

**Editorial Notes**

## 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.

**Executive Documents**

## 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 commensu-

rate 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.)

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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.

**Executive Documents**

## 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)(1) 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.)

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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