

§ 8794. Waiver

The President may waive the requirement to include a person on a list required by section 8791, 8792, or 8793 of this title or to impose sanctions pursuant to any such section if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) submits to the appropriate congressional committees a report on the reasons for that determination.

(Pub. L. 112–158, title VII, § 705, Aug. 10, 2012, 126 Stat. 1268.)

TERMINATION OF SECTION

For termination of section, see section 8795 of this title.

§ 8795. Termination**(a) In general**

The provisions of this subchapter and any sanctions imposed pursuant to this subchapter shall terminate on the date on which the President submits to the appropriate congressional committees—

(1) the certification described in subsection (b); and

(2) a certification that—

(A) the Government of Syria is democratically elected and representative of the people of Syria; or

(B) a legitimate transitional government of Syria is in place.

(b) Certification described

A certification described in this subsection is a certification by the President that the Government of Syria—

(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

Sec.	
8801.	Definitions.
8802.	Sense of Congress relating to violations of human rights by Iran.
8803.	Imposition of sanctions with respect to the energy, shipping, and shipbuilding sectors of Iran.
8804.	Imposition of sanctions with respect to the sale, supply, or transfer of certain materials to or from Iran.
8805.	Imposition of sanctions with respect to the provision of underwriting services or insurance or reinsurance for activities or persons with respect to which sanctions have been imposed.
8806.	Imposition of sanctions with respect to foreign financial institutions that facilitate financial transactions on behalf of specially designated nationals.
8807.	Impositions of sanctions with respect to the Islamic Republic of Iran Broadcasting.
8808.	Report on use of certain Iranian seaports by foreign vessels and use of foreign airports by sanctioned Iranian air carriers.
8809.	Implementation; penalties.
8810.	Applicability to certain natural gas projects.
8811.	Rule of construction.

§ 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 4618 of title 50 (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.’”

EX. ORD. NO. 13716. REVOCATION OF EXECUTIVE ORDERS 13574, 13590, 13622, AND 13645 WITH RESPECT TO IRAN, AMENDMENT OF EXECUTIVE ORDER 13628 WITH RESPECT TO IRAN, AND PROVISION OF IMPLEMENTATION AUTHORITIES FOR ASPECTS OF CERTAIN STATUTORY SANCTIONS OUTSIDE THE SCOPE OF U.S. COMMITMENTS UNDER THE JOINT COMPREHENSIVE PLAN OF ACTION OF JULY 14, 2015

Ex. Ord. No. 13716, Jan. 16, 2016, 81 F.R. 3693, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 et seq.) (NEA), the Iran Sanctions Act of 1996 (Public Law 104-172) (50 U.S.C. 1701 note), the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (22 U.S.C. 8501 et seq.), the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112-158), the Iran Freedom and Counter-Proliferation Act of 2012 (subtitle D of title XII of Public Law 112-239) (22 U.S.C. 8801 et seq.) (IFCA), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code,

I, BARACK OBAMA, President of the United States of America, have determined that Iran’s implementation of the nuclear-related measures specified in sections 15.1–15.11 of Annex V of the Joint Comprehensive Plan of Action of July 14, 2015 (JCPOA) between the P5+1 (China, France, Germany, the Russian Federation, the United Kingdom, and the United States), the European Union, and Iran, as verified by the International Atomic Energy Agency, marks a fundamental shift in circumstances with respect to Iran’s nuclear program. In order to give effect to the United States commitments with respect to sanctions described in section 4 of Annex II and section 17.4 of Annex V of the JCPOA, I am revoking Executive Orders 13574 of May 23, 2011, 13590 of November 20, 2011, 13622 of July 30, 2012, and 13645 of June 3, 2013, and amending Executive Order 13628 of October 9, 2012, by revoking sections 5 through 7 and section 15. In addition, in section 3 of this order, I am taking steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995, to provide implementation authorities for aspects of certain statutory sanctions that are outside the scope of the U.S. commitment to lift nuclear-related sanctions under the JCPOA.

