

shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996, as amended by section 204, with respect to a person if the President determines that the person knowingly, on or after August 10, 2012, provides underwriting services or insurance or reinsurance for the National Iranian Oil Company, the National Iranian Tanker Company, or a successor entity to either such company.

(b) Exceptions

(1) Underwriters and insurance providers exercising due diligence

The President is authorized not to impose sanctions under subsection (a) with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not provide underwriting services or insurance or reinsurance for the National Iranian Oil Company, the National Iranian Tanker Company, or a successor entity to either such company.

(2) Food; medicine; humanitarian assistance

The President may not impose sanctions under subsection (a) for the provision of underwriting services or insurance or reinsurance for any activity relating solely to—

(A) the provision of agricultural commodities, food, medicine, or medical devices to Iran; or

(B) the provision of humanitarian assistance to the people of Iran.

(3) Termination period

The President is authorized not to impose sanctions under subsection (a) with respect to a person if the President receives reliable assurances that the person will terminate the provision of underwriting services or insurance or reinsurance for the National Iranian Oil Company, the National Iranian Tanker Company, and any successor entity to either such company, not later than the date that is 120 days after August 10, 2012.

(c) Definitions

In this section:

(1) Agricultural commodity

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

(2) Medical device

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

(3) Medicine

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

(d) Application of provisions of Iran Sanctions Act of 1996

The following provisions of the Iran Sanctions Act of 1996, as amended by this Act, apply with respect to the imposition of sanctions under subsection (a) to the same extent that such provisions apply with respect to the imposition of

sanctions under section 5(a) of the Iran Sanctions Act of 1996:

- (1) Subsection (c) of section 4.
- (2) Subsections (c), (d), and (f) of section 5.
- (3) Section 8.
- (4) Section 9.
- (5) Section 11.
- (6) Section 12.
- (7) Subsection (b) of section 13.
- (8) Section 14.

(e) Rule of construction and implementation

Nothing in this section shall be construed to limit the authority of the President to impose sanctions pursuant to the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note), the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), section 8513a of this title, or any other provision of this Act.

(Pub. L. 112–158, title II, §212, Aug. 10, 2012, 126 Stat. 1229.)

TERMINATION OF SECTION

For termination of section, see section 8785(a) of this title.

Editorial Notes

REFERENCES IN TEXT

The Iran Sanctions Act of 1996, referred to in subsecs. (a), (d), and (e), is Pub. L. 104–172, Aug. 5, 1996, 110 Stat. 1541, which is set out as a note under section 1701 of Title 50, War and National Defense. Section 6(a) of the Act, as amended by section 204, is section 6(a) of Pub. L. 104–172, as amended by section 204 of Pub. L. 112–158.

This Act, referred to in subsecs. (d) and (e), is Pub. L. 112–158, Aug. 10, 2012, 126 Stat. 1214, known as the Iran Threat Reduction and Syria Human Rights Act of 2012, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 8701 of this title and Tables.

The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, referred to in subsec. (e), 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.

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

§ 8723. Imposition of sanctions with respect to purchase, subscription to, or facilitation of the issuance of Iranian sovereign debt

(a) In general

The President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996, as amended by section 204, with respect to a person if the President determines that the person knowingly, on or after August 10, 2012, purchases, subscribes to, or facilitates the issuance of—

- (1) sovereign debt of the Government of Iran issued on or after August 10, 2012, including governmental bonds; or

(2) debt of any entity owned or controlled by the Government of Iran issued on or after August 10, 2012, including bonds.

(b) Application of provisions of Iran Sanctions Act of 1996

The following provisions of the Iran Sanctions Act of 1996, as amended by this Act, apply with respect to the imposition of sanctions under subsection (a) to the same extent that such provisions apply with respect to the imposition of sanctions under section 5(a) of the Iran Sanctions Act of 1996:

- (1) Subsection (c) of section 4.
- (2) Subsections (c), (d), and (f) of section 5.
- (3) Section 8.
- (4) Section 9.
- (5) Section 11.
- (6) Section 12.
- (7) Subsection (b) of section 13.
- (8) Section 14.

