

BLOCKING PROPERTY OF THE FORMER IRAQI RE-
GIME, ITS SENIOR OFFICIALS AND THEIR FAMILY
MEMBERS, AND TAKING CERTAIN OTHER ACTIONS

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

NOTIFICATION TO EXPAND THE SCOPE OF THE NATIONAL EMER-
GENCY DECLARED IN EXECUTIVE ORDER NO. 13303 OF MAY 22,
2003, WITH RESPECT TO THE BLOCKING OF PROPERTY OF THE
FORMER IRAQI REGIME, ITS SENIOR OFFICIALS AND THEIR
FAMILY MEMBERS, AND TAKING CERTAIN OTHER ACTIONS,
PURSUANT TO 50 U.S.C. 1703(b) AND 50 U.S.C. 1631



SEPTEMBER 3, 2003.—Referred to the Committee on International
Relations and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

THE WHITE HOUSE,
Washington, August 28, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Consistent with section 204(b) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(b), and section 301 of the National Emergencies Act, 50 U.S.C. 1631, I hereby report that I have exercised my authority to expand the scope of the national emergency declared in Executive Order 13303 of May 22, 2003, to address the unusual and extraordinary threat to the national security and foreign policy of the United States posed by obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in that country, and the development of political, administrative, and economic institutions, in Iraq.

In United Nations Security Council Resolution (UNSCR) 1483 of May 22, 2003, the U.N. Security Council decided that U.N. member states shall freeze the assets of the former Iraqi regime, Saddam Hussein, and other senior officials of the former Iraqi regime, and their immediate family members and cause the transfer of those assets to the Development Fund for Iraq. The assets of the former Iraqi regime, Saddam Hussein, and other senior Iraqi officials have already been frozen pursuant to the Iraqi Sanctions Regulations, 31 C.F.R. part 575, which implemented the 1990 Executive Orders that imposed economic sanctions with respect to Iraq. The order that I have now issued broadens the scope of persons whose assets may be frozen under those orders by adding the immediate family members of former Iraqi senior officials whose assets may be frozen. This order also allows for the confiscating and vesting of some of those assets and provides for the transfer of all vested assets to the Development Fund for Iraq in a manner consistent with paragraph 23 of UNSCR 1483. The Development Fund for Iraq will be used by the Coalition Provisional Authority in a transparent manner to meet the humanitarian needs of the Iraqi people, for the economic reconstruction and repair of Iraq's infrastructure, for the continued disarmament of Iraq, for the costs of Iraqi civilian administration, and for other purposes benefiting the Iraqi people. By this order and related measures, the United States Government is implementing the requirements of paragraph 23 of UNSCR 1483.

Among other measures, unless licensed or otherwise authorized pursuant to this order, any attachment, judgment, decree, lien, execution, garnishment, or other judicial process with respect to assets blocked pursuant to this order is prohibited by section 1 of this order. I further note that Presidential Determination No. 2003-23 issued on May 7, 2003, made inapplicable with respect to Iraq section 620A of the Foreign Assistance Act of 1961, Public Law 87-

195, as amended, and any other provision of law that applies to countries that have supported terrorism, including, but not limited to, 28 U.S.C. 1605(a)(7), 28 U.S.C. 1610, and section 201 of the Terrorism Risk Insurance Act.

I have ordered that all property and interests in property of the former Iraqi regime or its state bodies, corporations, or agencies, or of the following persons, 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 United States persons, are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

- (a) the persons listed in the annex to this order; and
- (b) persons determined by the Secretary of the Treasury, in consultation with the Secretary of State,
 - (i) to be senior officials of the former Iraqi regime or their immediate family members; or
 - (ii) to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any of the persons listed in the Annex to this order or determined to be subject to this order.

I have authorized the Secretary of the Treasury, in consultation with the Secretary of State, to confiscate property that is blocked pursuant to this order and that he determines, in consultation with the Secretary of State, to belong to a person, organization, or country that has planned, authorized, aided, or engaged in armed hostilities against the United States. All right, title, and interest in any property so confiscated shall vest in the Department of the Treasury and shall promptly be transferred to the Development Fund for Iraq.

I have delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions as may be necessary to carry out the purposes of my order, including the promulgation of rules and regulations. I have also authorized the Secretary of the Treasury, in consultation with the Secretary of State, to employ all powers granted to me by IEEPA and by section 5 of the United Nations Participation Act, 22 U.S.C. 287c, to carry out the purposes of this order.