This action is not intended to, and does not, limit the applicability of waiver determinations or any renewals thereof issued by the Secretary of State, or licenses issued by the Secretary of the Treasury, to give effect to sanctions commitments described in sections 17.1–17.3 and 17.5 of Annex V of the JCPOA, or otherwise affect the national emergency declared in Executive Order 12957, which shall remain in place, or any Executive Order issued in furtherance of that national emergency

other than Executive Orders 13574, 13590, 13622, 13628, and 13645.

I hereby order:

SECTION 1. *Revocation of Executive Orders.* The following Executive Orders [listed in a table under section 1701 of Title 50, War and National Defense] are revoked:

(a) Executive Order 13574 of May 23, 2011 (Authorizing the Implementation of Certain Sanctions Set Forth in the Iran Sanctions Act of 1996, as Amended);

(b) Executive Order 13590 of November 20, 2011 (Authorizing the Imposition of Certain Sanctions With Respect to the Provision of Goods, Services, Technology, or Support for Iran's Energy and Petrochemical Sectors);

(c) Executive Order 13622 of July 30, 2012 (Authorizing Additional Sanctions With Respect to Iran); and

(d) Executive Order 13645 of June 3, 2013 (Authorizing the Implementation of Certain Sanctions Set Forth in the Iran Freedom and Counter-Proliferation Act of 2012 and Additional Sanctions With Respect To Iran).

SEC. 2. *Amendment of Executive Order.* [Amended Ex. Ord. No. 13628, listed in a table under section 1701 of Title 50, War and National Defense.]

SEC. 3. *Provision of Implementation Authorities for Sanctions Outside the Scope of the JCPOA.*

(a)(i) The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to impose on a person the measures described in subsection (a)(ii) of this section upon determining, pursuant to authority delegated by the President and in accordance with the terms of such delegation, that sanctions shall be imposed on such person pursuant to section 1244(c)(1)(A) of IFCA for knowingly providing significant financial, material, technological, or other support to, or goods or services in support of any activity or transaction on behalf of or for the benefit of persons described in section 1244(c)(2)(C)(iii) of IFCA.

(ii) With respect to any person determined by the Secretary of the Treasury in accordance with this subsection to meet the criteria set forth in subsection (a)(i) of this section, all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person (including any foreign branch) of such person are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in.

(iii) The prohibitions in subsection (a)(ii) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order.

(b)(i) When the Secretary of State or the Secretary of the Treasury, pursuant to authority delegated by the President and in accordance with the terms of such delegation, has determined that sanctions shall be imposed on a person pursuant to sections 1244(d)(1)(A), 1245(a)(1), or 1246(a)(1) of IFCA (including in each case as informed by section 1253(c)(2) of IFCA) for engaging in transactions or activities outside the scope of the waiver determinations as to IFCA issued by the Secretary of State to give effect to sanctions commitments described in sections 17.1–17.3 and 17.5 of Annex V of the JCPOA, and any renewals thereof, such Secretary may select one or more of the sanctions set forth below to impose on that person, and the Secretary of the Treasury, in consultation with the Secretary of State, shall take the following actions where necessary to implement the sanctions selected and maintained by the Secretary of State or the Secretary of the Treasury:

(A) prohibit any United States financial institution from making loans or providing credits to the sanctioned person totaling more than \$10,000,000 in any 12-month period, unless such person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities;

(B) prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest;

(C) prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person;

(D) block all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person (including any foreign branch) of the sanctioned person, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in;

(E) prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of a sanctioned person;

(F) restrict or prohibit imports of goods, technology, or services, directly or indirectly, into the United States from the sanctioned person; or

(G) impose on the principal executive officer or officers, or persons performing similar functions and with similar authorities, of a sanctioned person the sanctions described in subsections (b)(i)(A)–(F) of this section, as selected by the Secretary of State or the Secretary of the Treasury, as appropriate.

