

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

(Pub. L. 115-44, title I, §102, Aug. 2, 2017, 131 Stat. 888.)

SHORT TITLE

Pub. L. 115-44, §1(a), Aug. 2, 2017, 131 Stat. 886, provided that: “This Act [enacting this chapter, chapter 102 of this title, sections 8909, 8910, 9221a, 9225, 9241a, and 9241b of this title, and section 1232c of Title 33, Navigation and Navigable Waters, amending sections 2708, 8901, 8907, 8908, 8923, 8924, 9202, 9214, 9223, 9228, and 9241 of this title, section 5326 of Title 31, Money and Finance, sections 1223 and 1232 of Title 33, and section 3021 of Title 50, War and National Defense, repealing section 9225 of this title, and enacting provisions set out as notes under this section, sections 9201, 9202, 9214, 9241, and 9501 of this title, and section 3021 of Title 50] may be cited as the ‘Countering America’s Adversaries Through Sanctions Act’.”

Pub. L. 115-44, title I, §101, Aug. 2, 2017, 131 Stat. 888, provided that: “This title [enacting this chapter] may be cited as the ‘Countering Iran’s Destabilizing Activities Act of 2017’.”

§ 9402. Regional strategy for countering conventional and asymmetric Iranian threats in the Middle East and North Africa

(a) In general

Not later than 180 days after August 2, 2017, and every 2 years thereafter, the Secretary of State, the Secretary of Defense, the Secretary of the Treasury, and the Director of National Intelligence shall jointly develop and submit to the appropriate congressional committees and leadership a strategy for deterring conventional and asymmetric Iranian activities and threats that directly threaten the United States and key allies in the Middle East, North Africa, and beyond.

(b) Elements

The strategy required by subsection (a) shall include at a minimum the following:

(1) A summary of the near- and long-term United States objectives, plans, and means for countering Iran’s destabilizing activities, including identification of countries that share the objective of countering Iran’s destabilizing activities.

(2) A summary of the capabilities and contributions of individual countries to shared efforts to counter Iran’s destabilizing activities, and a summary of additional actions or contributions that each country could take to further contribute.

(3) An assessment of Iran’s conventional force capabilities and an assessment of Iran’s plans to upgrade its conventional force capabilities, including its acquisition, development, and deployment of ballistic and cruise missile capabilities, unmanned aerial vehicles, and maritime offensive and anti-access or area denial capabilities.

(4) An assessment of Iran’s chemical and biological weapons capabilities and an assessment of Iranian plans to upgrade its chemical or biological weapons capabilities.

(5) An assessment of Iran’s asymmetric activities in the region, including—

(A) the size, capabilities, and activities of the IRGC, including the Quds Force;

(B) the size, capabilities, and activities of Iran’s cyber operations;

(C) the types and amount of support, including funding, lethal and nonlethal contributions, and training, provided to Hezbollah, Hamas, special groups in Iraq, the regime of Bashar al-Assad in Syria, Houthi fighters in Yemen, and other violent groups across the Middle East; and

(D) the scope and objectives of Iran’s information operations and use of propaganda.

(6) A summary of United States actions, unilaterally and in cooperation with foreign governments, to counter destabilizing Iranian activities, including—

(A) interdiction of Iranian lethal arms bound for groups designated as foreign terrorist organizations under section 1189 of title 8;

(B) Iran’s interference in international commercial shipping lanes;

(C) attempts by Iran to undermine or subvert internationally recognized governments in the Middle East region; and

(D) Iran’s support for the regime of Bashar al-Assad in Syria, including—

(i) financial assistance, military equipment and personnel, and other support provided to that regime; and

(ii) support and direction to other armed actors that are not Syrian or Iranian and are acting on behalf of that regime.

(c) Form of strategy

The strategy required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) Appropriate congressional committees and leadership defined

In this section, the term “appropriate congressional committees and leadership” means—

(1) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(2) the Committee on Ways and Means, the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

(Pub. L. 115-44, title I, §103, Aug. 2, 2017, 131 Stat. 889.)

§ 9403. Imposition of additional sanctions in response to Iran’s ballistic missile program

(a) Sense of Congress

It is the sense of Congress that the Secretary of the Treasury and the Secretary of State should continue to implement Executive Order No. 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters).

