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Iran: U.S. Economic Sanctions and the Authority to Lift Restrictions

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Summary

On May 8, 2018, President Donald Trump signed National Security Presidential Memorandum 11, "ceasing U.S. participation in the JCPOA [Joint Comprehensive Plan of Action] and taking additional action to counter Iran's malign influence and deny Iran all paths to a nuclear weapon." The action sets in motion a reestablishment of U.S. unilateral economic sanctions that will affect U.S. businesses and include secondary sanctions that target the commerce originating in other countries that engage in trade with and investment in Iran.

Prior to this juncture, the United States had led the international community in imposing economic sanctions on Iran in an effort to change the government of that country's support of acts of international terrorism, poor human rights record, weapons and missile development and acquisition, role in regional instability, and development of a nuclear program. The United States' abrogation of its participation in the JCPOA, at least in the near-term, sets the United States apart from its allies and partners in what has been for more than a decade a unified, multilateral approach to Iran's malign activities.

This report identifies the basis in U.S. law for sanctions imposed on Iran, and the nature of the authority to waive or lift those restrictions. It comprises four tables that present legislation and executive orders that are specific to Iran and its objectionable activities in the areas of terrorism, human rights, and weapons proliferation. It will be updated if and when new legislation is enacted, or, in the case of executive orders, if and when the President takes additional steps to change U.S. policy toward Iran.

On July 14, 2015, the United States, China, France, Germany, the Russian Federation, the United Kingdom, European Union, and Iran agreed to a Joint Comprehensive Plan of Action to "ensure that Iran's nuclear programme will be exclusively peaceful.... " In turn, the negotiating parties and United Nations would "produce the comprehensive lifting of all U.N. Security Council sanctions as well as multilateral and national sanctions related to Iran's nuclear programme, including steps on access in areas of trade, technology, finance, and energy."

On January 16, 2016, the International Atomic Energy Agency verified that Iran had implemented the measures enumerated in the JCPOA to disable and end its nuclear-related capabilities. Secretary of State Kerry confirmed the arrival of Implementation Day (defined in Annex V of the JCPOA). President Obama, the State Department, and the Department of the Treasury's Office of Foreign Assets Control initiated steps for the United States to meet its obligations under the JCPOA (Annexes II and V)—revoking a number of executive orders, delisting individuals and entities designated as Specially Designated Nationals, issuing general licenses to authorize the resumption of some trade, and exercising waivers for non-U.S. persons as allowable by various laws. President Trump's May 8 announcement indicates that the United States will, over the next three to six months, reconstruct the U.S. sanctions regime.

Other CRS reports address the U.S.-Iran relationship, including a comprehensive discussion of the practical application of economic sanctions: CRS Report RS20871, *Iran Sanctions*, by Kenneth Katzman. See also CRS Report R43333, *Iran Nuclear Agreement*, by Kenneth Katzman and Paul K. Kerr; CRS Report R43492, *Achievements of and Outlook for Sanctions on Iran*, by Kenneth Katzman; CRS Report RL32048, *Iran: Politics, Human Rights, and U.S. Policy*, by Kenneth Katzman; and CRS Report R40094, *Iran's Nuclear Program: Tehran's Compliance with International Obligations*, by Paul K. Kerr.

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Recent Events

On May 8, 2018, President Donald Trump announced that the United States was ending its participation in the Joint Comprehensive Plan of Action (JCPOA).[1] The JCPOA is an agreement signed on July 14, 2015, by the United States, Russia, China, France, Britain (all permanent members of the U.N. Security Council), Germany (P5+1),[2] and Iran, to require Iran to limit its nuclear program and, in exchange, require the United States and others to ease economic sanctions affecting Iran's access to some of its hard currency held abroad (see text box, below).[3] The President's decision sets in motion a restoring of U.S. unilateral economic sanctions that will affect U.S. businesses and include secondary sanctions that target commerce originating in other countries that engage in trade with and investment in Iran. The Secretaries of the Treasury and State are required to take appropriate steps to reimpose as quickly as possible, but not later than 180 days, the U.S. sanctions that were waived or lifted in implementing the United States' part of the JCPOA. In addition, the Secretary of Defense is tasked with preparing "to meet, swiftly and decisively, all possible modes of Iranian aggression against the United States, our allies, and our partners. The Department of Defense shall ensure that the United States develops and retains the means to stop Iran from developing or acquiring a nuclear weapon and related delivery systems."[4]