(ii) The prohibitions in subsection (b)(i) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order.

(c)(i) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person (including any foreign branch) of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: any person determined by the Secretary of the Treasury, in consultation with or at the recommendation of the Secretary of State:

(A) to have engaged, on or after January 2, 2013, in corruption or other activities relating to the diversion of goods, including agricultural commodities, food, medicine, and medical devices, intended for the people of Iran;

(B) to have engaged, on or after January 2, 2013, in corruption or other activities relating to the misappropriation of proceeds from the sale or resale of goods described in subsection (c)(i)(A) of this section;

(C) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the activities described in subsection (c)(i)(A) or (c)(i)(B) of this section or any person whose property and interests in property are blocked pursuant to subsection (c)(i) of this section; or

(D) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to subsection (c)(i) of this section.

(ii) The prohibitions in subsection (c)(i) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order.

SEC. 4. *Donations.* I hereby determine that, to the extent section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) may apply, the making of donations of the types of articles specified in such section by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order would seriously impair my ability to deal with the national emergency declared in Executive Order 12957, and I hereby prohibit such donations as provided by subsections 3(a)(ii), 3(b)(i)(D), and 3(c)(i) of this order.

SEC. 5. *Prohibitions.* The prohibitions in subsections 3(a)(ii), 3(b)(i)(D), and 3(c)(i) of this order include but are not limited to:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

SEC. 6. *Entry into the United States.* I hereby find that the unrestricted immigrant and nonimmigrant entry into the United States of aliens who are determined to meet one or more of the criteria in subsections 3(a)(i) and 3(c)(i) of this order would be detrimental to the interests of the United States, and I hereby suspend the entry into the United States, as immigrants or nonimmigrants, of such persons as of the date of this order. Such persons shall be treated as persons covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions).

SEC. 7. *General Authorities.* The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of this order, other than the purposes described in section 6 of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law.

SEC. 8. *Evasion and Conspiracy.* (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

SEC. 9. *Definitions.* For the purposes of this order:

(a) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(b) the term “financial institution,” as used in subsection 3(b) of this order, includes:

(i) a depository institution (as defined in section 3(c)(1) of the Federal Deposit Insurance Act) (12 U.S.C. 1813(c)(1)), including a branch or agency of a foreign bank (as defined in section 1(b)(7) of the International Banking Act of 1978) (12 U.S.C. 3101(7));

(ii) a credit union;

(iii) a securities firm, including a broker or dealer;

(iv) an insurance company, including an agency or underwriter; and

(v) any other company that provides financial services;

(c) the term “Government of Iran” includes the Government of Iran, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Iran, and any person owned or controlled by, or acting for or on behalf of, the Government of Iran;

(d) the term “Iran” means the Government of Iran and the territory of Iran and any other territory or marine area, including the exclusive economic zone and continental shelf, over which the Government of Iran claims sovereignty, sovereign rights, or jurisdiction, provided that the Government of Iran exercises partial or total de facto control over the area or derives a benefit from economic activity in the area pursuant to international arrangements;

(e) the term “person” means an individual or entity;

(f) the term “sanctioned person” means a person that the Secretary of State or the Secretary of the Treasury, pursuant to authority delegated by the President and in accordance with the terms of such delegation, has determined is a person on whom sanctions shall be imposed pursuant to section 1244(d)(1)(A), 1245(a)(1), or 1246(a)(1) of IFCA (including in each case as informed by section 1253(c)(2) of IFCA) for engaging in transactions or activities outside the scope of the waiver determinations as to IFCA issued by the Secretary of State to give effect to sanctions commitments de-

scribed in sections 17.1–17.3 and 17.5 of Annex V of the JCPA, and any renewals thereof, and on whom the Secretary of State or the Secretary of the Treasury has imposed any of the sanctions in subsection 3(b) of this order;

(g) the term “United States financial institution” means a financial institution as defined in subsection (b) of this section (including its foreign branches) organized under the laws of the United States or any jurisdiction within the United States or located in the United States; and

(h) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

SEC. 10. *Notice.* For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 12957, there need be no prior notice of an action taken pursuant to subsection 3(a)(ii), 3(b)(i)(D), or 3(c)(i) of this order.