I am enclosing a copy of the executive order I have issued. The order is effective at 12:01 a.m. EDT on August 29, 2003.

Sincerely,

GEORGE W. BUSH.

EXECUTIVE ORDER

BLOCKING PROPERTY OF THE FORMER IRAQI REGIME, ITS SENIOR OFFICIALS AND THEIR FAMILY MEMBERS, AND TAKING CERTAIN OTHER ACTIONS

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.), section 5 of the United Nations Participation Act, as amended (22 U.S.C. 287c) (UNPA), and section 301 of title 3, United States Code, in view of United Nations Security Council Resolution 1483 of May 22, 2003, and in order to take additional steps with respect to the situation in Iraq.

I, GEORGE W. BUSH, President of the United States of America, hereby expand the scope of the national emergency declared in Executive Order 13303 of May 22, 2003, to address the unusual and extraordinary threat to the national security and foreign policy of the United States posed by obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in that country, and the development of political, administrative, and economic institutions in Iraq. I find that the removal of Iraqi property from that country by certain senior officials of the former Iraqi regime and their immediate family members constitutes one of these obstacles. I further determine that the United States is engaged in armed hostilities and that it is in the interest of the United States to confiscate certain additional property of the former Iraqi regime, certain senior officials of the former regime, immediate family members of those officials, and controlled entities. I intend that such property, after all right, title, and interest in it has vested in the Department of the Treasury, shall be transferred to the Development Fund for Iraq. Such property shall be used to meet the humanitarian needs of the Iraqi people, for the economic reconstruction and repair of Iraq's infrastructure, for the continued disarmament of Iraq, for the costs of Iraqi civilian administration, and for other purposes benefiting the Iraqi people. I determine that such use would be in the interest of and for the benefit of the United States. I hereby order:

Section 1. Except to the extent provided in section 203(b)(1), (3), and (4) of IEEPA (50 U.S.C. 1702(b)(1), (3), and (4)), or 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 effective date of this order, all property and interests in property of the former Iraqi regime or its state bodies, corporations, or agencies, or of the following persons, 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 United States persons, are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

- (a) the persons listed in the Annex to this order; and
- (b) persons determined by the Secretary of the Treasury, in consultation with the Secretary of State,
 - (i) to be senior officials of the former Iraqi regime or their immediate family members; or
 - (ii) to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any of the persons listed in the Annex to this order or determined to be subject to this order.

Sec. 2. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to confiscate property that is blocked pursuant to section 1 of this order and that he determines, in consultation with the Secretary of State, to belong to a person, organization, or country that has planned, authorized, aided, or engaged in armed hostilities against the United States. All right, title, and interest in any property so confiscated shall vest in the Department of the Treasury. Such vested property shall promptly be transferred to the Development Fund for Iraq.

Sec. 3. (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, 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. 4. For purposes of this order:

- (a) the term “person” means an individual or entity;
- (b) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;
- (c) 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;
- (d) the term “former Iraqi regime” means the Saddam Hussein regime that governed Iraq until on or about May 1, 2003;
- (e) the term “coalition authority” means the Coalition Provisional Authority under the direction of its Administrator, and the military forces of the United States, the United Kingdom, and their coalition partners present in Iraq under the command or operational control of the Commander of United States Central Command; and
- (f) the term “Development Fund for Iraq” means the fund established on or about May 22, 2003, on the books of the Central Bank of Iraq, by the Administrator of the Coalition Provisional Authority responsible for the temporary governance of Iraq and all accounts held for the fund or for the Central Bank of Iraq in the name of the fund.

Sec. 5. I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by or to persons determined to be subject to the sanctions imposed

under this order would seriously impair my ability to deal with the national emergency declared in Executive Order 13303 and expanded in scope in this order and would endanger Armed Forces of the United States that are engaged in hostilities, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 6. For those persons listed in the Annex to this order or determined to be subject 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 these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13303 and expanded in scope in this order, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 7. 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 and UNPA as may be necessary to carry out the purposes 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. 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. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to determine, subsequent to the issuance of this order, that circumstances no longer warrant inclusion of a person in the Annex to this order and that such person is therefore no longer covered within the scope of the order.

