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.

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

2 SEC. 2. MODIFICATION OF WAIVER AUTHORITIES WITH RESPECT TO SANCTIONS IMPOSED WITH RESPECT TO THE FINANCIAL SECTOR OF IRAN.

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

(1) In subsection (f)(1)—

(A) in subparagraph (A), by striking “determines that such a waiver” and inserting the following: “determines that—

“(i) the Government of Iran has ceased to provide support for acts of international terrorism; or

“(ii) such a waiver”; and
(B) in subparagraph (B), by inserting “before issuing a waiver pursuant to subparagraph (A)(ii),” before “submits”.

(2) By adding at the end the following:

“(g) Period for Review by Congress.—

“(1) In general.—During the period of 30 calendar days beginning on the date on which the President submits a report under subsection (f)(1)(B), the appropriate congressional committees should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report.

“(2) Exception.—The period for congressional review under paragraph (1) of a report required to be submitted under subsection (f)(1)(B) shall be 60 calendar days if the report is submitted on or after July 10 and on or before September 7 in any calendar year.

“(3) Limitation on Actions During Initial Congressional Review Period.—Notwithstanding any other provision of law, during the period for congressional review provided for under paragraph (1) of a report submitted under subsection (f)(1)(B) proposing a waiver of the imposition of sanctions under subsection (a), including any additional period
for such review as applicable under the exception provided in paragraph (2), the President may not issue the waiver unless a joint resolution of approval with respect to that waiver is enacted in accordance with subsection (h).

“(4) **Effect of enactment of a joint resolution of disapproval.**—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (f)(1)(B) proposing an action described in subsection (f)(1)(A)(ii) is enacted in accordance with subsection (h), the President may not issue the waiver.

“(h) **Joint resolutions of disapproval or approval defined.**—In this subsection:

“(1) **Joint resolution of approval.**—The term ‘joint resolution of approval’ means only a joint resolution of either House of Congress—

“(A) the title of which is as follows: ‘A joint resolution approving the President’s proposal to issue a waiver relating to the application of certain sanctions with respect to Iran.’; and

“(B) the sole matter after the resolving clause of which is the following: ‘Congress ap-
proves of the issuance of a waiver relating to
the application of sanctions imposed with re-
spect to Iran proposed by the President in the
report submitted to Congress under section
1247(f)(1)(B) of the National Defense Author-
ization Act for Fiscal Year 2013 on
______________ relating to
______________.’, with the first blank space
being filled with the appropriate date and the
second blank space being filled with a short de-
scription of the proposed waiver.

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

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

“(B) the sole matter after the resolving
clause of which is the following: ‘Congress dis-
approves of the issuance of a waiver relating to
the application of sanctions imposed with re-
spect to Iran proposed by the President in the
report submitted to Congress under section
1247(f)(1)(B) of the National Defense Authorization Act for Fiscal Year 2013 on

relating to

’, with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

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

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

“(B) in the Senate, by the majority leader (or the majority leader’s designee) or the minority leader (or the minority leader’s designee).

“(4) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a joint resolution of approval or joint resolution of disapproval has been referred has not reported the joint resolution within 10 calendar days after the date of referral, that
committee shall be discharged from further consideration of the joint resolution.

“(5) CONSIDERATION IN THE SENATE.—

“(A) COMMITTEE REFERRAL.—A joint resolution of approval or joint resolution of disapproval introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs.

“(B) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval or joint resolution of disapproval was referred has not reported the joint resolution within 10 calendar days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

“(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs reports a joint resolution of approval or joint resolution of disapproval to the Senate or has been discharged from consideration of such a joint resolution (even though a
previous motion to the same effect has been dis-
agreed to) to move to proceed to the consider-
ation of the joint resolution, and all points of
order against the joint resolution (and against
consideration of the joint resolution) are
waived. The motion to proceed is not debatable.
The motion is not subject to a motion to post-
pone. A motion to reconsider the vote by which
the motion is agreed to or disagreed to shall not
be in order.

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

“(E) CONSIDERATION OF VETO MES-
sAGES.—Debate in the Senate of any veto mes-
sage with respect to a joint resolution of ap-
proval or joint resolution of disapproval, includ-
ing all debatable motions and appeals in con-
nection with the joint resolution, shall be lim-
ited to 10 hours, to be equally divided between,
and controlled by, the majority leader and the
minority leader or their designees.

“(6) Rules relating to Senate and House
of Representatives.—

“(A) Treatment of Senate joint reso-

lution in House.—In the House of Rep-

resentatives, the following procedures shall

apply to a joint resolution of approval or a joint

resolution of disapproval received from the Sen-

ate (unless the House has already passed a

joint resolution relating to the same proposed

action):

“(i) The joint resolution shall be re-

ferred to the Committee on Financial Serv-

ices.

“(ii) If a committee to which a joint

resolution has been referred has not re-

ported the joint resolution within 2 cal-

endar days after the date of referral, that

committee shall be discharged from further

consideration of the joint resolution.

“(iii) Beginning on the third legisla-

tive day after each committee to which a

joint resolution has been referred reports

the joint resolution to the House or has
been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

“(iv) The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.
“(B) TREATMENT OF HOUSE JOINT RESOLUTION IN SENATE.—

“(i) If, before the passage by the Senate of a joint resolution of approval or joint resolution of disapproval, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

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

“(II) With respect to that joint resolution—

“(aa) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

“(bb) the vote on passage shall be on the joint resolution from the House of Representatives.

“(ii) If, following passage of a joint resolution of approval or joint resolution of disapproval in the Senate, the Senate receives an identical joint resolution from the
House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

“(iii) If a joint resolution of approval or a joint resolution of disapproval is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the House joint resolution.

“(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a joint resolution of approval or joint resolution of disapproval that is a revenue measure.

“(7) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

“(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and
“(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.”.

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

(1) In subparagraph (A), by striking “determines that such a waiver” and inserting the following: “determines that—

“(i) the Government of Iran has ceased to provide support for acts of international terrorism; or

“(ii) such a waiver”.

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

(3) By adding at the end the following:

“The provisions relating to period for review by Congress described in subsections (g) and (h) of section 1247 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8806) shall apply with respect to a report submitted under subparagraph
(B) proposing a waiver of the imposition of sanctions under paragraph (1) in the same manner and to the same extent as such provisions apply with respect to a report submitted under subsection (f)(1)(B) of such section 1247 proposing a waiver of the imposition of sanctions under subsection (a) of such section.”