

**§ 9308. Rule of construction****(a) Effect on other programs**

Nothing in the Global Food Security Strategy or this chapter or the amendments made by this Act shall be construed to supersede or otherwise affect the authority of the relevant Federal departments and agencies to carry out programs specified in subsection (b), in the manner provided, and subject to the terms and conditions, of those programs, including, but not limited to, the terms, conditions, and requirements relating to the procurement and transportation of food assistance furnished pursuant to such programs.

**(b) Programs described**

The programs referred to in subsection (a) are the following:

- (1) The Food for Peace Act (7 U.S.C. 1691 et seq.).
- (2) The Food for Progress Act of 1985 (7 U.S.C. 1736o).
- (3) Section 416(b) of the Agriculture<sup>1</sup> Act of 1949 (7 U.S.C. 1431).<sup>2</sup>
- (4) McGovern-Dole Food for Education Program (7 U.S.C. 1736o-1).
- (5) Local and Regional Procurement Program (7 U.S.C. 1726c).
- (6) Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1).
- (7) Any other food and nutrition security and emergency and non-emergency food assistance program of the Department of Agriculture.

(Pub. L. 114-195, §9, July 20, 2016, 130 Stat. 684.)

## REFERENCES IN TEXT

The amendments made by this Act, referred to in subsec. (a), are the amendments made by Pub. L. 114-195, section 7(c) of which amended sections 2292 and 2292a of this title.

The Food for Peace Act, referred to in subsec. (b)(1), is act July 10, 1954, ch. 469, 68 Stat. 454, which is classified generally to chapter 41 (§1691 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of Title 7 and Tables.

The Food for Progress Act of 1985, referred to in subsec. (b)(2), is Pub. L. 99-198, title XI, §1110, Dec. 23, 1985, 99 Stat. 1472, which is classified to section 1736o of Title 7, Agriculture.

The Bill Emerson Humanitarian Trust Act, referred to in subsec. (b)(6), is title III of Pub. L. 96-494, as added by Pub. L. 104-127, title II, §225(a), Apr. 4, 1996, 110 Stat. 959, which is classified to section 1736f-1 of Title 7, Agriculture.

**CHAPTER 101—COUNTERING IRAN'S DESTABILIZING ACTIVITIES**

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| Sec.<br>9401.<br>9402.<br><br>9403.<br>9404.<br>9405. | Definitions.<br>Regional strategy for countering conventional and asymmetric Iranian threats in the Middle East and North Africa.<br>Imposition of additional sanctions in response to Iran's ballistic missile program.<br>Imposition of terrorism-related sanctions with respect to the IRGC.<br>Imposition of additional sanctions with respect to persons responsible for human rights abuses. |
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<sup>1</sup> So in original. Probably should be "Agricultural".

<sup>2</sup> So in original. Probably should be "1431(b))."

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| Sec.<br>9406.<br>9407.<br><br>9408.<br>9409.<br>9410.<br>9411. | Enforcement of arms embargos.<br>Review of applicability of sanctions relating to Iran's support for terrorism and its ballistic missile program.<br>Report on coordination of sanctions between the United States and the European Union.<br>Report on United States citizens detained by Iran.<br>Exceptions for national security and humanitarian assistance; rule of construction.<br>Presidential waiver authority. |
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**§ 9401. Definitions**

In this chapter:

**(1) Act of international terrorism**

The term "act of international terrorism" 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).

**(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).

**(3) Foreign person**

The term "foreign person" means a person that is not a United States person.

**(4) Iranian person**

The term "Iranian person" means—

- (A) an individual who is a citizen or national of Iran; or
- (B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

**(5) IRGC**

The term "IRGC" means Iran's Islamic Revolutionary Guard Corps.

**(6) Knowingly**

The term "knowingly" 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).

**(7) United States person**

The term "United States person" means—

- (A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or
- (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 ter-

rorist 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 person 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 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;

(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.

Executive Order No. 13606, referred to in subsec. (a)(1), is Ex. Ord. No. 13606, Apr. 22, 2012, 77 F.R. 24571, which is listed in a table under section 1701 of Title 50, War and National Defense.

Executive Order No. 13224, referred to in subsecs. (a)(2) and (c), is Ex. Ord. No. 13224, Sept. 23, 2001, 66 F.R. 49079, which is listed in a table under section 1701 of Title 50, War and National Defense.

##### DELEGATION OF FUNCTIONS

For delegation of functions of President under subsec. (b) of this section to the Secretary of State and the Secretary of the Treasury, see section 1(e)(i) of Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50051, set out in a note under section 9403 of this title.

**§ 9405. Imposition of additional sanctions with respect to persons responsible for human rights abuses**

**(a) In general**

Not later than 90 days after August 2, 2017, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a list of each person the Secretary determines, based on credible evidence, on or after August 2, 2017—

(1) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in Iran who seek—

(A) to expose illegal activity carried out by officials of the Government of Iran; or

(B) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections; or

(2) acts as an agent of or on behalf of a foreign person in a matter relating to an activity described in paragraph (1).

