

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 111-195, §1(a), July 1, 2010, 124 Stat. 1312, provided that: “This Act [enacting this chapter, amending sections 287c, 2778, and 2780 of this title, section 80a-13 of Title 15, Commerce and Trade, section 310 of Title 31, Money and Finance, and section 4315 of Title 50, War and National Defense, enacting provisions set out as notes under section 80a-13 of Title 15 and section 1701 of Title 50, and amending provisions set out as notes under section 1701 of Title 50] may be cited as the ‘Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.’”

Executive Documents

DELEGATION OF CERTAIN FUNCTIONS AND AUTHORITIES UNDER THE COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010

Memorandum of President of the United States, Sept. 23, 2010, 75 F.R. 67025, provided:

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

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 to the Secretary of State the functions vested in the President by sections 4(c), 5(a), 5(b), 5(c), 5(f), 6(a)(1), 6(a)(2), 6(b)(5), and 9(c) of the Iran Sanctions Act of 1996, as amended (Public Law 104-172, 50 U.S.C. 1701 note, as amended most recently by the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA) (Public Law 111-195)) (the “Iran Sanctions Act”), such functions to be exercised in consultation with the Secretaries of the Treasury and Commerce and the United States Trade Representative, and with the President of the Export-Import Bank and the Chairman of the Board of the Federal Reserve System and other agencies as appropriate.

I hereby delegate to the Secretary of State the functions vested in the President by sections 4(a), 4(b), 4(e), 5(d), 5(e), 9(a), 9(b), and 10 of the Iran Sanctions Act.

I hereby delegate to the Secretary of the Treasury, in consultation with the Secretary of State, the functions vested in the President by sections 6(a)(6), 6(a)(7), and 6(a)(8) of the Iran Sanctions Act, if the sanctions that those provisions authorize have been selected pursuant to section 5(a) of the Iran Sanctions Act in accordance with the terms of this memorandum.

The Presidential Memorandum of November 21, 1996 (Delegation of Responsibilities Under the Iran and Libya Sanctions Act of 1996), shall remain in effect with regard to implementation under section 102(h)(2) of CISADA of the provisions of the Iran Sanctions Act in effect on the day before the date of enactment of CISADA.

I hereby delegate functions vested in the President by CISADA, as follows:

- section 102(h)(5) [50 U.S.C. 1701 note] to the Secretary of State;
- section 103(b)(3) [22 U.S.C. 8512(b)(3)] to the Secretary of State and the Secretary of the Treasury, consistent with Executive Orders 13224 and 13382, as amended, and any other relevant Executive Orders;
- section 103(d)(1) to the Secretary of the Treasury, in consultation with the Secretary of State and, as appropriate, other agencies;
- section 103(d)(2)(A) to the Secretary of the Treasury, in consultation with the Secretary of State;
- section 103(d)(2)(B) to the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Commerce;
- section 106 [22 U.S.C. 8515] to the Secretary of State, in consultation with the Secretary of Commerce;

- section 110 [22 U.S.C. 8518] to the Secretary of State;

- section 111(a) [22 U.S.C. 8519(a)] to the Secretary of State, in consultation with the Secretary of the Treasury and the President of the Export-Import Bank;

- section 111(b) to the President of the Export-Import Bank, in consultation with the Secretary of State and the Secretary of the Treasury;

- section 115 [124 Stat. 1341] to the Secretary of State, in consultation with the Attorney General and the Secretary of the Treasury;

- sections 303(a) and 303(b) [22 U.S.C. 8543(a), (b)] to the Secretary of State, in consultation with the Secretary of Commerce;

- section 303(c) to the Secretary of Commerce with regard to exports governed by the Export Administration Regulations, and to the Secretary of State with regard to exports governed by the International Traffic in Arms Regulations;

- section 303(d) to the Secretary of State, in consultation with the Secretary of Commerce;

- section 303(e) to the Secretary of State, in consultation with the Secretary of Commerce;

- section 304 [124 Stat. 1349] to the Secretary of State, in consultation with the Secretary of Commerce;

- section 401(b) [22 U.S.C. 8551(b)] to the Secretary of State, in consultation with the Secretary of the Treasury and, as appropriate, other agencies, with respect to the waiver of sanctions under section 103(b); to the Secretary of State, in consultation with the Secretary of Commerce, with respect to the waiver of the application of the prohibition under section 106(a); and to the Secretary of State, in consultation with the Secretary of Commerce, with respect to the waiver of the imposition of the licensing requirement under section 303(c).

