

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6323
OFFERED BY MRS. KIM OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Iran Counterterrorism
3 Act of 2023”.

**4 SEC. 2. MODIFICATION OF WAIVER AUTHORITIES WITH RE-
5 SPECT TO SANCTIONS IMPOSED WITH RE-
6 SPECT TO THE FINANCIAL SECTOR OF IRAN.**

7 (a) FY 2013 NDAA.—Section 1247 of the National
8 Defense Authorization Act for Fiscal Year 2013 (22
9 U.S.C. 8806) is amended as follows:

10 (1) In subsection (f)(1)—

11 (A) in subparagraph (A), by striking “de-
12 termines that such a waiver” and inserting the
13 following: “determines that—

14 “(i) the Government of Iran has
15 ceased to provide support for acts of inter-
16 national terrorism; or

17 “(ii) such a waiver”; and

1 (B) in subparagraph (B), by inserting “be-
2 fore issuing a waiver pursuant to subparagraph
3 (A)(ii),” before “submits”.

4 (2) By adding at the end the following:

5 “(g) PERIOD FOR REVIEW BY CONGRESS.—

6 “(1) IN GENERAL.—During the period of 30
7 calendar days beginning on the date on which the
8 President submits a report under subsection
9 (f)(1)(B), the appropriate congressional committees
10 should, as appropriate, hold hearings and briefings
11 and otherwise obtain information in order to fully
12 review the report.

13 “(2) EXCEPTION.—The period for congressional
14 review under paragraph (1) of a report required to
15 be submitted under subsection (f)(1)(B) shall be 60
16 calendar days if the report is submitted on or after
17 July 10 and on or before September 7 in any cal-
18 endar year.

19 “(3) LIMITATION ON ACTIONS DURING INITIAL
20 CONGRESSIONAL REVIEW PERIOD.—Notwithstanding
21 any other provision of law, during the period for
22 congressional review provided for under paragraph
23 (1) of a report submitted under subsection (f)(1)(B)
24 proposing a waiver of the imposition of sanctions
25 under subsection (a), including any additional period

1 for such review as applicable under the exception
2 provided in paragraph (2), the President may not
3 issue the waiver unless a joint resolution of approval
4 with respect to that waiver is enacted in accordance
5 with subsection (h).

6 “(4) EFFECT OF ENACTMENT OF A JOINT RES-
7 OLUTION OF DISAPPROVAL.—Notwithstanding any
8 other provision of law, if a joint resolution of dis-
9 approval relating to a report submitted under sub-
10 section (f)(1)(B) proposing an action described in
11 subsection (f)(1)(A)(ii) is enacted in accordance with
12 subsection (h), the President may not issue the waiv-
13 er.

14 “(h) JOINT RESOLUTIONS OF DISAPPROVAL OR AP-
15 PROVAL DEFINED.—In this subsection:

16 “(1) JOINT RESOLUTION OF APPROVAL.—The
17 term ‘joint resolution of approval’ means only a joint
18 resolution of either House of Congress—

19 “(A) the title of which is as follows: ‘A
20 joint resolution approving the President’s pro-
21 posal to issue a waiver relating to the applica-
22 tion of certain sanctions with respect to Iran.’;
23 and

24 “(B) the sole matter after the resolving
25 clause of which is the following: ‘Congress ap-

1 proves of the issuance of a waiver relating to
2 the application of sanctions imposed with re-
3 spect to Iran proposed by the President in the
4 report submitted to Congress under section
5 1247(f)(1)(B) of the National Defense Author-
6 ization Act for Fiscal Year 2013 on
7 _____ relating to
8 _____.’, with the first blank space
9 being filled with the appropriate date and the
10 second blank space being filled with a short de-
11 scription of the proposed waiver.

12 “(2) JOINT RESOLUTION OF DISAPPROVAL.—
13 The term ‘joint resolution of disapproval’ means only
14 a joint resolution of either House of Congress—

15 “(A) the title of which is as follows: ‘A
16 joint resolution disapproving the President’s
17 proposal to issue a waiver relating to the appli-
18 cation of certain sanctions with respect to
19 Iran.’; and

20 “(B) the sole matter after the resolving
21 clause of which is the following: ‘Congress dis-
22 approves of the issuance of a waiver relating to
23 the application of sanctions imposed with re-
24 spect to Iran proposed by the President in the
25 report submitted to Congress under section

1 1247(f)(1)(B) of the National Defense Author-
2 zation Act for Fiscal Year 2013 on
3 _____ relating to
4 _____.’, with the first blank space
5 being filled with the appropriate date and the
6 second blank space being filled with a short de-
7 scription of the proposed action.