**(b) Sanctions described**

**(1) In general**

The President may, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block all transactions in all property and interests in property of a person on the list required by subsection (a) 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) Penalties**

A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1) or any regulation, license, or order issued to carry out paragraph (1) 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.

(Pub. L. 115-44, title I, §106, Aug. 2, 2017, 131 Stat. 893.)

REFERENCES IN TEXT

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

**§ 9406. Enforcement of arms embargos**

**(a) In general**

Except as provided in subsection (d), the President shall impose the sanctions described in subsection (b) with respect to any person that the President determines—

(1) knowingly engages in any activity that materially contributes to the supply, sale, or

transfer directly or indirectly to or from Iran, or for the use in or benefit of Iran, of any battle tanks, armored combat vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems, as defined for the purpose of the United Nations Register of Conventional Arms, or related materiel, including spare parts; or

(2) knowingly provides to Iran any technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, manufacture, maintenance, or use of arms and related materiel described in paragraph (1).

**(b) Sanctions described**

**(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 (a) 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 (a) that is an alien.

**(c) Penalties**

A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(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.

**(d) Exception**

The President is not required to impose sanctions under subsection (a) with respect to a person for engaging in an activity described in that subsection if the President certifies to the appropriate congressional committees that—

(1) permitting the activity is in the national security interest of the United States;

(2) Iran no longer presents a significant threat to the national security of the United States and to the allies of the United States; and

(3) the Government of Iran has ceased providing operational or financial support for acts of international terrorism and no longer satisfies the requirements for designation as a state sponsor of terrorism.

**(e) State sponsor of terrorism defined**

In this section, the term “state sponsor of terrorism” means a country the government of which the Secretary of State has determined to be a government that has repeatedly provided support for acts of international terrorism for purposes of—

(1) section 4605(j)(1)(A) of title 50 (as continued in effect pursuant to the International

Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);

- (2) section 2371(a) of this title;
- (3) section 2780(d) of this title; or
- (4) any other provision of law.

(Pub. L. 115–44, title I, §107, Aug. 2, 2017, 131 Stat. 893.)

#### REFERENCES IN TEXT

The International Emergency Economic Powers Act, referred to in subsecs. (b)(1) and (e)(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 FUNCTIONS

For delegation of functions of President under this section, see Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50051, set out as a note under section 9403 of this title.

### § 9407. Review of applicability of sanctions relating to Iran's support for terrorism and its ballistic missile program

#### (a) In general

Not later than 5 years after August 2, 2017, the President shall conduct a review of all 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 for activities relating to Iran—

(1) to assess the conduct of such persons as that conduct relates to—

(A) any activity that materially contributes to the activities of the Government of Iran with respect to its ballistic missile program; or

(B) support by the Government of Iran for acts of international terrorism; and

(2) to determine the applicability of sanctions with respect to such persons under—

(A) 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); or

(B) 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).

#### (b) Implementation of sanctions

If the President determines under subsection (a) that sanctions under an Executive order specified in paragraph (2) of that subsection are applicable with respect to a person, the President shall—

(1) impose sanctions with respect to that person pursuant to that Executive order; or

(2) exercise the waiver authority provided under section 9411 of this title.

(Pub. L. 115–44, title I, §108, Aug. 2, 2017, 131 Stat. 894.)

#### REFERENCES IN TEXT

Executive Order No. 13382, referred to in subsecs. (a)(2)(A) and (b), 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.

Executive Order No. 13224, referred to in subsecs. (a)(2)(B) and (b), is Ex. Ord. No. 13224, Sept. 23, 2001, 66 F.R. 49079, which is listed in a table under section 1701 of Title 50, War and National Defense.

#### DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50051, set out as a note under section 9403 of this title.

### § 9408. Report on coordination of sanctions between the United States and the European Union

#### (a) 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 that includes the following:

(1) A description of each instance, during the period specified in subsection (b)—

(A) in which the United States has imposed sanctions with respect to a person for activity related to the proliferation of weapons of mass destruction or delivery systems for such weapons to or by Iran, support for acts of international terrorism by Iran, or human rights abuses in Iran, but in which the European Union has not imposed corresponding sanctions; and

(B) in which the European Union has imposed sanctions with respect to a person for activity related to the proliferation of weapons of mass destruction or delivery systems for such weapons to or by Iran, support for acts of international terrorism by Iran, or human rights abuses in Iran, but in which the United States has not imposed corresponding sanctions.

(2) An explanation for the reason for each discrepancy between sanctions imposed by the European Union and sanctions imposed by the United States described in subparagraphs (A) and (B) of paragraph (1).

#### (b) Period specified

The period specified in this subsection is—

(1) in the case of the first report submitted under subsection (a), the period beginning on August 2, 2017, and ending on the date the report is submitted; and

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

#### (c) Form of report

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

(Pub. L. 115–44, title I, §109, Aug. 2, 2017, 131 Stat. 895.)

#### DELEGATION OF FUNCTIONS

For delegation of functions of President under this section to the Secretary of State, in consultation with the Secretary of the Treasury, see section 1(b)(v) of Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50051, set out in a note under section 9403 of this title.