To explain how the United States will reestablish the sanctions regime, the Department of the Treasury's Office of Foreign Assets Control (OFAC) issued a new set of *Frequently Asked Questions* shortly after the President's announcement.[5] The State Department also reported to Congress a set of waiver revocations, determinations, certifications, and findings to establish, in effect, a timeline for the reimposition of sanctions on certain Iranians and those who engage in business with and investment in Iran.[6]

Going forward, the sequence of what may happen next, based on OFAC's FAQs and State Department's reports, includes the following:

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[1] White House press release. "NSPM-11—Ceasing U.S. Participation in the JCPOA and Taking Additional Action to Counter Iran's Malign Influence and Deny Iran All Paths to a Nuclear Weapon," May 8, 2018.

[2] Also referred to as the E3/EU+3.

[3] Implementing interim versions of the 2015 agreement—primarily the *Joint Plan of Action Reached on November 24, 2013,* and related extensions—generated sanctions guidance including U.S. Department of the Treasury. Office of Foreign Assets Control. *Guidance Relating to the Provision of Certain Temporary Sanctions Relief In Order To Implement the Joint Plan of Action Reached on November 24, 2013, Between the P5+1 and the Islamic Republic of Iran,* January 20, 2014. 79 F.R. 5025; January 30, 2014. See also: U.S. Department of the Treasury. Office of Foreign Assets Control. *Publication of Guidance Relating to the Provision of Certain Temporary Sanctions Relief, as Extended, July 21, 2014.* 79 F.R. 45233; August 4, 2014; and *Guidance Relating to the Provision of Certain Temporary Sanctions Relief in Order to Implement the Joint Plan of Action Reached on November 24, 2013, Between the P5+1 and the Islamic Republic of Iran, as Extended Through June 30, 2015*. 79 F.R. 73141; December 8, 2014. See, also: Department of the Treasury. *Frequently Asked Questions Relating to the Temporary Sanctions Relief To Implement the Joint Plan of Action Between the P5+1 and the Islamic Republic of Iran,* January 20, 2014. OFAC has also issued a number of General Licenses related to sanctions relief, all available at http://www.treasury.gov/ofac. See also Iranian Transactions and Sanctions Regulations, at 31 *Code of Federal Regulations* (CFR) Part 560.

[4] NSPM-11, section 4.

[5] Department of the Treasury. Office of Foreign Assets Control. Frequently Asked Questions Regarding the Re-Imposition of Sanctions Pursuant to the May 8, 2018 National Security Presidential Memorandum Relating to the Joint Comprehensive Plan of Action (JCPOA). https://www.treasury.gov/resource-center/sanctions/Programs/Documents/jcpoa_winddown_faqs.pdf.

[6] Department of State. *Report to Congress: Waiver of Certain Sanctions to Provide for a Wind-Down Period for Sanctions Relief Previously Provided Consistent with the Joint Comprehensive Plan of Action*; and *Waiver Revocations, Determinations, Certifications, and Findings.* May 8, 2018.

- Treasury establishes two wind-down periods—90 days (August 6, 2018) or 180 days (November 4, 2018)—for those involved in certain commercial or financial activities with Iran to complete those transactions and withdraw.
- On or after August 6, 2018, OFAC will reimpose sanctions affecting the government of Iran's ability to purchase or acquire U.S. dollars; trade in gold, precious metals, graphite, raw or semi-finished metals, including aluminum and steel, coal, and software; trade in or purchase of the *rial*; maintenance of accounts outside of Iran denominated in *rial*; trade in Iran's sovereign debt; and trade in Iran's automotive sector.
- On or after August 6, 2018, OFAC will revoke licenses that allow importation into the United States of Iranian carpets and foodstuffs; and specific licenses that allow export or reexport of commercial aircraft and related parts and services.[7]
- On or after November 4, 2018, OFAC will reimpose sanctions relating to ports, shipping, shipbuilding; petroleum- and petrochemical-related transactions; transactions between foreign financial institutions and the Central Bank of Iran (CBI) or other Iranian financial institutions; certain specialized financial messaging services; underwriting services, insurance or reinsurance; and Iran's energy sector.
- On or after August 6 or November 4, depending on how it relates to sectors and other factors described above, the President is expected to reimpose the relevant provisions of several executive orders that were revoked to implement the United States' part of the JCPOA. The President could issue a new executive order, or amend the Executive Order 13716 of January 16, 2016,[8] which revoked the original order (in effect, unrevoking the original language).[9]
- Effective November 5, 2018, OFAC will revoke previously issued authorizations that were permitted under General License H of January 16, 2016—relating to foreign entities owned or controlled by a U.S. person.[10]

