

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6603
OFFERED BY MR. MORAN OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “No Technology for
3 Terror Act”.

**4 SEC. 2. APPLICATION OF FOREIGN-DIRECT PRODUCT
5 RULES TO IRAN.**

6 (a) IN GENERAL.—Beginning on the date that is 90
7 days after the date of the enactment of this Act, a foreign-
8 produced item shall be subject to the Export Administra-
9 tion Regulations (pursuant to the Export Control Reform
10 Act of 2018 (50 U.S.C. 4801 et seq.)) if the item—

11 (1) meets—

12 (A) the product scope requirements de-
13 scribed in subsection (b); and

14 (B) the destination scope requirements de-
15 scribed in subsection (c); and

16 (2) is exported, reexported, or in-country trans-
17 ferred to Iran from abroad or involves the Govern-
18 ment of Iran.

1 (b) PRODUCT SCOPE REQUIREMENTS.—A foreign-
2 produced item meets the product scope requirements of
3 this subsection if the item—

4 (1) is a direct product of United States-origin
5 technology or software subject to the Export Admin-
6 istration Regulations that is specified in a covered
7 Export Control Classification Number or is identi-
8 fied in supplement no. 7 to part 746 of the Export
9 Administration Regulations; or

10 (2) is produced by any plant or major compo-
11 nent of a plant that is located outside the United
12 States, if the plant or major component of a plant,
13 whether made in the United States or a foreign
14 country, itself is a direct product of United States-
15 origin technology or software subject to the Export
16 Administration Regulations that is specified in a
17 covered Export Control Classification Number.

18 (c) DESTINATION SCOPE REQUIREMENTS.—A for-
19 eign-produced item meets the destination scope require-
20 ments of this subsection if there is knowledge that the for-
21 eign-produced item is destined to Iran or will be incor-
22 porated into or used in the production or development of
23 any part, component, or equipment subject to the Export
24 Administration Regulations and produced in or destined
25 to Iran.

1 (d) LICENSE REQUIREMENTS.—

2 (1) IN GENERAL.—A license shall be required
3 to export, reexport, or in-country transfer a foreign-
4 produced item from abroad that meets the product
5 scope requirements described in subsection (b) and
6 the destination scope requirements described in sub-
7 section (c) and is subject to the Export Administra-
8 tion Regulations pursuant to this section.

9 (2) EXCEPTIONS.—The license requirements of
10 paragraph (1) shall not apply to—

11 (A) food, medicine, or medical devices that
12 are—

13 (i) designated as EAR99; or

14 (ii) not designated under or listed on
15 the Commerce Control List; or

16 (B) services, software, or hardware (other
17 than services, software, or hardware for end-
18 users owned or controlled by the Government of
19 Iran) that are—

20 (i) necessarily and ordinarily incident
21 to communications; or

22 (ii) designated as—

23 (I) EAR99; or

24 (II) Export Control Classification
25 Number 5A992.c or 5D992.c, and

1 classified in accordance with section
2 740.17 of title 15 Code of Federal
3 Regulations; and

4 (iii) subject to a general license issued
5 by the Department of Commerce or De-
6 partment of Treasury.

7 (e) NATIONAL INTEREST WAIVER.—The Secretary of
8 Commerce may waive the requirements imposed under this
9 section if the Secretary—

10 (1) determines that the waiver is in the national
11 interests of the United States; and

12 (2) submits to the Committee on Foreign Af-
13 fairs of the House of Representatives and the Com-
14 mittee on Banking, Housing, and Urban Affairs of
15 the Senate a report explaining which requirements
16 are being waived and the reasons for the waiver.

17 (f) SUNSET.—The authority provided under this sec-
18 tion shall terminate on the date that is 7 years after the
19 date of the enactment of this Act.

20 (g) DEFINITIONS.—In this section—

21 (1) the term “Commerce Control List” means
22 the list maintained pursuant to part 744 of the Ex-
23 port Administration Regulations;

24 (2) the term “covered Export Control Classi-
25 fication Number” means an Export Control Classi-

1 fication Number in product group D or E of Cat-
2 egory 3, 4, 5, 6, 7, 8, or 9 of the Commerce Control
3 List;

4 (3) the terms “Export Administration Regula-
5 tions”, “export”, “reexport”, and “in-country trans-
6 fer” have the meanings given those terms in section
7 1742 of the Export Control Reform Act of 2018 (50
8 U.S.C. 4801); and

9 (4) the terms “direct product”, “technology”,
10 “software”, “major component”, “knowledge”, “pro-
11 duction”, “development”, “part”, “component”,
12 “equipment”, and “government end users” have the
13 meanings given those terms in section 734.9 or part
14 772 of the Export Administration Regulations, as
15 the case may be.

