

(1) has unconditionally released all political prisoners;

(2) has ceased its practices of violence, unlawful detention, torture, and abuse of citizens of Syria engaged in peaceful political activity;

(3) has ceased its practice of procuring sensitive technology designed to restrict the free flow of unbiased information in Syria, or to disrupt, monitor, or otherwise restrict the right of citizens of Syria to freedom of expression;

(4) has ceased providing support for foreign terrorist organizations and no longer allows such organizations, including Hamas, Hezbollah, and Palestinian Islamic Jihad, to maintain facilities in territory under the control of the Government of Syria; and

(5) has ceased the development and deployment of medium- and long-range surface-to-surface ballistic missiles;

(6) is not pursuing or engaged in the research, development, acquisition, production, transfer, or deployment of biological, chemical, or nuclear weapons, and has provided credible assurances that it will not engage in such activities in the future; and

(7) has agreed to allow the United Nations and other international observers to verify that the Government of Syria is not engaging in such activities and to assess the credibility of the assurances provided by that Government.

**(c) Suspension of sanctions after election of democratic government**

If the President submits to the appropriate congressional committees the certification described in subsection (a)(2), the President may suspend the provisions of this subchapter and any sanctions imposed under this subchapter for not more than 180 days to allow time for a certification described in subsection (b) to be submitted.

(Pub. L. 112–158, title VII, § 706, Aug. 10, 2012, 126 Stat. 1268.)

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a) and (c), was in the original a reference to title VII of Pub. L. 112–158, which enacted this subchapter and provisions set out as a note under section 8701 of this title.

**CHAPTER 95—IRAN FREEDOM AND COUNTERPROLIFERATION**

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**§ 8801. Definitions**

**(a) In general**

In this chapter:

**(1) Agricultural commodity**

The term “agricultural commodity” has the meaning given that term in section 5602 of title 7.

**(2) Appropriate congressional committees**

The term “appropriate congressional committees” means—

(A) the committees specified in section 14(2) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note); and

(B) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

**(3) Coal**

The term “coal” means metallurgical coal, coking coal, or fuel coke.

**(4) Correspondent account; payable-through account**

The terms “correspondent account” and “payable-through account” have the meanings given those terms in section 5318A of title 31.

**(5) Foreign financial institution**

The term “foreign financial institution” has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 8513(i) of this title.

**(6) Good**

The term “good” has the meaning given that term in section 2415 of title 50, Appendix (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

**(7) Iranian financial institution**

The term “Iranian financial institution” has the meaning given that term in section 8513b(d) of this title.

**(8) Iranian person**

The term “Iranian person” means—

(A) an individual who is a citizen or national of Iran; and

(B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

**(9) Knowingly**

The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

**(10) Medical device**

The term “medical device” has the meaning given the term “device” in section 321 of title 21.

**(11) Medicine**

The term “medicine” has the meaning given the term “drug” in section 321 of title 21.

**(12) Shipping**

The term “shipping” refers to the transportation of goods by a vessel and related activities.

**(13) United States person**

The term “United States person” has the meaning given that term in section 8511 of this title.

**(14) Vessel**

The term “vessel” has the meaning given that term in section 3 of title 1.

**(b) Determinations of significance**

For purposes of this chapter, in determining if financial transactions or financial services are significant, the President may consider the totality of the facts and circumstances, including factors similar to the factors set forth in section 561.404 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(Pub. L. 112-239, div. A, title XII, §1242, Jan. 2, 2013, 126 Stat. 2004.)

## REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this subtitle”, meaning subtitle D (§§1241–1255) of title XII of div. A of Pub. L. 112-239, Jan. 2, 2013, 126 Stat. 2004, known as the Iran Freedom and Counter-Proliferation Act of 2012, which is classified principally to this chapter. For complete classification of subtitle D to the Code, see Short Title note set out below and Tables.

The International Emergency Economic Powers Act, referred to in subsec. (a)(6), is title II of Pub. L. 95-223, Dec. 28, 1977, 91 Stat. 1626, which is classified generally to chapter 35 (§1701 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 50 and Tables.

## SHORT TITLE

Pub. L. 112-239, div. A, title XII, §1241, Jan. 2, 2013, 126 Stat. 2004, provided that: “This subtitle [subtitle D (§§1241–1255) of title XII of div. A of Pub. L. 112-239, enacting this chapter and section 8514c of this title, amending sections 8513a and 8551 of this title and section 2335 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as notes under sections 2333 and 2335 of Title 18] may be cited as the ‘Iran Freedom and Counter-Proliferation Act of 2012’.”

**§ 8802. Sense of Congress relating to violations of human rights by Iran****(a) Finding**

Congress finds that the interests of the United States and international peace are threatened by the ongoing and destabilizing actions of the Government of Iran, including its massive, systematic, and extraordinary violations of the human rights of its own citizens.

**(b) Sense of Congress**

It is the sense of Congress that the United States should—

- (1) deny the Government of Iran the ability to continue to oppress the people of Iran and to use violence and executions against pro-democracy protestors and regime opponents;

- (2) fully and publicly support efforts made by the people of Iran to promote the establishment of basic freedoms that build the foundation for the emergence of a freely elected, open, and democratic political system;

- (3) help the people of Iran produce, access, and share information freely and safely via the Internet and through other media; and

- (4) defeat all attempts by the Government of Iran to jam or otherwise obstruct international satellite broadcast signals.

(Pub. L. 112-239, div. A, title XII, §1243, Jan. 2, 2013, 126 Stat. 2005.)

**§ 8803. Imposition of sanctions with respect to the energy, shipping, and shipbuilding sectors of Iran****(a) Findings**

Congress makes the following findings:

- (1) Iran’s energy, shipping, and shipbuilding sectors and Iran’s ports are facilitating the Government of Iran’s nuclear proliferation activities by providing revenue to support proliferation activities.

- (2) The United Nations Security Council and the United States Government have expressed concern about the proliferation risks presented by the Iranian nuclear program.

- (3) The Director General of the International Atomic Energy Agency (in this section referred to as the “IAEA”) has in successive reports (GOV/2012/37 and GOV/2011/65) identified possible military dimensions of Iran’s nuclear program.

- (4) The Government of Iran continues to defy the requirements and obligations contained in relevant IAEA Board of Governors and United Nations Security Council resolutions, including by continuing and expanding uranium enrichment activities in Iran, as reported in IAEA Report GOV/2012/37.

- (5) United Nations Security Council Resolution 1929 (2010) recognizes the “potential connection between Iran’s revenues derived from its energy sector and the funding of Iran’s proliferation sensitive nuclear activities”.

- (6) The National Iranian Tanker Company is the main carrier for the Iranian Revolutionary Guard Corps-designated National Iranian Oil Company and a key element in the petroleum supply chain responsible for generating energy revenues that support the illicit nuclear proliferation activities of the Government of Iran.

**(b) Designation of ports and entities in the energy, shipping, and shipbuilding sectors of Iran as entities of proliferation concern**

Entities that operate ports in Iran and entities in the energy, shipping, and shipbuilding sectors of Iran, including the National Iranian Oil Company, the National Iranian Tanker Company, the Islamic Republic of Iran Shipping Lines, and their affiliates, play an important role in Iran’s nuclear proliferation efforts and all such entities are hereby designated as entities of proliferation concern.