[7] OFAC has issued three Statements of Licensing Policy (SLP) that serve as guidance for issuing specific licenses, all in support of Treasury regulations stated at 31 CFR Part 560 (Iranian Transaction Regulations): *Support of Democracy and Human Rights in Iran and Academic and Cultural Exchange Programs*, July 17, 2006; *Support of Human Rights-, Humanitarian-, and Democracy-Related Activities with Respect to Iran* (undated); and *Activities Related to the Export or Re-export to Iran of Commercial Passenger Aircraft and Related Parts and Services,* January 16, 2016.

[8] 81 F.R. 3693.

[9] OFAC cites the revoked sections of Executive Orders 13574, 13590, 13622, 13628, and 13645. These orders expanded the original national emergency issued in Executive Order 12957 of March 15, 1995. The original order draws on authorities stated in the National Emergencies Act (NEA; 50 U.S.C. 1601 *et seq*.) and the International Emergency Economic Powers Act (IEEPA; 50 U.S.C. 1701 et seq.); the subsequent orders, while based on NEA and IEEPA authorities, also drew on the body of law that forms the Iran sanctions regime.

[10] OFAC has issued some dozen General Licenses (GL) to allow for limited transactions with Iranian persons and entities ranging across engagement with international organizations, civil aircraft safety, educational services, sports activities, nongovernmental organizations activities in Iran, personal communications, trade in food and medicine, commercial use of the Internet, and the transportation of human remains. Full list is available at https://www.treasury.gov/resource-center/sanctions/Programs/Pages/iran.aspx.

- No later than November 5, 2018, those individuals and entities removed from the OFAC's Specially Designated Nationals (SDN) list[11] to effectuate the JCPOA will be redesignated, "as appropriate."[12]
- No later than November 5, 2018, those identified pursuant to Executive Order 13599, relating to trade with Iran's energy and petrochemical sectors, will be moved to the SDN list. They will, however, also have "additional sanctions information—subject to secondary sanctions" attached to their SDN designation.[13]

Of particular interest to other countries that purchase oil from Iran is how, or if, the United States will implement secondary sanctions on foreign financial institutions to deter such purchases, as provided for in the National Defense Authorization Act for Fiscal Year 2012.[14] The law requires the President to assess the world petroleum market and whether foreign countries have reduced their consumption of Iran-origin petroleum over the previous six months. If they have not, the United States may deny access to the U.S. financial system. Foreign countries may, however, seek exception. OFAC provides that

> [t]he State Department will evaluate and make determinations with respect to significant reduction exceptions provided for in section 1245(d)(4)(D) of the NDAA at the end of the 180-day wind-down period. Countries seeking such exception are advised to reduce their volume of crude oil purchases from Iran during this wind-down period. Consistent with past practice, the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Energy, and the Director of National Intelligence, would make such determinations following a process of rigorous due diligence. For the initial set of such determinations, the State Department intends to consider relevant evidence in assessing each country's efforts to reduce the volume of crude oil important from Iran during the 180-day wind-down period, including the quantity and percentage of the reduction in purchases of Iranian crude oil, the termination of contracts for future delivery of Iranian crude oil, and other actions that demonstrate a commitment to decrease substantially such purchase. The State Department expects to engage in consultations with countries currently purchasing Iranian crude oil during the 180-day wind-down period.[15]

Based on determinations to waive the application of section 1245 from 2012 to 2015, when the JCPOA entered into effect, countries that are possibly facing renewed pressure to reduce their Iranian petroleum consumption include China, India, Japan, Malaysia, Singapore, South Africa, South Korea, Sri Lanka, Taiwan, and Turkey.[16] Countries that benefited from exemptions during that period include Belgium, the Czech Republic, France, Germany, Greece, Italy, Netherlands, Poland, Spain, and the United Kingdom.[17]

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[11] When the President or Secretary of the Treasury (or his delegate) determines that an individual or entity meets the criteria of objectionable activities stated in law relating to U.S. foreign policy and the application of economic sanctions, OFAC designates the person or entity as a Specially Designated National (SDN). Depending on the statute violated, the SDN may be subject to property under U.S. jurisdiction being blocked, assets frozen, and U.S. persons may be prohibited from engaging in transactions with the SDN, the SDN's property, or interests in property. OFAC maintains a consolidated SDN database comprising all the multitude of U.S. sanctions regimes, at https://sanctionssearch.ofac.treas.gov/.

