

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.**

**H. R. 6968**

To prohibit the importation of energy products of the Russian Federation, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. CRAPO (for himself and Mr. WYDEN)

Viz:

1 Strike all after the enacting clause and insert the following:  
2

3 **SECTION 1. SHORT TITLE.**

4 This Act may be known as the “Ending Importation  
5 of Russian Oil Act”.

6 **SEC. 2. PROHIBITION ON IMPORTATION OF ENERGY PRODUCTS OF THE RUSSIAN FEDERATION.**  
7

8 All products of the Russian Federation classified  
9 under chapter 27 of the Harmonized Tariff Schedule of  
10 the United States shall be banned from importation into  
11 the United States, in a manner consistent with any implementation  
12 actions issued under Executive Order 14066

1 (87 Fed. Reg. 13625; relating to prohibiting certain im-  
2 ports and new investments with respect to continued Rus-  
3 sian Federation efforts to undermine the sovereignty and  
4 territorial integrity of Ukraine).

5 **SEC. 3. TERMINATION OF PROHIBITION ON IMPORTATION**  
6 **OF ENERGY PRODUCTS OF THE RUSSIAN**  
7 **FEDERATION.**

8 (a) IN GENERAL.—The President is authorized to  
9 terminate the prohibition on importation of energy prod-  
10 ucts of the Russian Federation under section 2 if the  
11 President submits to Congress a certification under sub-  
12 section (c). Such termination shall take effect beginning  
13 on the date that is 90 calendar days after the date of sub-  
14 mission of such certification, unless there is enacted into  
15 law during such 90-day period a joint resolution of dis-  
16 approval.

17 (b) CONSULTATION AND REPORT.—The President  
18 shall, not later than 45 calendar days before submitting  
19 a certification under subsection (a)—

20 (1) consult with—

21 (A) the Committee on Ways and Means  
22 and the Committee on Foreign Affairs of the  
23 House of Representatives; and

1 (B) the Committee on Finance and the  
2 Committee on Foreign Relations of the Senate;  
3 and

4 (2) submit to all such committees a report that  
5 explains the basis for the determination of the Presi-  
6 dent contained in such certification.

7 (c) CERTIFICATION.—A certification under this sub-  
8 section is a certification in writing that—

9 (1) indicates that the President proposes to ter-  
10minate under subsection (a) the prohibition under  
11section 2; and

12 (2) contains a determination of the President  
13that the Russian Federation—

14 (A) has reached an agreement to withdraw  
15Russian forces and for the cessation of military  
16hostilities that is accepted by the free and inde-  
17pendent government of Ukraine;

18 (B) poses no immediate military threat of  
19aggression to any North Atlantic Treaty Orga-  
20nization member; and

21 (C) recognizes the right of the people of  
22Ukraine to independently and freely choose  
23their own government.

24 (d) JOINT RESOLUTION OF DISAPPROVAL.—

1           (1) DEFINITION.—For purposes of this section,  
2           the term “joint resolution of disapproval” means  
3           only a joint resolution—

4                   (A) that does not have a preamble;

5                   (B) the title of which is as follows: “Joint  
6           resolution disapproving the President’s certifi-  
7           cation under section 3(c) of the Ending Impor-  
8           tation of Russian Oil Act.”; and

9                   (C) the matter after the resolving clause of  
10           which is as follows: “That Congress disapproves  
11           the certification of the President under section  
12           3(c) of the Ending Importation of Russian Oil  
13           Act, submitted to Congress on \_\_\_\_\_”, the  
14           blank space being filled in with the appropriate  
15           date.

16           (2) INTRODUCTION IN THE HOUSE OF REP-  
17           RESENTATIVES.—During a period of 5 legislative  
18           days beginning on the date that a certification under  
19           subsection (c) is submitted to Congress, a joint reso-  
20           lution of disapproval may be introduced in the  
21           House of Representatives by the majority leader or  
22           the minority leader.

23           (3) INTRODUCTION IN THE SENATE.—During a  
24           period of 5 days on which the Senate is in session  
25           beginning on the date that a certification under sub-

1 section (c) is submitted to Congress, a joint resolu-  
2 tion of disapproval may be introduced in the Senate  
3 by the majority leader (or the majority leader's des-  
4 ignee) or the minority leader (or the minority lead-  
5 er's designee).

6 (4) FLOOR CONSIDERATION IN THE HOUSE OF  
7 REPRESENTATIVES.—

8 (A) REPORTING AND DISCHARGE.—If a  
9 committee of the House to which a joint resolu-  
10 tion of disapproval has been referred has not  
11 reported such joint resolution within 10 legisla-  
12 tive days after the date of referral, that com-  
13 mittee shall be discharged from further consid-  
14 eration thereof.

15 (B) PROCEEDING TO CONSIDERATION.—  
16 Beginning on the third legislative day after  
17 each committee to which a joint resolution of  
18 disapproval has been referred reports it to the  
19 House or has been discharged from further con-  
20 sideration thereof, it shall be in order to move  
21 to proceed to consider the joint resolution in the  
22 House. All points of order against the motion  
23 are waived. Such a motion shall not be in order  
24 after the House has disposed of a motion to  
25 proceed on a joint resolution with regard to the

1 same certification. The previous question shall  
2 be considered as ordered on the motion to its  
3 adoption without intervening motion. The mo-  
4 tion shall not be debatable. A motion to recon-  
5 sider the vote by which the motion is disposed  
6 of shall not be in order.