(Pub. L. 112–158, title II, § 213, Aug. 10, 2012, 126 Stat. 1230.)

TERMINATION OF SECTION

For termination of section, see section 8785(a) of this title.

Editorial Notes

REFERENCES IN TEXT

The Iran Sanctions Act of 1996, referred to in text, is Pub. L. 104–172, Aug. 5, 1996, 110 Stat. 1541, which is set out as a note under section 1701 of Title 50, War and National Defense. Section 6(a) of the Act, as amended by section 204, is section 6(a) of Pub. L. 104–172, as amended by section 204 of Pub. L. 112–158.

This Act, referred to in subsec. (b), is Pub. L. 112–158, Aug. 10, 2012, 126 Stat. 1214, known as the Iran Threat Reduction and Syria Human Rights Act of 2012, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 8701 of this title and Tables.

Executive Documents

DELEGATION OF CERTAIN FUNCTIONS AND AUTHORITIES UNDER SECTION 213(b)(1) OF THE IRAN THREAT REDUCTION AND SYRIA HUMAN RIGHTS ACT OF 2012

Memorandum of President of the United States, Oct. 18, 2015, 80 F.R. 66781, provided:

Memorandum for the Secretary of State[,] the Secretary of the Treasury[,] the Secretary of Commerce[,] the United States Trade Representative[,] the Secretary of Homeland Security[,] and] the Chairman of the Board of Governors of the Federal Reserve System

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 the functions and authorities vested in the President by section 213(b)(1) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) to the Secretary of State, in consultation with: the Secretaries of the Treasury and Commerce and the United States Trade Representative; and with the Secretary of Homeland Security, the Chairman of the Board of Governors of the Federal Reserve System, and other agencies as appropriate.

The delegation of authorities under section 213(b)(1) of the TRA to the Secretary of the Treasury contained in the Presidential Memorandum of October 9, 2012, entitled “Delegation of Certain Functions and Authorities Under the Iran Threat Reduction and Syria Human Rights Act of 2012” is hereby rescinded. The other pro-

visions of that Presidential Memorandum remain in effect.

Any reference herein to provisions of any Act related to the subject of this memorandum shall be deemed to include references to any hereafter-enacted provisions of law that are 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.

§ 8724. Continuation in effect of sanctions with respect to the Government of Iran, the Central Bank of Iran, and sanctions evaders

(a) Sanctions relating to blocking of property of the Government of Iran and Iranian financial institutions

United States sanctions with respect to Iran provided for in Executive Order No. 13599 (77 Fed. Reg. 6659), as in effect on the day before August 10, 2012, shall remain in effect until the date that is 90 days after the date on which the President submits to the appropriate congressional committees the certification described in subsection (d).

(b) Sanctions relating to foreign sanctions evaders

United States sanctions with respect to Iran provided for in Executive Order No. 13608 (77 Fed. Reg. 26409), as in effect on the day before August 10, 2012, shall remain in effect until the date that is 30 days after the date on which the President submits to the appropriate congressional committees the certification described in section 401(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)).

(c) Continuation of sanctions with respect to the Central Bank of Iran

In addition to the sanctions referred to in subsection (a), the President shall continue to apply to the Central Bank of Iran sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), including blocking of property and restrictions or prohibitions on financial transactions and the exportation of property, until the date that is 90 days after the date on which the President submits to Congress the certification described in subsection (d).

(d) Certification described

(1) In general

The certification described in this subsection is the certification of the President to Congress that the Central Bank of Iran is not—

(A) providing financial services in support of, or otherwise facilitating, the ability of Iran to—

(i) acquire or develop chemical, biological, or nuclear weapons, or related technologies;

(ii) construct, equip, operate, or maintain nuclear facilities that could aid Iran’s effort to acquire a nuclear capability; or

(iii) acquire or develop ballistic missiles, cruise missiles, or destabilizing types and amounts of conventional weapons; or

(B) facilitating transactions or providing financial services for—