[12] *FAQ* 1.3, May 8, 2018.

[13] *FAQ* 3, May 8, 2018.

[14] Section 1245(d)(4), P.L. 112-81 (22 U.S.C. 8513a), as amended.

[15] *FAQ* 5.2, May 8, 2018.

[16] For example, State Department Public Notice 8610 of January 22, 2014 (79 F.R. 4522).

[17] For example, State Department Public Notice 8678 of March 25, 2014 (79 F.R. 18382).

Joint Comprehensive Plan of Action, Vienna, July 14, 2015

On July 14, 2015, the E3/EU+3 and Iran reached agreement on a Joint Comprehensive Plan of Action (JCPOA) in which "Iran reaffirms that under no circumstances will Iran ever seek, develop or acquire any nuclear weapons." The Agreement also stated, "This JCPOA will produce the comprehensive lifting of all U.N. Security Council sanctions as well as multilateral and national sanctions related to Iran's nuclear programme, including steps on access in areas of trade, technology, finance and energy." (JCPOA, *Preamble and General Provisions*, paras. iii and v.)

A 37-point main text and five annexes comprise the JCPOA. Annex II and its multiple attachments that identify "persons, entities and bodies set out in Annex II" define "Sanctions-related commitments." Annex V, the "Implementation Plan," establishes the timeline for each party to implement its responsibilities.

The U.S. government summarizes the key markers relating to sanctions as follows:

- The U.N. Security Council resolution endorsing the JCPOA will terminate all the provisions of the previous U.N. Security Council resolutions on the Iranian nuclear issue simultaneously with the International Atomic Energy Agency (IAEA)-verified implementation of agreed nuclear-related measures by Iran and will establish specific restrictions.
- The EU will terminate all provisions of the EU Regulation, as subsequently amended, implementing all the nuclear related economic and financial sanctions, including related designations, simultaneously with IAEA-verified implementation of agreed nuclear- related measures by Iran as specified in Annex V.
- The United States will cease the application, and will continue to do so, in accordance with the JCPOA, of the sanctions specified in Annex II, to take effect simultaneously with the IAEA-verified implementation of the agreed upon related measures by Iran as specified in Appendix V. (Note: U.S. statutory sanctions focused on Iran's support for terrorism, human rights abuses, and missile activities will remain in effect and continue to be enforced.)
- Eight years after Adoption Day or when the IAEA has reached the Broader Conclusion that all the nuclear material in Iran remains in peaceful activities, whichever is earlier, the United States will seek such legislative action as may be appropriate to terminate or modify to effectuate the termination of sanctions specified in Annex II.

Text of the JCPOA is available at http://eeas.europa.eu/top_stories/2015/150714_iran_nuclear_deal_en.htm. Text of the U.S. Government's "Key Excerpts of the JCPOA" is available at https://www.whitehouse.gov/sites/default/files/docs/jcpoa_key_excerpts.pdf.

The regime of economic sanctions against Iran, at its height beginning in 2012, was arguably the most complex the United States and the international community have ever imposed on a rogue state. Iran's economy was once integrated into world trade, markets, and banking. As relations deteriorated, for the United States dating back to Iran's 1979 revolution and hostage-taking at the U.S. embassy, and for the larger international community over more recent human rights, regional stability, and nuclear and missile proliferation concerns, this complete economic integration offered seemingly limitless opportunities to impose economic restrictions and create points where pressure could be applied to bring Iran back into conformity with international norms.

The Role of Congress

Congress remains seized of the matter of Iran's illicit activities, particularly monitoring Iran's reported activities related to military power, international terrorism, terrorism financing, illicit cyber activities, and ballistic missile research and development. Substantive reports required of the administration include the following:

- In the National Defense Authorization Act for Fiscal Year 2010 (P.L. 111-84; October 28, 2009; §1245; 10 U.S.C. 113 note), as amended, Congress requires

the Secretary of Defense to provide a wide-sweeping annual report on the current and future strategy, capabilities, and composition of Iran's military force.