**§ 9409. Report on United States citizens detained by Iran**

**(a) In general**

Not later than 90 days after August 2, 2017, and every 180 days thereafter, the President shall submit to the appropriate congressional committees and leadership a report on United States citizens, including United States citizens who are also citizens of other countries, detained by Iran or groups supported by Iran that includes—

- (1) information regarding any officials of the Government of Iran involved in any way in the detentions; and
- (2) a summary of efforts the United States Government has taken to secure the swift release of those United States citizens.

**(b) Form of report**

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

**(c) 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, §110, Aug. 2, 2017, 131 Stat. 896.)

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section to the Secretary of State, see section 1(a) of Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50051, set out in a note under section 9403 of this title.

**§ 9410. Exceptions for national security and humanitarian assistance; rule of construction**

**(a) In general**

The following activities shall be exempt from sanctions under sections 9403, 9404, 9405, and 9406 of this title:

- (1) Any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized intelligence activities of the United States.
- (2) The admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, or under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations of the United States.
- (3) The conduct or facilitation of a transaction for the sale of agricultural commod-

ities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran, including engaging in a financial transaction relating to humanitarian assistance or for humanitarian purposes or transporting goods or services that are necessary to carry out operations relating to humanitarian assistance or humanitarian purposes.

**(b) Implementation**

The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this chapter.

**(c) Rule of construction**

Nothing in this chapter shall be construed to limit the authority of the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

**(d) Definitions**

In this section:

**(1) Agricultural commodity**

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

**(2) 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.)).

**(3) Medical device**

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

**(4) Medicine**

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

(Pub. L. 115–44, title I, §111, Aug. 2, 2017, 131 Stat. 896.)

REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsec. (a)(1), is act July 26, 1947, ch. 343, 61 Stat. 495. Title V of the Act is classified generally to subchapter III (§3091 et seq.) of chapter 44 of Title 50, War and National Defense. For complete classification of this Act to the Code, see Tables.

This chapter, referred to in subsecs. (b) and (c), was in the original “this Act”, and was translated as reading “this title”, meaning title I of Pub. L. 115–44, known as the Countering Iran’s Destabilizing Activities Act of 2017, to reflect the probable intent of Congress.

The International Emergency Economic Powers Act, referred to in subsecs. (c), (d)(2), 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 FUNCTIONS

For delegation of functions of President under subsec. (b) of this section to the Secretary of State and the Secretary of the Treasury, see section 1(e)(iii) of Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50052, set out in a note under section 9403 of this title.

**§ 9411. Presidential waiver authority****(a) Case-by-case waiver authority****(1) In general**

The President may waive, on a case-by-case basis and for a period of not more than 180 days, a requirement under section 9403, 9404, 9405, 9406, or 9407 of this title to impose or maintain sanctions with respect to a person, and may waive the continued imposition of such sanctions, not less than 30 days after the President determines and reports to the appropriate congressional committees that it is vital to the national security interests of the United States to waive such sanctions.

**(2) Renewal of waivers**

The President may, on a case-by-case basis, renew a waiver under paragraph (1) for an additional period of not more than 180 days if, not later than 15 days before that waiver expires, the President makes the determination and submits to the appropriate congressional committees a report described in paragraph (1).

**(3) Successive renewal**

The renewal authority provided under paragraph (2) may be exercised for additional successive periods of not more than 180 days if the President follows the procedures set forth in paragraph (2), and submits the report described in paragraph (1), for each such renewal.

**(b) Contents of waiver reports**

Each report submitted under subsection (a) in connection with a waiver of sanctions under section 9403, 9404, 9405, 9406, or 9407 of this title with respect to a person, or the renewal of such a waiver, shall include—

(1) a specific and detailed rationale for the determination that the waiver is vital to the national security interests of the United States;

(2) a description of the activity that resulted in the person being subject to sanctions;

(3) an explanation of any efforts made by the United States, as applicable, to secure the cooperation of the government with primary jurisdiction over the person or the location where the activity described in paragraph (2) occurred in terminating or, as appropriate, penalizing the activity; and

(4) an assessment of the significance of the activity described in paragraph (2) in contributing to the ability of Iran to threaten the interests of the United States or allies of the United States, develop systems capable of delivering weapons of mass destruction, support acts of international terrorism, or violate the human rights of any person in Iran.

**(c) Effect of report on waiver**

If the President submits a report under subsection (a) in connection with a waiver of sanctions under section 9403, 9404, 9405, 9406, or 9407 of this title with respect to a person, or the renewal of such a waiver, the President shall not be required to impose or maintain sanctions under section 9403, 9404, 9405, 9406, or 9407 of this title, as applicable, with respect to the person

described in the report during the 30-day period referred to in subsection (a).

(Pub. L. 115-44, title I, §112, Aug. 2, 2017, 131 Stat. 897.)

## DELEGATION OF FUNCTIONS

For delegation of functions of President under this section to the Secretary of State, in consultation with the Secretary of the Treasury, see section 1(b)(vi) of Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50051, set out in a note under section 9403 of this title.

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**SUBCHAPTER I—SANCTIONS AND OTHER MEASURES WITH RESPECT TO THE RUSSIAN FEDERATION****§ 9501. Findings**

Congress makes the following findings: