 Federation designed and constructed nuclear  
9 reactor fleet.

10 (2) A description of key vulnerabilities in the  
11 infrastructure and supply chains of United States al-  
12 lies and partners.

13 (3) A description of consultations carried out  
14 with United States allies and partners in imple-  
15 menting the sanctions required by section 5.

16 (4) A description of proposed assistance by the  
17 United States and United States allies and partners  
18 to the International Atomic Energy Agency's inter-  
19 national low-enriched uranium fuel bank in  
20 Kazakhstan.

21 (c) FORM.—The strategy required by subsection (a)  
22 shall be submitted in unclassified form, but may contain  
23 a classified annex.

1 **SEC. 4. ISSUANCE OF DIRECTIVE PURSUANT TO EXECUTIVE**  
2 **ORDER 14024.**

3 Not later than 60 days after the submission of the  
4 strategy described in section 2, the President shall issue  
5 a directive pursuant to Executive Order 14024 (86 Fed.  
6 Reg. 20249; relating to blocking property with respect to  
7 specified harmful foreign activities of the Government of  
8 the Russian Federation) prohibiting United States per-  
9 sons from engaging in any significant transaction or deal-  
10 ing with—

11 (1) Rosatom;

12 (2) any person that is a corporate officer or  
13 principal of, or shareholder with a controlling inter-  
14 est in, Rosatom; or

15 (3) any foreign person that is directly or indi-  
16 rectly owned or controlled by or acting for or on be-  
17 half of Rosatom.

18 **SEC. 5. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
19 **ROSATOM.**

20 (a) **SANCTIONS REQUIRED.**—On and after the date  
21 that is 180 days after the date of the enactment of this  
22 Act, the President shall impose the sanctions described in  
23 subsection (b) with respect to—

24 (1) Rosatom;

25 (2) any foreign person that is a member of the  
26 supervisory board or management board of Rosatom;

1           (3) a foreign person that knowingly directly or  
2 indirectly engages in any significant transaction for  
3 nuclear reactor construction and related services  
4 with Rosatom;

5           (4) any foreign person that is responsible for or  
6 complicit in, or responsible for ordering, controlling,  
7 or otherwise directing, the activities at Ukraine's  
8 Zaporizhzhia Nuclear Power Plant since February  
9 24, 2022, and while illegally under occupation of the  
10 Russian Federation; or

11           (5) any foreign person that is owned, controlled,  
12 or directed by, or has knowingly provided support  
13 for or acted or purported to act for or on behalf of,  
14 directly or indirectly, any foreign person described in  
15 paragraph (1), (2), (3), or (4).

16       (b) SANCTIONS DESCRIBED.—The President shall ex-  
17 ercise all of the powers granted by the International Emer-  
18 gency Economic Powers Act (50 U.S.C. 1701 et seq.) to  
19 block and prohibit all transactions in all property and in-  
20 terests in property of the foreign person if such property  
21 and interests in property are in the United States, come  
22 within the United States, or are or come within the posses-  
23 sion or control of a United States person.

1 **SEC. 6. PROHIBITIONS AND CONDITIONS WITH RESPECT TO**  
2 **CERTAIN ACCOUNTS HELD BY FOREIGN FI-**  
3 **NANCIAL INSTITUTIONS.**

4 (a) **IN GENERAL.**—The President shall prescribe reg-  
5 ulations to prohibit, or impose strict conditions on, the  
6 opening or maintaining in the United States of a cor-  
7 respondent account or a payable-through account by a for-  
8 eign financial institution that the President determines fa-  
9 cilitates the activities of a foreign person described in  
10 paragraph (2), (3), (4), or (5) of section 5(a).

11 (b) **DEFINITIONS.**—In this section—

12 (1) the terms “account”, “correspondent ac-  
13 count”, and “payable-through account” have the  
14 meanings given those terms in section 5318A of title  
15 31, United States Code; and

16 (2) the term “financial institution” means a fi-  
17 nancial institution specified in subparagraph (A),  
18 (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or  
19 (Y) of section 5312(a)(2) of title 31, United States  
20 Code.

21 **SEC. 7. GENERAL PROVISIONS APPLICABLE TO SECTIONS 4,**  
22 **5, AND 6.**

23 (a) **WAIVERS.**—

24 (1) **IN GENERAL.**—The President may waive  
25 the application of sanctions under section 4, 5, or 6  
26 for a transaction or transactions with a United

1 States person, a foreign person, or a foreign finan-  
2 cial institution (as the case may be) described under  
3 such section if the President certifies to the appro-  
4 priate congressional committees that such waiver is  
5 vital to the national security interests of the United  
6 States—

7 (A) for renewable periods of 180 days until  
8 January 1, 2028; and

9 (B) on a case-by-case basis from January  
10 2, 2028 to January 1, 2032.