7 (C) CONSIDERATION.—The joint resolution  
8 shall be considered as read. All points of order  
9 against the joint resolution and against its con-  
10 sideration are waived. The previous question  
11 shall be considered as ordered on the joint reso-  
12 lution to final passage without intervening mo-  
13 tion except two hours of debate equally divided  
14 and controlled by the sponsor of the joint reso-  
15 lution (or a designee) and an opponent. A mo-  
16 tion to reconsider the vote on passage of the  
17 joint resolution shall not be in order.

18 (5) CONSIDERATION IN THE SENATE.—

19 (A) COMMITTEE REFERRAL.—A joint reso-  
20 lution of disapproval introduced in the Senate  
21 shall be referred to the Committee on Finance.

22 (B) REPORTING AND DISCHARGE.—If the  
23 Committee on Finance has not reported such  
24 joint resolution of disapproval within 10 days  
25 on which the Senate is in session after the date

1 of referral of such joint resolution, that com-  
2 mittee shall be discharged from further consid-  
3 eration of such joint resolution and the joint  
4 resolution shall be placed on the appropriate  
5 calendar.

6 (C) MOTION TO PROCEED.—Notwith-  
7 standing Rule XXII of the Standing Rules of  
8 the Senate, it is in order at any time after the  
9 Committee on Finance reports the joint resolu-  
10 tion of disapproval to the Senate or has been  
11 discharged from its consideration (even though  
12 a previous motion to the same effect has been  
13 disagreed to) to move to proceed to the consid-  
14 eration of the joint resolution, and all points of  
15 order against the joint resolution (and against  
16 consideration of the joint resolution) shall be  
17 waived. The motion to proceed is not debatable.  
18 The motion is not subject to a motion to post-  
19 pone. A motion to reconsider the vote by which  
20 the motion is agreed to or disagreed to shall not  
21 be in order. If a motion to proceed to the con-  
22 sideration of the joint resolution of disapproval  
23 is agreed to, the joint resolution shall remain  
24 the unfinished business until disposed of.

1           (D) DEBATE.—Debate on the joint resolu-  
2           tion of disapproval, and on all debatable mo-  
3           tions and appeals in connection therewith, shall  
4           be limited to not more than 10 hours, which  
5           shall be divided equally between the majority  
6           and minority leaders or their designees. A mo-  
7           tion to further limit debate is in order and not  
8           debatable. An amendment to, or a motion to  
9           postpone, or a motion to proceed to the consid-  
10          eration of other business, or a motion to recom-  
11          mit the joint resolution of disapproval is not in  
12          order.

13           (E) VOTE ON PASSAGE.—The vote on pas-  
14          sage shall occur immediately following the con-  
15          clusion of the debate on the joint resolution of  
16          disapproval and a single quorum call at the con-  
17          clusion of the debate, if requested in accordance  
18          with the rules of the Senate.

19           (F) RULES OF THE CHAIR ON PROCE-  
20          DURE.—Appeals from the decisions of the Chair  
21          relating to the application of the rules of the  
22          Senate, as the case may be, to the procedure re-  
23          lating to the joint resolution of disapproval shall  
24          be decided without debate.



1                   (G) CONSIDERATION OF VETO MES-  
2                   SAGES.—Debate in the Senate of any veto mes-  
3                   sage with respect to the joint resolution of dis-  
4                   approval, including all debatable motions and  
5                   appeals in connection with such joint resolution,  
6                   shall be limited to 10 hours, to be equally di-  
7                   vided between, and controlled by, the majority  
8                   leader and the minority leader or their des-  
9                   ignees.

10                  (6) PROCEDURES IN THE SENATE.—Except as  
11                  otherwise provided in this subsection, the following  
12                  procedures shall apply in the Senate to a joint reso-  
13                  lution of disapproval:

14                   (A) Except as provided in subparagraph  
15                   (B), a joint resolution of disapproval that has  
16                   passed the House of Representatives shall,  
17                   when received in the Senate, be referred to the  
18                   Committee on Finance for consideration in ac-  
19                   cordance with this subsection.

20                   (B) If a joint resolution of disapproval was  
21                   introduced in the Senate before receipt of a  
22                   joint resolution of disapproval that has passed  
23                   the House of Representatives, the joint resolu-  
24                   tion from the House of Representatives shall,  
25                   when received in the Senate, be placed on the

1 calendar. If this subparagraph applies, the pro-  
2 cedures in the Senate with respect to a joint  
3 resolution of disapproval introduced in the Sen-  
4 ate that contains the identical matter as the  
5 joint resolution of disapproval that passed the  
6 House of Representatives shall be the same as  
7 if no joint resolution of disapproval had been  
8 received from the House of Representatives, ex-  
9 cept that the vote on passage in the Senate  
10 shall be on the joint resolution of disapproval  
11 that passed the House of Representatives.

12 (7) RULES OF THE HOUSE OF REPRESENTA-  
13 TIVES AND THE SENATE.—This subsection is en-  
14 acted by Congress—

15 (A) as an exercise of the rulemaking power  
16 of the Senate and the House of Representa-  
17 tives, respectively, and as such is deemed a part  
18 of the rules of each House, respectively, but ap-  
19 plicable only with respect to the procedure to be  
20 followed in that House in the case of a joint  
21 resolution of disapproval, and supersedes other  
22 rules only to the extent that it is inconsistent  
23 with such rules; and

24 (B) with full recognition of the constitu-  
25 tional right of either House to change the rules

1 (so far as relating to the procedure of that  
2 House) at any time, in the same manner, and  
3 to the same extent as in the case of any other  
4 rule of that House.