Sec. 9. Nothing in this order is intended to affect the continued effectiveness of any rules, regulations, orders, licenses, or other forms of administrative action issued, taken, or continued in effect heretofore or hereafter under 31 C.F.R. chapter V, except as expressly terminated, modified, or suspended by or pursuant to this order.

Sec. 10. This order shall not apply to such property as is or may come under the control of the coalition authority in Iraq. Nothing in this order is intended to affect dispositions of such property or other determinations by the coalition authority.

Sec. 11. 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, instrumentalities, or entities, officers or employees, or any other person.

Sec. 12. This order is effective on 12:01 a.m. EDT on August 29, 2003.

Sec. 13. This order shall be transmitted to the Congress and published in the *Federal Register*.

GEORGE W. BUSH.

THE WHITE HOUSE, August 28, 2003.

ANNEX

Saddam Hussein al-Tikriti

[DOB 28 Apr 1937; DOB al-Awja, near Tikrit, Iraq; President since 1979; nationality Iraqi; a.k.a. Abu Ali]

Qusay Saddam Hussein al-Tikriti

[DOB 1965; alt. DOB 1966; POB Baghdad, Iraq; Saddam Hussein al-Tikriti's second son; oversaw Special Republican Guard, Special Security Organization, and Republican Guard; nationality Iraqi]

Uday Saddam Hussein al-Tikriti

[DOB 1964; alt. DOB 1967; POB Baghdad, Iraq; Saddam Hussein al-Tikriti's eldest son; leader of paramilitary organization Fedayeen Saddam; nationality Iraqi]

Abid Hamid Mahmud al-Tikriti

[DOB circa 1957; POB al-Awja, near Tikrit, Iraq; Saddam Hussein al-Tikriti's presidential secretary and key advisor; nationality Iraqi; a.k.a. Abid Hamid bid Hamid Mahmud; a.k.a. Col. Abdel Hamid Mahmoud; a.k.a. Abed Mahmoud Hammud]

Ali Hassan al-Majid al-Tikriti

[DOB 1943; POB al-Awja, near Tikrit, Iraq; presidential advisor and senior member of Revolutionary Command Council; nationality Iraqi; a.k.a. al-Kimawi]

Izzat Ibrahim al-Duri

[DOB circa 1942; POB al-Dur, Iraq; deputy commander-in-chief of Iraqi military; deputy secretary, Ba'ath party regional command; vice chairman, Revolutionary Command Council; nationality Iraqi; a.k.a. Abu Brays]

Hani abd-al-Latif Tilfah al-Tikriti

[DOB circa 1962; POB al-Awja, near Tikrit, Iraq; Special Security Organization; nationality Iraqi]

Aziz Salih al-Numan

[DOB 1941; alt. DOB 1945; POB An Nasiriyah, Iraq; Ba'ath party regional command chairman; nationality Iraqi]

Muhammad Hamza Zubaidi

[DOB 1938; POB Babylon, Babil Governorate, Iraq; former prime minister; nationality Iraqi]

Kamal Mustafa Abdallah

[DOB 1952; alt. DOB 4 May 1955; POB Tikrit, Iraq; Republican Guard Secretary; led Special Republican Guard and commanded both Republican Guard corps; nationality Iraqi; a.k.a. Kamal Mustafa Abdallah Sultan al-Tikriti]

Barzan abd al-Ghafur Sulaiman Majid al-Tikriti

[DOB 1960; POB Salah al-Din, Iraq; commander, Special Republican Guard; nationality Iraqi; a.k.a. Barzan Razuki abd al-Ghafur]

Muzahim Sa'b Hassan al-Tikriti

[DOB circa 1946; alt. DOB 1949; POB al-Awja, near Tikrit, Iraq; led Iraq's Air Defense Forces; Deputy Director, Organization of Military Industrialization; nationality Iraqi]

Ibrahim Ahmad abd al-Sattar Muhammed al-Tikriti

[DOB 1943; alt. DOB 1950; alt. DOB 1952; POB Ba'qubah or al-Sumayda/Shirqat, Iraq; armed forces chief of staff; nationality Iraqi]

Saif-al-Din Fulayyih Hassan Taha al-Rawi

[DOB 1953; POB Ar Ramadi, al-Anbar Governorate, Iraq; Republican Guard chief of staff; nationality Iraqi; a.k.a. Ayad Futayyih al-Rawi]

