

118TH CONGRESS
1ST SESSION

H. R. 6323

[Report No. 118-]

To modify the availability of certain waiver authorities with respect to sanctions imposed with respect to the financial sector of Iran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 2023

Mrs. KIM of California introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, 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

NOVEMBER --, 2023

Reported from the Committee on Financial Services with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on November 9, 2023]

A BILL

To modify the availability of certain waiver authorities with respect to sanctions imposed with respect to the financial sector of Iran, 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 “Iran Counterterrorism*
5 *Act of 2023”.*

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

9 *(a) FY 2013 NDAA.—Section 1247 of the National*
10 *Defense Authorization Act for Fiscal Year 2013 (22 U.S.C.*
11 *8806) is amended as follows:*

12 *(1) In subsection (f)(1)—*

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

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

19 *“(ii) such a waiver”; and*

20 *(B) in subparagraph (B), by inserting “be-*
21 *fore issuing a waiver pursuant to subparagraph*
22 *(A)(ii),” before “submits”.*

23 *(2) By adding at the end the following:*

24 *“(g) PERIOD FOR REVIEW BY CONGRESS.—*

1 “(1) *IN GENERAL.*—*During the period of 30 cal-*
2 *endar days beginning on the date on which the Presi-*
3 *dent submits a report under subsection (f)(1)(B), the*
4 *appropriate congressional committees should, as ap-*
5 *propriate, hold hearings and briefings and otherwise*
6 *obtain information in order to fully review the report.*

7 “(2) *EXCEPTION.*—*The period for congressional*
8 *review under paragraph (1) of a report required to be*
9 *submitted under subsection (f)(1)(B) shall be 60 cal-*
10 *endar days if the report is submitted on or after July*
11 *10 and on or before September 7 in any calendar*
12 *year.*

13 “(3) *LIMITATION ON ACTIONS DURING INITIAL*
14 *CONGRESSIONAL REVIEW PERIOD.*—*Notwithstanding*
15 *any other provision of law, during the period for con-*
16 *gressional review provided for under paragraph (1) of*
17 *a report submitted under subsection (f)(1)(B) pro-*
18 *posing a waiver of the imposition of sanctions under*
19 *subsection (a), including any additional period for*
20 *such review as applicable under the exception pro-*
21 *vided in paragraph (2), the President may not issue*
22 *the waiver unless a joint resolution of approval with*
23 *respect to that waiver is enacted in accordance with*
24 *subsection (h).*

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

9 “(h) *JOINT RESOLUTIONS OF DISAPPROVAL OR AP-*
10 *PROVAL DEFINED.—In this subsection:*

11 “(1) *JOINT RESOLUTION OF APPROVAL.—The*
12 *term ‘joint resolution of approval’ means only a joint*
13 *resolution of either House of Congress—*

14 “(A) *the title of which is as follows: ‘A joint*
15 *resolution approving the President’s proposal to*
16 *issue a waiver relating to the application of cer-*
17 *tain sanctions with respect to Iran.’; and*

18 “(B) *the sole matter after the resolving*
19 *clause of which is the following: ‘Congress ap-*
20 *proves of the issuance of a waiver relating to the*
21 *application of sanctions imposed with respect to*
22 *Iran proposed by the President in the report sub-*
23 *mitted to Congress under section 1247(f)(1)(B) of*
24 *the National Defense Authorization Act for Fis-*
25 *cal Year 2013 on _____ relating to*

1 _____.’, with the first blank space
2 being filled with the appropriate date and the
3 second blank space being filled with a short de-
4 scription of the proposed waiver.

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

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

12 “(B) *the sole matter after the resolving*
13 *clause of which is the following: ‘Congress dis-*
14 *approves of the issuance of a waiver relating to*
15 *the application of sanctions imposed with respect*
16 *to Iran proposed by the President in the report*
17 *submitted to Congress under section*
18 *1247(f)(1)(B) of the National Defense Authoriza-*
19 *tion Act for Fiscal Year 2013 on*
20 _____ *relating to*

21 _____.’, with the first blank space
22 being filled with the appropriate date and the
23 second blank space being filled with a short de-
24 scription of the proposed action.