11 (2) TRANSACTIONS RELATING TO ACTIVITIES  
12 NECESSARY TO THE PRODUCTION OF MEDICAL AND  
13 INDUSTRIAL RADIOACTIVE AND STABLE ISOTOPES.—

14 (A) IN GENERAL.—The President may  
15 waive the application of sanctions under section  
16 4, 5, or 6 for a transaction or transactions with  
17 a United States person, a foreign person, or a  
18 foreign financial institution (as the case may  
19 be) described under such section for one year,  
20 renewable for up to 10 years, if—

21 (i) the President determines that the  
22 transaction relates to activities necessary  
23 to the production of medical isotopes or in-  
24 dustrial isotopes; and

1 (ii) the President certifies to the ap-  
2 propriate congressional committees that—

3 (I) domestic medical isotope or  
4 industrial isotope production is insuf-  
5 ficient to meet United States patient  
6 and industry requirements; and

7 (II) the United States is taking  
8 measurable steps to establish medical  
9 isotope or industrial isotope supply  
10 chains that are not reliant on  
11 Rosatom or other Russian source ma-  
12 terial.

13 (B) DEFINITIONS.—In this paragraph—

14 (i) the term “industrial isotope”  
15 means a radioactive or stable form of an  
16 element that is used primarily for indus-  
17 trial (non-medical) purposes; and

18 (ii) the term “medical isotope” means  
19 a radioactive or stable form of an element  
20 that is either administered directly into a  
21 patient or is combined with a carrier mol-  
22 ecule for diagnosis and treatment of dis-  
23 ease.

24 (3) SPECIAL RULE.—



1 (A) IN GENERAL.—The President shall not  
2 be required to impose the application of sanc-  
3 tions under section 4, 5, or 6 for a transaction  
4 or transactions with a United States person, a  
5 foreign person, or a foreign financial institution  
6 (as the case may be) described under such if  
7 the President certifies in writing to the appro-  
8 priate congressional committees that—

9 (i) the person—

10 (I) is no longer engaging in ac-  
11 tivities of a foreign person described  
12 in paragraph (3), (4), or (5) of section  
13 5(a), or section 6; and

14 (II) has taken and is continuing  
15 to take significant verifiable steps to-  
16 ward terminating such activities; and

17 (ii) the President has received reliable  
18 assurances that the person will not engage  
19 in such activities in the future.

20 (B) CLARIFICATION OF APPLICABILITY.—

21 The authority described in subparagraph (A)  
22 may apply to contracts that—

23 (i) have entered into force prior to  
24 February 24, 2022, and have not been ex-

1           tended or renegotiated since their entry  
2           into force; and

3                   (ii) do not extend beyond January 1,  
4           2028, for fuel and services.

5           (4) NOTIFICATION.—Not later than 15 days  
6           prior to the issuance of the exercise of a waiver  
7           under paragraph (1) or (2) or the special rule under  
8           paragraph (3) with respect to United States person,  
9           a foreign person, or a foreign financial institution  
10          (as the case may be), and every 180 days there after  
11          while the waiver or special rule (as the case may be)  
12          remains in effect, the President shall notify the ap-  
13          propriate congressional committees on the status of  
14          the involvement of the person in activities that meet  
15          the criteria described in sections 4, 5, and 6.

16          (b) EXCEPTIONS.—Sanctions described under section  
17          4, 5, or section 6 shall not apply to—

18                   (1) authorized intelligence, law enforcement, or  
19                   national security activities of the United States;

20                   (2) activities that are for the conduct of the of-  
21                   ficial business of the United Nations, its specialized  
22                   agencies, programmes, funds, and related organiza-  
23                   tions by employees, contractors, or grantees of such  
24                   agencies, programmes and funds; or

1           (3) any activities that are required for the safe  
2 operation of nuclear reactors including critical reac-  
3 tor safety, safeguards, and security, in which there  
4 are no alternative suppliers.

5           (c) IMPLEMENTATION; PENALTIES.—

6           (1) IMPLEMENTATION.—The President may ex-  
7 ercise all authorities provided to the President under  
8 sections 203 and 205 of the International Emer-  
9 gency Economic Powers Act (50 U.S.C. 1702 and  
10 1704) to carry out sections 4, 5, and 6 if the Presi-  
11 dent notifies Congress not later than 5 days prior to  
12 the issuance of a license relating to such exercise of  
13 authorities.

14           (2) PENALTIES.—The penalties provided for in  
15 subsections (b) and (c) of section 206 of the Inter-  
16 national Emergency Economic Powers Act (50  
17 U.S.C. 1705) shall apply to a person that violates,  
18 attempts to violate, conspires to violate, or causes a  
19 violation of regulations promulgated under sub-  
20 section (d) to carry out section 4, 5, or 6 to the  
21 same extent that such penalties apply to a person  
22 that commits an unlawful act described in section  
23 206(a) of that Act.

24           (d) REGULATORY AUTHORITY.—Not later than 180  
25 days after the date of the enactment of this Act, the Presi-

1 dent shall promulgate regulations as necessary for the im-  
2 plementation of sections 4, 5, and 6.