Rafi abd-al-Latif Tilfah al-Tikriti

[DOB circa 1954; POB Tikrit, Iraq; Director, Directorate of General Security; nationality Iraqi]

Tahir Jalil Habbush al-Tikriti

[DOB 1950; POB Tikrit, Iraq; director of Iraqi Intelligence Service; nationality Iraqi]

Hamid Raja Shalah al-Tikriti

[DOB 1950; POB Bayji, Salah al-Din Governorate, Iraq; air force commander; nationality Iraqi; a.k.a. Hamid Raja-Shalah Hassan al-Tikriti; a.k.a. Hamid Raja-Shalah Hassum al-Tikriti]

Latif Nusayyif Jasim al-Dulaymi

[DOB circa 1941; POB Ar-Rashidiya suburb of Baghdad, Iraq; Ba'ath party military bureau deputy chairman; nationality Iraqi]

Abd-al-Tawab Mullah Huwaysh

[DOB 1957; alt. DOB 14 March 1942; POB Mosul or Baghdad, Iraq; deputy prime minister; director, Organization of Military; nationality Iraqi]

Taha Yassin Ramadan al-Jizrawi

[DOB circa 1938; vice president since 1991; nationality Iraqi]

Rukan Razuki abd-al-Ghafur Sulaiman al-Tikriti

[DOB 1956; POB Tikrit, Iraq; head of Tribal Affairs Office in presidential office; nationality Iraqi; a.k.a. Rukan abdal-Ghaffur Sulayman al-Majid; a.k.a. Rukan abd al-Gafur al-Majid; a.k.a. Rukan abd al-Ghaffur al-Majid al-Tikriti; a.k.a. Rukan Razuqi abd al-Gahfur al-Majid; a.k.a. Rukan 'abd al-Ghaffur al-Majid al-Tikriti; a.k.a. Abu Walid]

Jamal Mustafa Abdallah Sultan al-Tikriti

[DOB 4 May 1955; POB al-Samnah, near Tikrit, Iraq; deputy head of tribal affairs in presidential office; nationality Iraqi]

Mizban Khadr Hadi

[DOB 1938; POB Mandali District, Diyala, Iraq; member, Ba'ath party regional command and Revolutionary Command Council since 1991; nationality Iraqi]

Taha Muhyi-al-Din Ma'ruf

[DOB 1924; POB Sulaymaniyah, Iraq; Vice President; member of Revolutionary Command Council; nationality Iraqi]

Tariq Aziz

[DOB 1 Jul 1936; POB Mosul or Baghdad, Iraq; Deputy Prime Minister; Passport No. NO34409/129 (July 1997); nationality Iraqi; a.k.a. Tariq Mikhail Aziz]

Walid Hamid Tawfig al-Tikriti

[DOB circa 1950; POB Tikrit, Iraq; Governor of Basrah; nationality Iraqi; a.k.a. Walid Hamid Tawfig al-Nasiri]

Sultan Hashim Ahmad al-Tai

[DOB circa 1944; POB Mosul, Iraq; Minister of Defense; nationality Iraqi]

Hikmat Mizban Ibrahim al-Azzawi

[DOM 1934; POB Diyala, Iraq; Deputy Prime Minister and Finance Minister; nationality Iraqi]

Mahmud Dhiyab al-Ahmad

[DOB 1953; POB Mosul or Baghdad, Iraq; Minister of Interior; nationality Iraqi]

Ayad Futayyih Khalifa al-Rawi

[DOB 1942; POB Rawah, Iraqi; Quds Force Chief of Staff; nationality Iraqi]

Zuhair Talib abd-al-Sattar al-Naqib

[DOB circa 1948; Director, Military Intelligence; nationality Iraqi]

Amir Hamudi Hassan al-Sa'di

[DOB 5 Apr 1938; POB Baghdad, Iraq; presidential scientific advisor; Passport No. NO33301/862, issued 17 October 1997, expires 1 October 2005; Passport No. M0003264580; Passport No. H0100009, issued 1 May 2002; nationality Iraqi]

Amir Rashid Muhammad al-Ubaidi

[DOB 1939; POB Baghdad, Iraq; Minister of Oil; nationality Iraqi]

Husam Muhammad Amin al-Yassin

[DOB 1953; alt. DOB 1958; POB Tikrit, Iraq; head, National Monitoring Directorate; nationality Iraqi]