(b) Imposition of sanctions

The President shall impose the sanctions described in subsection (c) with respect to any per-

son that the President determines, on or after August 2, 2017—

(1) knowingly engages in any activity that materially contributes to the activities of the Government of Iran with respect to its ballistic missile program, or any other program in Iran for developing, deploying, or maintaining systems capable of delivering weapons of mass destruction, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such capabilities;

(2) is a successor entity to a person referred to in paragraph (1);

(3) owns or controls or is owned or controlled by a person referred to in paragraph (1);

(4) forms an entity with the purpose of evading sanctions that would otherwise be imposed pursuant to paragraph (3);

(5) is acting for or on behalf of a person referred to in paragraph (1), (2), (3), or (4); or

(6) knowingly provides or attempts to provide financial, material, technological, or other support for, or goods or services in support of, a person referred to in paragraph (1), (2), (3), (4) or (5).

(c) Sanctions described

The sanctions described in this subsection are the following:

(1) Blocking of property

The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any person subject to subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) Exclusion from United States

The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (b) that is an alien.

(d) Penalties

A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (c)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) Report on contributions to Iran's ballistic missile program

(1) In general

Not later than 180 days after August 2, 2017, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report describing each person that—

(A) has, during the period specified in paragraph (2), conducted any activity that has materially contributed to the activities of the Government of Iran with respect to its ballistic missile program, or any other pro-

gram in Iran for developing, deploying, or maintaining systems capable of delivering weapons of mass destruction, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such capabilities;

(B) is a successor entity to a person referred to in subparagraph (A);

(C) owns or controls or is owned or controlled by a person referred to in subparagraph (A);

(D) forms an entity with the purpose of evading sanctions that could be imposed as a result of a relationship described in subparagraph (C);

(E) is acting for or on behalf of a person referred to in subparagraph (A), (B), (C), or (D); or

(F) is known or believed to have provided, or attempted to provide, during the period specified in paragraph (2), financial, material, technological, or other support for, or goods or services in support of, any material contribution to a program described in subparagraph (A) carried out by a person described in subparagraph (A), (B), (C), (D), or (E).

(2) Period specified

The period specified in this paragraph is—

(A) in the case of the first report submitted under paragraph (1), the period beginning January 1, 2016, and ending on the date the report is submitted; and

(B) in the case of a subsequent such report, the 180-day period preceding the submission of the report.

(3) Form of report

Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(Pub. L. 115-44, title I, §104, Aug. 2, 2017, 131 Stat. 890.)

REFERENCES IN TEXT

Executive Order No. 13382, referred to in subsec. (a), is Ex. Ord. No. 13382, June 28, 2005, 70 F.R. 38567, which is listed in a table under section 1701 of Title 50, War and National Defense.

The International Emergency Economic Powers Act, referred to in subsec. (c)(1), 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.

DELEGATION OF CERTAIN FUNCTIONS AND AUTHORITIES UNDER THE COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT OF 2017

Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50051, provided:

Memorandum for the Secretary of State[,] the Secretary of the Treasury[, and] the Secretary of Homeland Security

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:

SECTION 1. (a) I hereby delegate to the Secretary of State the functions and authorities vested in the President by section 110 of the Countering America's Adversaries Through Sanctions Act of 2017 (Public Law 115-44) (the "Act") [.]

(b) I hereby delegate to the Secretary of State, in consultation with the Secretary of the Treasury, the functions and authorities vested in the President by the following provisions of the Act:

- (i) section 104(b) [22 U.S.C. 9403(b)], with respect to a determination under the standard set forth in section 104(b)(1);
- (ii) section 107(a) [22 U.S.C. 9406(a)], with respect to a determination under the standards set forth in section 107(a)(1) and (a)(2);
- (iii) section 107(d) [22 U.S.C. 9406(d)], with respect to making the certification described therein;
- (iv) section 108(b)(2) [22 U.S.C. 9407(b)(2)];
- (v) section 109 [22 U.S.C. 9408]; and
- (vi) section 112 [22 U.S.C. 9411].

(c) I hereby delegate to the Secretary of the Treasury the functions and authorities vested in the President by the following provisions of the Act:

- (i) section 104(c)(1) [22 U.S.C. 9403(c)(1)]; and
- (ii) section 107(b)(1) [22 U.S.C. 9406(b)(1)].