SEC. 11. *Direction to Agencies.* All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

SEC. 12. *Rights.* This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

SEC. 13. *Effect on Actions or Proceedings.* Pursuant to section 202 of the NEA (50 U.S.C. 1622), the revocation of Executive Orders 13574, 13590, 13622, and 13645 and the amendments to Executive Order 13628 as set forth in sections 1 and 2 of this order, shall not affect any action taken or proceeding pending not finally concluded or determined as of the date of this order, or any action or proceeding based on any act committed prior to the date of this order, or any rights or duties that matured or penalties that were incurred prior to the date of this order.

SEC. 14. *Relationship to Algiers Accords.* The measures taken pursuant to this order are in response to actions of the Government of Iran occurring after the conclusion of the 1981 Algiers Accords, and are intended solely as a response to those later actions.

BARACK OBAMA.

DELEGATION OF CERTAIN FUNCTIONS AND AUTHORITIES UNDER THE IRAN FREEDOM AND COUNTER-PROLIFERATION ACT OF 2012

Memorandum of President of the United States, June 3, 2013, 78 F.R. 35545, provided:

Memorandum for the Secretary of State[,] the Secretary of the Treasury[,] the Attorney General[,] the Secretary of Energy[,] the Secretary of Commerce[,] the Secretary of Homeland Security[,] the United States Trade Representative[,] the Director of National Intelligence[,] the Chairman of the Board of Governors of the Federal Reserve System[,] and the President of the Export-Import Bank

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby order as follows:

I hereby delegate functions and authorities vested in the President by the Iran Freedom and Counter-Proliferation Act of 2012 (subtitle D of title XII of [division A of] Public Law 112–239) (22 U.S.C. 8801 et seq.) (IFCA), as follows:

• Section 1244(c)(1) and (c)(2) [22 U.S.C. 8803(c)(1), (c)(2)] to the Secretary of the Treasury, in consultation with the Secretary of State;

- Section 1244(d)(1)(A) to the Secretary of State, in consultation with the Secretaries of the Treasury and Commerce and the United States Trade Representative, and with the Secretary of Homeland Security, the President of the Export-Import Bank of the United States, and the Chairman of the Board of Governors of the Federal Reserve System and other agencies as appropriate, and, once applicable sanctions outlined in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172) (50 U.S.C. 1701 note), as amended (ISA), are selected pursuant to section 1244(d)(1)(A), authority to implement such sanctions is delegated to the relevant agency heads commensurate with any delegation of such authorities and consistent with any relevant Executive Orders implementing ISA;

- Section 1244(d)(2) to the Secretary of the Treasury, in consultation with the Secretary of State;

- Section 1244(f) to the Secretary of State, in consultation with the Secretary of the Treasury;

- Section 1244(i) to the Secretary of State, in consultation with the Secretary of the Treasury;

- Section 1245(a)(1)(A) [22 U.S.C. 8804(a)(1)(A)] to the Secretary of the Treasury, in consultation with the Secretaries of State and Commerce and the United States Trade Representative, and with the Secretary of Homeland Security, the President of the Export-Import Bank of the United States, and the Chairman of the Board of Governors of the Federal Reserve System and other agencies as appropriate, and, once applicable sanctions outlined in section 6(a) of ISA are selected pursuant to section 1245(a)(1)(A), authority to implement such sanctions is delegated to the relevant agency heads commensurate with any delegation of such authorities and consistent with any relevant Executive Orders implementing ISA;