- In the Intelligence Authorization Act, FY2016 (Division M, Consolidated Appropriations Act for 2016; P.L. 114-113; December 18, 2015; §514 [22 U.S.C. 8701 note]), Congress requires the Director of National Intelligence, in consultation with the Secretary of the Treasury, to report regularly to Congress on the monetary value of sanctions relief Iran has received and if it has made use of the funds to support international terrorism, the regime of Bashar al Assad in Syria, nuclear weapons or ballistic missiles development at home or elsewhere, human rights abuses, or personal wealth of any senior government official.
- In the National Defense Authorization Act for Fiscal Year 2017 (P.L. 114-328; December 23, 2016, §1226), as amended, Congress requires the Secretaries of State and the Treasury, quarterly through 2022, to report on unilateral and multilateral efforts to impose sanctions on entities or individuals connected with Iran's ballistic missile launches.[18]
- In the Countering Iran's Destabilizing Activities Act of 2017 (P.L. 115-44, Title I; §103, 22 U.S.C. 9402), Congress requires the Secretaries of State, Defense, the Treasury, and the Director of National Intelligence to report within 180 days and biennially thereafter 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."
- In the Countering Iran's Destabilizing Activities Act of 2017 (P.L. 115-44, Title I; §104(e), 22 U.S.C. 9403), Congress requires the President to report to Congress within 180 days and every 180 days thereafter on those who contribute to Iran's ballistic missile program.
- In the Countering Iran's Destabilizing Activities Act of 2017 (P.L. 115-44, Title I; §109, 22 U.S.C. 9408), Congress requires the President to report to Congress within 180 days and every 180 days thereafter on the designation for sanctions made by the European Union related to Iran's ballistic missile program, terrorism, or human rights abuses.

Authority to Waive or Lift Economic Sanctions

The ability to impose or ease economic sanctions with some nimbleness and responsiveness to changing events is key to effective use of the tool in furtherance of national security or foreign policy objectives. Historically, both the President and Congress have recognized this essential requirement and have worked together to provide the President substantial flexibility. In the collection of laws that are the statutory basis for the U.S. economic sanctions regime on Iran, the President retains, in varying degrees, the authority to tighten and relax restrictions.

The President has the authority to impose a wide range of economic sanctions under the National Emergencies Act (NEA) and the International Emergency Economic Powers Act (IEEPA)—the authority on which sanctions-initiating executive orders are most often based.[19] Using these

[18] Section 7041(b)(3)(B) of the Department of State, Foreign Operations and Related Programs Appropriations Act, 2018 (Division K, P.L. 115-141) requires nearly the same report, but as a one-time delivery, no later than late September 2018.

[19] National Emergencies Act, P.L. 94-412; 50 U.S.C. 1601 *et seq*.; and International Emergency Economic Powers Act,

statutes, the President maintains that Iran poses an "unusual and extraordinary threat, which has its source in whole or substantial part outside the United States, to the national security, foreign policy, or economy of the United States…."[20] On March 15, 1995, President William Clinton declared that Iran's proliferation activities posed a threat to the United States that constituted a national emergency; this declaration has been renewed annually since 1995, as required by statute, and is the basis for subsequent executive orders that have expanded restrictions on economic relations with Iran.[21] If or when President Trump restores the provisions of the executive orders that President Obama had revoked to implement the U.S. responsibilities under the JCPOA (see **Table 4**), he is likely to cite the 1995 national emergency as the legal basis for his actions.

In the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA; P.L. 111-195, as amended; 22 U.S.C. 8501 et seq.),[22] Congress grants to the President the authority to terminate most of the sanctions imposed on Iran in that act as well as those provided for in the Iran Threat Reduction and Syria Human Rights Act of 2012 (P.L. 112-158; 22 U.S.C. 8701 et seq.), and Iran Freedom and Counter-proliferation Act of 2012 (P.L. 112-239; 22 U.S.C. 8801 et seq.). Before terminating these sanctions, however, the President must certify that the government of Iran has ceased its engagement in the two critical areas of terrorism and weapons, as set forth in Section 401 of CISADA—