Muhammad Mahdi al-Salih

[DOB 1947; alt. DOB 1949; POB al-Anbar Governorate, Iraq; Minister of Trade; nationality Iraqi]

Sab'awi Ibrahim Hassan al-Tikriti

[DOB 1947; POB Tikrit, Iraq; presidential advisor; half-brother of Saddam Hussein al-Tikriti; nationality Iraqi]

Watban Ibrahim Hassan al-Tikriti

[DOB 1952; POB Tikrit, Iraq; presidential advisor; half-brother of Saddam Hussein al-Tikriti; nationality Iraqi; a.k.a. Watab Ibrahim al-Hassan]

Barzan Ibrahim Hassan al-Tikriti

[DOB 1951; POB Tikrit, Iraq; presidential advisor; half-brother of Saddam Hussein al-Tikriti; Passport No. M0001666/970; Passport No. NM0000860/114; Passport No. M0009851/1; nationality Iraqi]

Huda Salih Mahdi Ammash

[DOB 1953; POB Baghdad, Iraq; member, Ba'ath party regional command; nationality Iraqi]

Abd-al-Baqi abd-al-Karim Abdallah al-Sad'un

[DOB 1947; Ba'ath party regional command chairman, Diyala; nationality Iraqi]

Muhammad Zimam Abd-al-Razzaq al-Sa'dun

[DOB 1942; POB Suq ash-Shuyukh District, Dhi-Qar, Iraq; Ba'ath party regional chairman, at-Tamim; nationality Iraqi]

Samir abd al-Aziz al-Najim

[DOB 1937; POB 1938, Baghdad, Iraq; Ba'ath party regional command chairman, East Baghdad; nationality Iraqi]

Humam abd-al-Khaliq abd-al-Ghafur

[DOB 1945; POB ar-Ramadi, Iraq; Minister of Higher Education and Research; Passport No. M0018061/104, issued 12 September 1993; nationality Iraqi; a.k.a. Humam 'abd al-Khaliq 'abd al-Rahman; a.k.a. Humam 'abd al-Khaliq Rashid]

Yahia Abdallah al-Ubaidi

[Ba'ath party regional command chairman, al-Basrah; nationality Iraqi]

Nayif Shindakh Thamir Ghalib

[Ba'ath party regional command chairman, an-Najaf; member Iraqi National Assembly; nationality Iraqi]

Saif-al-Din al-Mashhadani

[DOB 1956; POB Baghdad, Iraq; Ba'ath party regional command chairman, al-Muthanna; nationality Iraqi]

Fadil Mahmud Gharib

[DOB 1944; POB Dujail, Iraq; Ba'ath party regional command chairman, Babil; chairman, General Federation of Iraqi Trade Unions; nationality Iraqi; a.k.a. Gharib Muhammad Fazel al-Mashaikhi]

Muhsin Khadr al-Khafaji

[Ba'ath party regional command chairman, al-Qadisiyah; nationality Iraqi]

Rashid Taan Kazim

[Ba'ath party regional command chairman, al-Anbar; nationality Iraqi]

Ugla Abid Saqar al-Kubaysi

[DOB 1944; POB Kubaisi, al-Anbar Governorate, Iraq; Ba'ath party regional command chairman, Maysan; nationality Iraqi; a.k.a. Saqr al-Kabisi abd Aqala]

Ghazi Hammud al-Ubaidi

[DOB 1944; POB Baghdad, Iraq; Ba'ath party regional command chairman, Wasit; nationality Iraqi]

Adil Abdallah Mahdi

[DOB 1945; POB Baghdad, Iraq; Ba'ath party regional command chairman, Dhi-Qar; nationality Iraqi]

Hussein al-Awadi

[Ba'ath party regional command chairman, Ninawa; nationality Iraqi]

Khamis Sirhan al-Muhammad

[Ba'ath party regional command chairman, Karbala; nationality Iraqi; a.k.a. Dr. Khamis]

Sa'd abd-al-Majid al-Faysal al-Tikriti

[DOB 1944; POB Tikrit, Iraq; Ba'ath party regional command chairman, Salah al-Din; nationality Iraqi]

Note: The bracketed identifying information with respect to each person listed in this Annex reflects information recently available and is provided solely to facilitate compliance with this order. Each person listed in this Annex remains subject to the prohibitions of this order notwithstanding any change in title, position, or affiliation, unless and until such person is subject to a determination pursuant to section 8 of this order.