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

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

9 “(B) *in the Senate, by the majority leader*
10 *(or the majority leader’s designee) or the minor-*
11 *ity leader (or the minority leader’s designee).*

12 “(4) *FLOOR CONSIDERATION IN HOUSE OF REP-*
13 *RESENTATIVES.*—If a committee of the House of Rep-
14 *resentatives to which a joint resolution of approval or*
15 *joint resolution of disapproval has been referred has*
16 *not reported the joint resolution within 10 calendar*
17 *days after the date of referral, that committee shall be*
18 *discharged from further consideration of the joint res-*
19 *olution.*

20 “(5) *CONSIDERATION IN THE SENATE.*—

21 “(A) *COMMITTEE REFERRAL.*—A joint reso-
22 *lution of approval or joint resolution of dis-*
23 *approval introduced in the Senate shall be re-*
24 *ferred to the Committee on Banking, Housing,*
25 *and Urban Affairs.*

1 “(B) *REPORTING AND DISCHARGE.*—If the
2 committee to which a joint resolution of ap-
3 proval or joint resolution of disapproval was re-
4 ferred has not reported the joint resolution with-
5 in 10 calendar days after the date of referral of
6 the joint resolution, that committee shall be dis-
7 charged from further consideration of the joint
8 resolution and the joint resolution shall be placed
9 on the appropriate calendar.

10 “(C) *PROCEEDING TO CONSIDERATION.*—
11 Notwithstanding Rule XXII of the Standing
12 Rules of the Senate, it is in order at any time
13 after the Committee on Banking, Housing, and
14 Urban Affairs reports a joint resolution of ap-
15 proval or joint resolution of disapproval to the
16 Senate or has been discharged from consideration
17 of such a joint resolution (even though a previous
18 motion to the same effect has been disagreed to)
19 to move to proceed to the consideration of the
20 joint resolution, and all points of order against
21 the joint resolution (and against consideration of
22 the joint resolution) are waived. The motion to
23 proceed is not debatable. The motion is not sub-
24 ject to a motion to postpone. A motion to recon-

1 *sider the vote by which the motion is agreed to*
2 *or disagreed to shall not be in order.*

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

10 “(E) *CONSIDERATION OF VETO MES-*
11 *SAGES.—Debate in the Senate of any veto mes-*
12 *sage with respect to a joint resolution of ap-*
13 *proval or joint resolution of disapproval, includ-*
14 *ing all debatable motions and appeals in connec-*
15 *tion with the joint resolution, shall be limited to*
16 *10 hours, to be equally divided between, and con-*
17 *trolled by, the majority leader and the minority*
18 *leader or their designees.*

19 “(6) *RULES RELATING TO SENATE AND HOUSE*
20 *OF REPRESENTATIVES.—*

21 “(A) *TREATMENT OF SENATE JOINT RESO-*
22 *LUTION IN HOUSE.—In the House of Representa-*
23 *tives, the following procedures shall apply to a*
24 *joint resolution of approval or a joint resolution*
25 *of disapproval received from the Senate (unless*

1 *the House has already passed a joint resolution*
2 *relating to the same proposed action):*

3 “(i) *The joint resolution shall be re-*
4 *ferred to the Committee on Financial Serv-*
5 *ices.*

6 “(ii) *If a committee to which a joint*
7 *resolution has been referred has not reported*
8 *the joint resolution within 2 calendar days*
9 *after the date of referral, that committee*
10 *shall be discharged from further consider-*
11 *ation of the joint resolution.*