> SEC. 401 [22 U.S.C. 8551]. GENERAL PROVISIONS.
>
> (a) SUNSET.—The provisions of this Act (other than sections 105 and 305 and the amendments made by sections 102, 107, 109, and 205) shall terminate, and section 13(c)(1)(B) of the Investment Company Act of 1940, as added by section 203(a), shall cease to be effective, on the date that is 30 days after the date on which the President certifies to Congress that—
>
> (1) the Government of Iran has ceased providing support for acts of international terrorism and no longer satisfies the requirements for designation as a state sponsor of terrorism (as defined in section 301) under—
>
> (A) section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (or any successor thereto);
>
> (B) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or
>
> (C) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)); and
>
> (2) Iran has ceased the pursuit, acquisition, and development of, and verifiably dismantled its, nuclear, biological, and chemical weapons and ballistic missiles and ballistic missile launch technology.
>
> (b) PRESIDENTIAL WAIVERS.—
>
> (1) IN GENERAL.—The President may waive the application of sanctions under section 103(b), the requirement to impose or maintain sanctions with respect to a person under section 105(a), 105A(a), 105B(a), or 105C(a) the requirement to include

P.L. 95-223; 50 U.S.C. 1701 *et seq*.

[20] IEEPA, §292(a); 50 U.S.C. 1701(a).

[21] Executive Order 12957; March 15, 1995; 60 F.R. 14615. An earlier order, relating to the taking of hostages at the American Embassy in Tehran in 1979, also remains active and is based on a separate announcement that a national emergency exists. Executive Order 12170; November 14, 1979; 44 F.R. 65729.

[22] Section 401(a) and (b)(1) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA; P.L. 111-195; 22 U.S.C. 8551), as amended. **Table 1** shows the sanctions for which Section 401 waiver authority is applicable.

> a person on the list required by section 105(b), 105A(b), 105B(b), or 105C(b), the application of the prohibition under section 106(a), or the imposition of the licensing requirement under section 303(c) with respect to a country designated as a Destination of Diversion Concern under section 303(a), if the President determines that such a waiver is in the national interest of the United States.

International Terrorism Determination

To lift the majority of the economic sanctions imposed by CISADA, the President must determine and certify that the government of Iran no longer supports acts of international terrorism. The government of Iran is designated as a state sponsor of acts of international terrorism, effective January 1984, pursuant to the Secretary of State's authorities and responsibilities under Section 6(j) of the Export Administration Act of 1979. Various statutes impede or prohibit foreign aid, financing, and trade because of that designation. Three laws (§620A, Foreign Assistance Act of 1961 [22 U.S.C. 2371]; §40, Arms Export Control Act [22 U.S.C. 2780]; and §6(j), Export Administration Act of 1979 [50 U.S.C. app. 2405(j)]) form the "terrorist list."[23] Because these statutes are not Iran-specific, they are not included in **Table 1**.

The President holds the authority to remove the designation of any country from the terrorist list. Though each of the three laws provides slightly different procedures, the authority to delist Iran resides with the President, and generally requires him to find that

- there has been a fundamental change in the leadership and policies of the government;
- the government is not supporting acts of international terrorism; and
- the government has assured that it will not support terrorism in the future.

Alternatively, the President may notify Congress that the terrorism designation will be rescinded in 45 days, and that the rescission is justified on the basis that

- the government has not supported an act of terrorism in the preceding six months; and
- the government has assured that it will not support terrorism in the future.

In the case of foreign aid, the President also is authorized to provide aid despite the terrorism designation if he finds that "national security interests or humanitarian reasons justify" doing so and so notifies Congress 15 days in advance. In practical terms, the process of removing a state from the list of sponsors of international terrorism is studied and argued throughout the entire executive branch interagency, with those departments that are tasked with administering the restrictions—primarily State, Commerce, Treasury, Justice, and Defense—each weighing in. For a state to be delisted—which has occurred, most recently, to North Korea and Libya—the Secretary of State publishes a public notice that the respective government no longer supports acts of international terrorism; that starts the 45-day countdown required by legislation. After 45 days (or later), both the President and the Secretary of State issue determinations and

[23] Section 40A, Arms Export Control Act (22 U.S.C. 2780) also prohibits trade in defense articles and defense services to any country the President finds "is not cooperating fully with United States antiterrorism efforts." The President may waive the prohibition if he finds it "important to the national interests" to do so. This provision requires the President to annually identify uncooperative states; Iran has been listed since the provision's enactment in 1996 (first list was issued in 1997; authority to make certifications is currently delegated to the Secretary of State). On May 1, 2017, the Secretary of State issued the latest list, which continues to designate Iran. Department of State Public Notice 10006. 82 *Federal Register* 24424 (May 26, 2017). See also: CRS Report R43835, *State Sponsors of Acts of International Terrorism—Legislative Parameters: In Brief*, by Dianne E. Rennack.

announcements, which is followed by a rewriting of each department's regulations governing exports, arms sales, transactions, and other related matters. The requirement that the foreign government has not supported terrorist acts for six months may be retrospective.