8 “(3) INTRODUCTION.—During the period of 30
9 calendar days provided for under subsection (g)(1),
10 including any additional period as applicable under
11 the exception provided in subsection (g)(2), a joint
12 resolution of approval or joint resolution of dis-
13 approval may be introduced—

14 “(A) in the House of Representatives, by
15 the majority leader or the minority leader; and

16 “(B) in the Senate, by the majority leader
17 (or the majority leader’s designee) or the mi-
18 nority leader (or the minority leader’s des-
19 ignee).

20 “(4) FLOOR CONSIDERATION IN HOUSE OF
21 REPRESENTATIVES.—If a committee of the House of
22 Representatives to which a joint resolution of ap-
23 proval or joint resolution of disapproval has been re-
24 ferred has not reported the joint resolution within
25 10 calendar days after the date of referral, that

1 committee shall be discharged from further consider-
2 ation of the joint resolution.

3 “(5) CONSIDERATION IN THE SENATE.—

4 “(A) COMMITTEE REFERRAL.—A joint res-
5 olution of approval or joint resolution of dis-
6 approval introduced in the Senate shall be re-
7 ferred to the Committee on Banking, Housing,
8 and Urban Affairs.

9 “(B) REPORTING AND DISCHARGE.—If the
10 committee to which a joint resolution of ap-
11 proval or joint resolution of disapproval was re-
12 ferred has not reported the joint resolution
13 within 10 calendar days after the date of refer-
14 ral of the joint resolution, that committee shall
15 be discharged from further consideration of the
16 joint resolution and the joint resolution shall be
17 placed on the appropriate calendar.

18 “(C) PROCEEDING TO CONSIDERATION.—
19 Notwithstanding Rule XXII of the Standing
20 Rules of the Senate, it is in order at any time
21 after the Committee on Banking, Housing, and
22 Urban Affairs reports a joint resolution of ap-
23 proval or joint resolution of disapproval to the
24 Senate or has been discharged from consider-
25 ation of such a joint resolution (even though a

1 previous motion to the same effect has been dis-
2 agreed to) to move to proceed to the consider-
3 ation of the joint resolution, and all points of
4 order against the joint resolution (and against
5 consideration of the joint resolution) are
6 waived. The motion to proceed is not debatable.
7 The motion is not subject to a motion to post-
8 pone. A motion to reconsider the vote by which
9 the motion is agreed to or disagreed to shall not
10 be in order.

11 “(D) RULINGS OF THE CHAIR ON PROCE-
12 DURE.—Appeals from the decisions of the Chair
13 relating to the application of the rules of the
14 Senate, as the case may be, to the procedure re-
15 lating to a joint resolution of approval or joint
16 resolution of disapproval shall be decided with-
17 out debate.

18 “(E) CONSIDERATION OF VETO MES-
19 SAGES.—Debate in the Senate of any veto mes-
20 sage with respect to a joint resolution of ap-
21 proval or joint resolution of disapproval, includ-
22 ing all debatable motions and appeals in con-
23 nection with the joint resolution, shall be lim-
24 ited to 10 hours, to be equally divided between,

1 and controlled by, the majority leader and the
2 minority leader or their designees.

3 “(6) RULES RELATING TO SENATE AND HOUSE
4 OF REPRESENTATIVES.—

5 “(A) TREATMENT OF SENATE JOINT RESO-
6 LUTION IN HOUSE.—In the House of Rep-
7 resentatives, the following procedures shall
8 apply to a joint resolution of approval or a joint
9 resolution of disapproval received from the Sen-
10 ate (unless the House has already passed a
11 joint resolution relating to the same proposed
12 action):

13 “(i) The joint resolution shall be re-
14 ferred to the Committee on Financial Serv-
15 ices.

16 “(ii) If a committee to which a joint
17 resolution has been referred has not re-
18 ported the joint resolution within 2 cal-
19 endar days after the date of referral, that
20 committee shall be discharged from further
21 consideration of the joint resolution.