12 “(iii) *Beginning on the third legisla-*
13 *tive day after each committee to which a*
14 *joint resolution has been referred reports the*
15 *joint resolution to the House or has been*
16 *discharged from further consideration there-*
17 *of, it shall be in order to move to proceed*
18 *to consider the joint resolution in the*
19 *House. All points of order against the mo-*
20 *tion are waived. Such a motion shall not be*
21 *in order after the House has disposed of a*
22 *motion to proceed on the joint resolution.*
23 *The previous question shall be considered as*
24 *ordered on the motion to its adoption with-*
25 *out intervening motion. The motion shall*

1 *not be debatable. A motion to reconsider the*
2 *vote by which the motion is disposed of shall*
3 *not be in order.*

4 “(iv) *The joint resolution shall be con-*
5 *sidered as read. All points of order against*
6 *the joint resolution and against its consid-*
7 *eration are waived. The previous question*
8 *shall be considered as ordered on the joint*
9 *resolution to final passage without inter-*
10 *vening motion except 2 hours of debate*
11 *equally divided and controlled by the spon-*
12 *sor of the joint resolution (or a designee)*
13 *and an opponent. A motion to reconsider*
14 *the vote on passage of the joint resolution*
15 *shall not be in order.*

16 “(B) *TREATMENT OF HOUSE JOINT RESOLU-*
17 *TION IN SENATE.—*

18 “(i) *If, before the passage by the Senate*
19 *of a joint resolution of approval or joint*
20 *resolution of disapproval, the Senate re-*
21 *ceives an identical joint resolution from the*
22 *House of Representatives, the following pro-*
23 *cedures shall apply:*

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

1 “(II) *With respect to that joint*
2 *resolution—*

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

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

11 “(ii) *If, following passage of a joint*
12 *resolution of approval or joint resolution of*
13 *disapproval in the Senate, the Senate re-*
14 *ceives an identical joint resolution from the*
15 *House of Representatives, that joint resolu-*
16 *tion shall be placed on the appropriate Sen-*
17 *ate calendar.*

18 “(iii) *If a joint resolution of approval*
19 *or a joint resolution of disapproval is re-*
20 *ceived from the House, and no companion*
21 *joint resolution has been introduced in the*
22 *Senate, the Senate procedures under this*
23 *subsection shall apply to the House joint*
24 *resolution.*

1 “(C) *APPLICATION TO REVENUE MEAS-*
2 *URES.—The provisions of this paragraph shall*
3 *not apply in the House of Representatives to a*
4 *joint resolution of approval or joint resolution of*
5 *disapproval that is a revenue measure.*

6 “(7) *RULES OF HOUSE OF REPRESENTATIVES*
7 *AND SENATE.—This subsection is enacted by Con-*
8 *gress—*

9 “(A) *as an exercise of the rulemaking power*
10 *of the Senate and the House of Representatives,*
11 *respectively, and as such is deemed a part of the*
12 *rules of each House, respectively, and supersedes*
13 *other rules only to the extent that it is incon-*
14 *sistent with such rules; and*

15 “(B) *with full recognition of the constitu-*
16 *tional right of either House to change the rules*
17 *(so far as relating to the procedure of that*
18 *House) at any time, in the same manner, and*
19 *to the same extent as in the case of any other*
20 *rule of that House.”.*

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

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

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

7 *“(ii) such a waiver”.*

8 (2) *In subparagraph (B), by inserting “before*
9 *issuing a waiver pursuant to subparagraph (A)(i),”*
10 *before “submits”.*

11 (3) *By adding at the end the following:*

12 *“The provisions relating to period for review by Con-*
13 *gress described in subsections (g) and (h) of section*
14 *1247 of the National Defense Authorization Act for*
15 *Fiscal Year 2013 (22 U.S.C. 8806) shall apply with*
16 *respect to a report submitted under subparagraph (B)*
17 *proposing a waiver of the imposition of sanctions*
18 *under paragraph (1) in the same manner and to the*
19 *same extent as such provisions apply with respect to*
20 *a report submitted under subsection (f)(1)(B) of such*
21 *section 1247 proposing a waiver of the imposition of*
22 *sanctions under subsection (a) of such section.”.*