(d) I hereby delegate to the Secretary of the Treasury, in consultation with the Secretary of State, the functions and authorities vested in the President by the following provisions of the Act:

- (i) section 104(b), with respect to a determination under the standards set forth under section 104(b)(2) through (b)(6);
- (ii) section 104(e) [22 U.S.C. 9403(e)];
- (iii) section 106(b)(1) [22 U.S.C. 9405(b)(1)];
- (iv) section 108(a)(1) [22 U.S.C. 9407(a)(1)]; and
- (v) section 108(b)(1) [22 U.S.C. 9407(b)(1)].

(e) I hereby delegate to the Secretary of State and the Secretary of the Treasury the functions and authorities vested in the President by the following sections of the Act:

- (i) section 105(b) [22 U.S.C. 9404(b)], to be exercised in consultation with each other and commensurate with their respective areas of responsibility set forth in previous Presidential actions under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), including Executive Order 13224 of September 23, 2001 (Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism);
- (ii) section 108(a)(2) [22 U.S.C. 9407(a)(2)], to be exercised in consultation with each other and commensurate with their respective areas of responsibility set forth in Executive Order 13382 of June 28, 2005 (Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters) and Executive Order 13224; and
- (iii) section 111(b) [22 U.S.C. 9410(b)], to be exercised commensurate with their respective areas of responsibility set forth in this memorandum.

(f) I hereby delegate to the Secretary of State, the Secretary of the Treasury, and the Secretary of Homeland Security the functions and authorities vested in the President by the following sections of the Act:

- (i) section 104(b), to be exercised commensurate with their respective areas of responsibility or delegated authority under section 104(c), with respect to the imposition of sanctions following a determination under section 104(b); and
- (ii) section 107(a), to be exercised commensurate with their respective areas of responsibility or delegated authority under section 107(b), with respect to the imposition of sanctions following a determination under section 107(a).

SEC. 2. The delegations in this memorandum shall apply to any provisions of any future public laws that are the same or substantially the same as those provisions referenced in this memorandum.

SEC. 3. The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP.

§ 9404. Imposition of terrorism-related sanctions with respect to the IRGC

(a) Findings

Congress makes the following findings:

(1) The IRGC is subject to sanctions pursuant to Executive Order No. 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters), the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 *et seq.*), Executive Order No. 13553 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to serious human rights abuses by the Government of Iran), and Executive Order No. 13606 (50 U.S.C. 1701 note; relating to blocking the property and suspending entry into the United States of certain persons with respect to grave human rights abuses by the Governments of Iran and Syria via information technology).

(2) The Iranian Revolutionary Guard Corps—Quds Force (in this section referred to as the “IRGC-QF”) is the primary arm of the Government of Iran for executing its policy of supporting terrorist and insurgent groups. The IRGC-QF provides material, logistical assistance, training, and financial support to militants and terrorist operatives throughout the Middle East and South Asia and was designated for the imposition of sanctions by the Secretary of the Treasury pursuant to Executive Order No. 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism) in October 2007 for its support of terrorism.

(3) The IRGC, not just the IRGC-QF, is responsible for implementing Iran’s international program of destabilizing activities, support for acts of international terrorism, and ballistic missile program.

(b) In general

Beginning on the date that is 90 days after August 2, 2017, the President shall impose the sanctions described in subsection (c) with respect to the IRGC and foreign persons that are officials, agents, or affiliates of the IRGC.

(c) Sanctions described

The sanctions described in this subsection are sanctions applicable with respect to a foreign person pursuant to Executive Order No. 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(Pub. L. 115-44, title I, §105, Aug. 2, 2017, 131 Stat. 892.)

REFERENCES IN TEXT

Executive Order No. 13382, referred to in subsec. (a)(1), is Ex. Ord. No. 13382, June 28, 2005, 70 F.R. 38567, which is listed in a table under section 1701 of Title 50, War and National Defense.

The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, referred to in subsec. (a)(1), is Pub. L. 111-195, July 1, 2010, 124 Stat. 1312, which is classified principally to chapter 92 (§8501 *et seq.*) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 8501 of this title and Tables.

Executive Order No. 13553, referred to in subsec. (a)(1), is Ex. Ord. No. 13553, Sept. 28, 2010, 75 F.R. 60567, which is listed in a table under section 1701 of Title 50, War and National Defense.