22 “(iii) Beginning on the third legisla-
23 tive day after each committee to which a
24 joint resolution has been referred reports
25 the joint resolution to the House or has

1 been discharged from further consideration
2 thereof, it shall be in order to move to pro-
3 ceed to consider the joint resolution in the
4 House. All points of order against the mo-
5 tion are waived. Such a motion shall not be
6 in order after the House has disposed of a
7 motion to proceed on the joint resolution.
8 The previous question shall be considered
9 as ordered on the motion to its adoption
10 without intervening motion. The motion
11 shall not be debatable. A motion to recon-
12 sider the vote by which the motion is dis-
13 posed of shall not be in order.

14 “(iv) The joint resolution shall be con-
15 sidered as read. All points of order against
16 the joint resolution and against its consid-
17 eration are waived. The previous question
18 shall be considered as ordered on the joint
19 resolution to final passage without inter-
20 vening motion except 2 hours of debate
21 equally divided and controlled by the spon-
22 sor of the joint resolution (or a designee)
23 and an opponent. A motion to reconsider
24 the vote on passage of the joint resolution
25 shall not be in order.

1 “(B) TREATMENT OF HOUSE JOINT RESO-
2 LUTION IN SENATE.—

3 “(i) If, before the passage by the Sen-
4 ate of a joint resolution of approval or
5 joint resolution of disapproval, the Senate
6 receives an identical joint resolution from
7 the House of Representatives, the following
8 procedures shall apply:

9 “(I) That joint resolution shall
10 not be referred to a committee.

11 “(II) With respect to that joint
12 resolution—

13 “(aa) the procedure in the
14 Senate shall be the same as if no
15 joint resolution had been received
16 from the House of Representa-
17 tives; but

18 “(bb) the vote on passage
19 shall be on the joint resolution
20 from the House of Representa-
21 tives.

22 “(ii) If, following passage of a joint
23 resolution of approval or joint resolution of
24 disapproval in the Senate, the Senate re-
25 ceives an identical joint resolution from the

1 House of Representatives, that joint reso-
2 lution shall be placed on the appropriate
3 Senate calendar.

4 “(iii) If a joint resolution of approval
5 or a joint resolution of disapproval is re-
6 ceived from the House, and no companion
7 joint resolution has been introduced in the
8 Senate, the Senate procedures under this
9 subsection shall apply to the House joint
10 resolution.

11 “(C) APPLICATION TO REVENUE MEAS-
12 URES.—The provisions of this paragraph shall
13 not apply in the House of Representatives to a
14 joint resolution of approval or joint resolution
15 of disapproval that is a revenue measure.

16 “(7) RULES OF HOUSE OF REPRESENTATIVES
17 AND SENATE.—This subsection is enacted by Con-
18 gress—

19 “(A) as an exercise of the rulemaking
20 power of the Senate and the House of Rep-
21 resentatives, respectively, and as such is deemed
22 a part of the rules of each House, respectively,
23 and supersedes other rules only to the extent
24 that it is inconsistent with such rules; and

1 “(B) with full recognition of the constitu-
2 tional right of either House to change the rules
3 (so far as relating to the procedure of that
4 House) at any time, in the same manner, and
5 to the same extent as in the case of any other
6 rule of that House.”.

7 (b) FY 2012 NDAA.—Section 1245(d)(5) of the Na-
8 tional Defense Authorization Act for Fiscal Year 2012 (22
9 U.S.C. 8513a(d)(5)) is amended as follows:

10 (1) In subparagraph (A), by striking “deter-
11 mines that such a waiver” and inserting the fol-
12 lowing: “determines that—

13 “(i) the Government of Iran has
14 ceased to provide support for acts of inter-
15 national terrorism; or

16 “(ii) such a waiver”.

17 (2) In subparagraph (B), by inserting “before
18 issuing a waiver pursuant to subparagraph (A)(ii),”
19 before “submits”.

20 (3) By adding at the end the following:
21 “The provisions relating to period for review by Con-
22 gress described in subsections (g) and (h) of section
23 1247 of the National Defense Authorization Act for
24 Fiscal Year 2013 (22 U.S.C. 8806) shall apply with
25 respect to a report submitted under subparagraph

1 (B) proposing a waiver of the imposition of sanc-
2 tions under paragraph (1) in the same manner and
3 to the same extent as such provisions apply with re-
4 spect to a report submitted under subsection
5 (f)(1)(B) of such section 1247 proposing a waiver of
6 the imposition of sanctions under subsection (a) of
7 such section.”.