- Sections [sic] 1245(a)(1)(B) and (C) to the Secretary of State, in consultation with the Secretaries of the Treasury and Commerce and the United States Trade Representative, and with the Secretary of Homeland Security, the President of the Export-Import Bank of the United States, and the Chairman of the Board of Governors of the Federal Reserve System and other agencies as appropriate, and, once applicable sanctions outlined in section 6(a) of ISA are selected pursuant to section 1245(a)(1)(B) or (C), authority to implement such sanctions is delegated to the relevant agency heads commensurate with any delegation of such authorities and consistent with any relevant Executive Orders implementing ISA;

- Section 1245(c) to the Secretary of the Treasury, in consultation with the Secretary of State;

- Section 1245(e) to the Secretary of State, in consultation with the Secretary of the Treasury;

- Section 1245(f) to the Secretary of State and the Secretary of the Treasury commensurate with their respective areas of responsibility, in consultation with each other;

- Section 1245(g) to the Secretary of State, in consultation with the Secretary of the Treasury;

- Section 1246(a)(1)(A) [22 U.S.C. 8805(a)(1)(A)] to the Secretary of State and the Secretary of the Treasury commensurate with their respective areas of responsibility, in consultation with each other, the Secretary of Commerce and the United States Trade Representative, and with the Secretary of Homeland Security, the President of the Export-Import Bank of the United States, and the Chairman of the Board of Governors of the Federal Reserve System and other agencies as appropriate, and, once applicable sanctions outlined in section 6(a) of ISA are selected pursuant to section 1246(a)(1)(A), authority to implement such sanctions is delegated to the relevant agency heads commensurate with any delegation of such authorities and consistent with any relevant Executive Orders implementing ISA;

- Sections [sic] 1246(a)(1)(B)(i) and (ii) to the Secretary of State, in consultation with the Secretaries of the Treasury and Commerce and the United States Trade Representative, and with the Secretary of Homeland Security, the President of the Export-Import Bank of the United States, and the Chairman of the Board of

Governors of the Federal Reserve System and other agencies as appropriate, and, once applicable sanctions outlined in section 6(a) of ISA are selected pursuant to section 1246(a)(1)(B)(i) or (ii), authority to implement such sanctions is delegated to the relevant agency heads commensurate with any delegation of such authorities and consistent with any relevant Executive Orders implementing ISA;

- Section 1246(a)(1)(B)(iii) to the Secretary of State and the Secretary of the Treasury commensurate with their respective areas of responsibility, in consultation with each other, the Secretary of Commerce and the United States Trade Representative, and with the Secretary of Homeland Security, the President of the Export-Import Bank of the United States, and the Chairman of the Board of Governors of the Federal Reserve System and other agencies as appropriate, and, once applicable sanctions outlined in section 6(a) of ISA are selected pursuant to section 1246(a)(1)(B)(iii), authority to implement such sanctions is delegated to the relevant agency heads commensurate with any delegation of such authorities and consistent with any relevant Executive Orders implementing ISA;

- Section 1246(a)(1)(C) to the Secretary of the Treasury, in consultation with the Secretaries of State and Commerce and the United States Trade Representative, and with the Secretary of Homeland Security, the President of the Export-Import Bank of the United States, and the Chairman of the Board of Governors of the Federal Reserve System and other agencies as appropriate, and, once applicable sanctions outlined in section 6(a) of ISA are selected pursuant to section 1246(a)(1)(C), authority to implement such sanctions is delegated to the relevant agency heads commensurate with any delegation of such authorities and consistent with any relevant Executive Orders implementing ISA;

- Section 1246(d) to the Secretary of State and the Secretary of the Treasury commensurate with their respective areas of responsibility, in consultation with each other;

- Section 1246(e) to the Secretary of State, in consultation with the Secretary of the Treasury;

- Section 1247(a) [22 U.S.C. 8806(a)] to the Secretary of the Treasury, in consultation with the Secretary of State;

- Section 1247(f) to the Secretary of State, in consultation with the Secretary of the Treasury;