Legislation and Executive Orders

The first two tables presented in this report identify the legislative bases for sanctions imposed on Iran, and the nature of the authority to waive or lift those restrictions. **Table 1** presents legislation, and **Table 2** shows executive orders that are specific to Iran and its objectionable activities in the areas of terrorism, human rights, and weapons proliferation.

The latter two tables identify legislative and executive authorities that have been exercised to meet the requirements agreed to in the JCPOA on Implementation Day. **Table 3** presents legislation, and **Table 4** shows executive orders that have been waived, revoked, or altered to provide sanctions relief, based on Executive Order 13716 of January 16, 2016, and Departments of the Treasury and State *Guidance Relating to the Lifting of Certain U.S. Sanctions Pursuant to the Joint Comprehensive Plan of Action on Implementation Day*, also issued on January 16. It is the authorities summarized in these latter two tables that will be the focus of the reestablishing of economic sanctions to implement President Trump's May 8 announcement.

Public laws that are not specific to the objectionable activities of the government of Iran but have been invoked to impede transactions or other economic or diplomatic relations are not included here. Failure to achieve human rights standards as a condition for foreign aid (e.g., the Foreign Assistance Act of 1961, International Religious Freedom Act of 1998, Trafficking Victims Protection Act of 2000, and related annual appropriations), or refusal to comply with international nonproliferation norms (e.g., Chemical and Biological Weapons Control and Warfare Elimination Act of 1991), for example, can trigger a range of economic sanctions. These and other authorities have been applied to Iran. It is unlikely that these statutes would be amended if and when they no longer apply to Iran. Sanctions authorized by these statutes are applied, and lifted, by executive branch decision.

On the other hand, because the President holds sole authority to renew, alter, and revoke executive orders he issues pursuant to the National Emergencies Act (NEA) and the International Emergency Economic Powers Act (IEEPA), **Table 2** includes actions taken that are specific to Iran and also actions taken that are not specific to Iran (e.g., Executive Order 13224 and 13382 target terrorists and proliferators, respectively) but have been applied to that country. The authorities in these orders have been exercised to affect Iran in a significant way. Executive orders are subject to their underlying statutory authorities: economic sanctions are most often based on the President's authorities established in IEEPA. These are applied and lifted by the President; often their implementation and administration are delegated to the Secretary of the Treasury, who in turn assigns the task to Treasury's Office of Foreign Assets Control. Many of the Iran-specific sanctions in statute cite the President's authority to curtail transactions under IEEPA. In some instances, Congress has enacted restrictions on the President's unilateral authority to revoke an order, and the economic restrictions therein, until specific conditions are met.

Table 1. Iran—Economic Sanctions Currently Imposed in Furtherance of U.S. Foreign Policy or National Security Objectives

(generally in order of enactment)