3 **SEC. 8. CONGRESSIONAL OVERSIGHT OF CERTAIN SANC-**  
4 **TIONS IMPOSED WITH RESPECT TO THE RUS-**  
5 **SIAN FEDERATION.**

6 (a) IN GENERAL.—Not later than 60 days after re-  
7 ceiving a request from the chairman and ranking member  
8 of one of the appropriate congressional committees with  
9 respect to whether a person meets the criteria of a foreign  
10 person described in paragraph (2), (3), (4) or (5) of sec-  
11 tion 5(a) or a foreign financial institution described in sec-  
12 tion 6(a), as the case may be, or is violating or has violated  
13 a covered regulation, the President shall—

14 (1) determine if the person or foreign financial  
15 institution, as the case may be, meets such criteria;  
16 and

17 (2) submit a classified or unclassified report to  
18 such chairman and ranking member with respect to  
19 such determination that includes a statement of  
20 whether or not the President imposed or intends to  
21 impose sanctions with respect to such person or for-  
22 eign financial institution.

23 (b) COVERED REGULATION DEFINED.—The term  
24 “covered regulation” means—

1 (1) part 587 of title 31, Code of Federal Regu-  
2 lations (Russia Harmful Foreign Activities Sanc-  
3 tions Regulations); or

4 (2) part 589 of title 31 Code of Federal Regu-  
5 lations (Ukraine/Russia-Related Sanctions Regula-  
6 tions).

7 **SEC. 9. PAUSE FROM THE RUSSIA “123 AGREEMENT”.**

8 The President shall take such actions as may be nec-  
9 essary to pause the issuance of export licenses granted  
10 under the United States from the Agreement between the  
11 Government of the United States of America and the Gov-  
12 ernment of the Russian Federation for Cooperation in the  
13 Field of Peaceful Uses of Nuclear Energy, entered into  
14 on January 11, 2011, pursuant to section 123 of the  
15 Atomic Energy Act of 1954 (42 U.S.C. 2153), until such  
16 time as the President certifies to the appropriate congres-  
17 sional committees the following:

18 (1) The Russian Federation has ceased hos-  
19 tilities in Ukraine, has withdrawn all of its forces  
20 from sovereign Ukrainian territory, and Ukraine’s  
21 territorial integrity is fully restored.

22 (2) Rosatom is not or has not contributed to  
23 the misuse of United States-origin nuclear material  
24 within Zaporizhia Nuclear Power Plant.

1           (3) Russia, through Rosatom, is not using or  
2           gaining any benefit of the proceeds from sales re-  
3           lated to Rosatom to fund Russia's illegal occupation  
4           of Ukraine or other territory.

5           (4) Russia is in full compliance with the Treaty  
6           between the United States of America and the Rus-  
7           sian Federation on Measures for the Further Reduc-  
8           tion and Limitation of Strategic Offensive Arms.

9           (5) Russia has not conducted any yield pro-  
10          ducing nuclear test in the 10-year period ending on  
11          the date of the certification.

12          (6) Rosatom's transfer of nuclear materials and  
13          assistance to third countries does not contribute to  
14          any such third party country's nuclear weapons ac-  
15          tivity or illicit nuclear activity.

16          (7) Russia is not transferring nuclear material  
17          or cooperating militarily with a country or countries  
18          in which the International Atomic Energy Agency  
19          has an open investigation or has withdrawn from the  
20          Treaty on the Non-Proliferation of Nuclear Weap-  
21          ons.

22          (8) Russia has met its obligations under the  
23          Plutonium Management and Disposition Agreement.

1 **SEC. 10. NO ADDITIONAL FUNDS AUTHORIZED.**

2 No additional funds are authorized to be appro-  
3 priated to carry out the requirements of this Act. Such  
4 requirements shall be carried out using amounts otherwise  
5 authorized to be appropriated.

6 **SEC. 11. DEFINITIONS.**

7 In this Act:

8 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
9 **TEES.**—The term “appropriate congressional com-  
10 mittees” means—

11 (A) the Committee on Foreign Affairs of  
12 the House of Representatives; and

13 (B) the Committee on Foreign Relations of  
14 the Senate.

15 (2) **FOREIGN PERSON.**—The term “foreign per-  
16 son” means—

17 (A) an individual who is not a United  
18 States citizen or an alien lawfully admitted for  
19 permanent residence to the United States; or

20 (B) an entity that is not a United States  
21 person.

22 (3) **ROSATOM.**—The term “Rosatom” means—

23 (A) the Rosatom State Nuclear Energy  
24 Corporation of the Russian Federation or any  
25 subsidiary thereof;

1 (B) any entity owned or controlled by the  
2 entities described in subparagraph (A); or

3 (C) any successor entity or subsidiary of  
4 any entity described in subparagraph (A) or  
5 (B).

6 (4) UNITED STATES PERSON.—The term  
7 “United States person” means—

8 (A) a United States citizen or an alien law-  
9 fully admitted for permanent residence to the  
10 United States;

11 (B) an entity organized under the laws of  
12 the United States or of any jurisdiction of the  
13 United States, including a foreign branch of  
14 such an entity; or

15 (C) a person in the United States.

○