- Section 1248(b)(1) [22 U.S.C. 8807(b)(1)] to the Secretary of the Treasury, in consultation with the Secretary of State, with respect to the requirement to impose applicable sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA) described in section 105(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195) (22 U.S.C. 8501 et seq.) (CISADA), and with respect to the requirement to include the sanctioned persons on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury;

- Section 1248(b)(1) to the Secretary of State, with respect to the requirement to impose visa sanctions described in section 105(c) of CISADA;

- Section 1248(b)(3) to the Secretary of the Treasury, in consultation with the Secretary of State, with respect to application of section 401(b) of CISADA to IEEPA sanctions imposed under section 1248(b)(1)(A) of IFCA;

- Section 1248(b)(3) to the Secretary of State, in consultation with the Secretary of Homeland Security on matters related to admissibility or inadmissibility within the authority of the Secretary of Homeland Security, with respect to application of section 401(b) of CISADA to visa sanctions imposed under section 1248(b)(1)(A) of IFCA;

- Section 1252(a) [22 U.S.C. 8808(a)] to the Director of National Intelligence, in consultation with the Secretaries of State and the Treasury;

- Section 1253(a) [22 U.S.C. 8809(a)] to the Secretary of the Treasury and the Secretary of State, commensu-

rate with their respective areas of responsibility outlined in this memorandum;

- Section 1253(c)(1) to the Secretary of State, in consultation with the Secretaries of the Treasury and Commerce and the United States Trade Representative, and with the Secretary of Homeland Security, the President of the Export-Import Bank of the United States, and the Chairman of the Board of Governors of the Federal Reserve System and other agencies as appropriate;

- Section 1253(c)(2) to the Secretary of State and the Secretary of the Treasury commensurate with their respective areas of responsibility, in consultation with each other, the Secretary of Commerce, and the United States Trade Representative, and with the Secretary of Homeland Security, the President of the Export-Import Bank of the United States, and the Chairman of the Board of Governors of the Federal Reserve System and other agencies as appropriate, and, once applicable sanctions outlined in section 6(a) of ISA are selected pursuant to section 1244(d)(1)(A), 1245(a)(1), or 1246(a)(1) (including in each case as informed by section 1253(c)(2)), authority to implement such sanctions is delegated to the relevant agency heads commensurate with any delegation of such authorities and consistent with any relevant Executive Orders implementing ISA.

I hereby delegate functions and authorities vested in the President by CISADA, as amended by section 1249 of IFCA, as follows:

- Section 105C(b) [22 U.S.C. 8514c(b)] to the Secretary of the Treasury, in consultation with or at the recommendation of the Secretary of State, with respect to the determinations described in sections [sic] 105C(b)(1);

- Section 105C(b) to the Secretary of State, in consultation with the Secretary of the Treasury, with respect to the requirement to submit any lists of persons determined to meet the criteria described in sections [sic] 105C(b)(1), to the appropriate congressional committees as required by sections [sic] 105C(b);

- Section 401(b) [22 U.S.C. 8551(b)] to the Secretary of State, in consultation with the Secretary of the Treasury, with respect to the requirement to include a person on the list described in section 105C(b);

- Sections 105C(a)(1) and 401(b) to the Secretary of the Treasury, in consultation with the Secretary of State, with respect to the requirement to impose or maintain applicable sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA) under section 105C(a)(1);

- Section 105C(a)(1) to the Secretary of State, with respect to the requirement to impose or maintain visa sanctions; and

- Section 401(b) to the Secretary of State, in consultation with the Secretary of Homeland Security on matters related to admissibility or inadmissibility within the authority of the Secretary of Homeland Security, with respect to functions and waiver authorities regarding the requirement to impose or maintain visa sanctions under sections [sic] 105C(a)(1).

Any reference in this memorandum to provisions of any Act related to the subject of this memorandum shall be deemed to include references to any hereafter-enacted provisions of law that is the same or substantially the same as such provisions.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA.

§ 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