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 provision 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.

SUBCHAPTER I—SANCTIONS

§ 8511. Definitions

In this subchapter:

(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” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note), as amended by section 102 of this Act.

(3) Executive agency

The term “executive agency” has the meaning given that term in section 133 of title 41.

(4) Family member

The term “family member” means, with respect to an individual, a spouse, child, parent, sibling, grandchild, or grandparent of the individual.

(5) Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran

The term “Iranian diplomat or representative of another government or military or quasi-governmental institution of Iran”

means any of the Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran (as that term is defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note)).

(6) 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.

(7) Medical device

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

(8) Medicine

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

(9) State

The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(10) United States person

The term “United States person” means—

(A) a natural person who is a citizen or resident of the United States or a national of the United States (as defined in section 1101(a) of title 8;¹ and

(B) an entity that is organized under the laws of the United States or any State.

(Pub. L. 111-195, title I, §101, July 1, 2010, 124 Stat. 1316; Pub. L. 112-158, title III, §311(b)(2), Aug. 10, 2012, 126 Stat. 1248.)

TERMINATION OF SECTION

For termination of section, see section 8551(a) of this title.

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in introductory provisions, was in the original “this title”, meaning Pub. L. 111-195, title I, July 1, 2010, 124 Stat. 1316, which enacted this subchapter, amended sections 287c, 2778, and 2780 of this title, section 310 of Title 31, Money and Finance, and section 4315 of Title 50, War and National Defense, enacted and amended provisions set out as notes under section 1701 of Title 50. For complete classification of title I to the Code, see Tables.

Section 102 of this Act, referred to in par. (2), is section 102 of Pub. L. 111-195, which enacted and amended provisions set out as notes under section 1701 of Title 50, War and National Defense.

AMENDMENTS

2012—Par. (3). Pub. L. 112-158 substituted “section 133 of title 41” for “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)”.

§ 8512. Economic sanctions relating to Iran

(a) In general

Notwithstanding section 101 of the Iran Freedom Support Act (Public Law 109-293; 120 Stat.

1344), and in addition to any other sanction in effect, beginning on the date that is 90 days after July 1, 2010, the economic sanctions described in subsection (b) shall apply with respect to Iran.

(b) Sanctions

The sanctions described in this subsection are the following:

(1) Prohibition on imports

(A) In general

Except as provided in subparagraph (B), no good or service of Iranian origin may be imported directly or indirectly into the United States.

(B) Exceptions

The exceptions provided for in section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)), including the exception for information and informational materials, shall apply to the prohibition in subparagraph (A) of this paragraph to the same extent that such exceptions apply to the authority provided under section 203(a) of that Act.

(2) Prohibition on exports

(A) In general

Except as provided in subparagraph (B), no good, service, or technology of United States origin may be exported to Iran from the United States or by a United States person, wherever located.

(B) Exceptions

(i) Personal communications; articles to relieve human suffering; information and informational materials; transactions incident to travel

The exceptions provided for in section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)), including the exception for information and informational materials, shall apply to the prohibition in subparagraph (A) of this paragraph to the same extent that such exceptions apply to the authority provided under section 203(a) of that Act.

(ii) Food; medicine; humanitarian assistance

The prohibition in subparagraph (A) shall not apply to the exportation of—

(I) agricultural commodities, food, medicine, or medical devices; or

(II) articles exported to Iran to provide humanitarian assistance to the people of Iran.

(iii) Internet communications

The prohibition in subparagraph (A) shall not apply to the exportation of—

(I) services incident to the exchange of personal communications over the Internet or software necessary to enable such services, as provided for in section 560.540 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling);

(II) hardware necessary to enable such services; or

¹ So in original. Probably should be “title 8;”.