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
FOREIGN AID: AUTHORIZATION AND APPROPRIATIONS				
Sec. 307, **Foreign Assistance Act of 1961** (P.L. 87-195; 22 U.S.C. 2227; as amended)	General foreign policy reasons	Limits proportionate share of foreign aid to international organizations which, in turn, expend funds in Iran.	Statutory requirement	No waiver; exemption for certain UNICEF and IAEA programs. Secretary of State may block funds if he determines that IAEA programs are "inconsistent with U.S. nonproliferation and safety goals, will provide Iran with training or expertise ... , or are being used as a cover for the acquisition of sensitive nuclear technology" and notifies Congress.
Sec. 7007, **Foreign Operations Appropriations** (Div. K, P.L. 115-141)	General foreign policy reasons	Prohibits direct funding to the Government of Iran, including Export-Import Bank funds.	Statutory requirement	No waiver, though "notwithstanding" clauses elsewhere in appropriations and authorization statutes could result in aid being made available.
Sec. 7015(f), **Foreign Operations Appropriations** (Div. K, P.L. 115-141)	General foreign policy reasons	Prohibits most foreign aid to Iran, "except as provided through the regular notification procedures of the Committees on Appropriations."	Statutory requirement	President may waive or lift by exercising notification procedures of the Committee on Appropriations.
Sec. 7041(b), **Foreign Operations Appropriations** (Div. K, P.L. 115-141)	Nuclear nonproliferation	Prohibits U.S. Export-Import Bank from providing financing "to any person that is subject to sanctions under" Sec. 5(a)(2) or (3) of the Iran Sanctions Act of 1996—those under sanctions for engaging in production or export to Iran of refined petroleum products.	Statutory requirement	No waiver, though those sanctioned under Sec. 5(a)(2) and (3), Iran Sanctions Act of 1996, is subject to change. See below.
IRAQ SANCTIONS ACT OF 1990				
(P.L. 101-513; 50 U.S.C. 1701 note; extended to apply to Iran by Sec. 1603 of the Iran-Iraq Arms Non-proliferation Act of 1992; see below)				
Sec. 586G	Nonproliferation	Prohibits:	Statutory requirement	President may waive if he finds it "essential to the national interest" to do

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
		—Sales under the Arms Export Control Act (foreign military sales); —Export licenses for commercial arms sales for any USML item; —Export of Commerce Control List items; and —export of nuclear equipment, materials, or technology.		so and notifies the Armed Services, Foreign Affairs/Relations Committees 15 days in advance (Sec. 1606, IIANA).
IRAN-IRAQ ARMS NON-PROLIFERATION ACT OF 1992 (IIANA)				
(Title XVI of P.L. 102-484 (National Defense Authorization Act for Fiscal Year 1993); 50 U.S.C. 1701 note; as amended)				
Sec. 1603	Nonproliferation	Makes selected sanctions in Sec. 586G, Iran Sanctions Act of 1990, applicable for Iran (see above).		President may waive; see Sec. 586G, Iran Sanctions Act of 1990, above.
Sec. 1604	Nonproliferation	For a period of 2 years, for any **person** who "transfers goods or technology so as to contribute knowingly and materially" to Iran's efforts "to acquire chemical, biological, or nuclear weapons or to acquire destabilizing numbers and types of advanced conventional weapons": —prohibits USG procurement contracts; and —prohibits U.S. export licenses.	Statutory requirement	President may waive if he finds it "essential to the national interest" to do so and notifies the Armed Services, Foreign Affairs/Relations Committees 15 days in advance (Sec. 1606, IIANA).
Sec. 1605	Nonproliferation	For any **foreign government** that "transfers or retransfers goods or technology so as to contribute knowingly and materially" to Iran's efforts "to acquire chemical, biological, or nuclear weapons or to acquire destabilizing numbers and types of advanced conventional weapons": —Suspends foreign aid for one year; —Requires U.S. opposition and "no" votes in	Statutory requirement	President may waive if he finds it "essential to the national interest" to do so and notifies the Armed Services, Foreign Affairs/Relations Committees 15 days in advance (Sec. 1606, IIANA).

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
		international financial institutions for one year; —Suspends weapons codevelopment and coproduction agreements for one year; —Suspends exchange agreements and related exports pertaining to military and dual-use technology for one year (unless such activities contribute to U.S. security); and —Prohibits the export of USML items for one year.		
Sec. 1605(c)	Nonproliferation	The President may exercise IEEPA authorities, excluding instances of "urgent humanitarian assistance," toward the foreign country. (See IEEPA authorities, below.)	At the President's discretion	At the President's discretion, following IEEPA authorities (see below).
IRAN SANCTIONS ACT OF 1996 (ISA 1996)[a]				
(P.L. 104-172; 50 U.S.C. 1701 note; as amended; Act sunsets effective December 31, 2026 (Sec. 13(b))				
Sec. 5(a), Sec. 6	Nonproliferation Anti-terrorism	Sec. 5(a) identifies developing Iran's energy sector as behavior to be investigated and cause for sanctions: —investing in Iran's petroleum resources; —providing to Iran goods, services, technology, information, or support relating to production of refined petroleum products; —trades in, facilitates, or finances Iran's refined petroleum products; —joint ventures with the Government of Iran to develop refined petroleum resources; —supporting Iran's development of petroleum products; —supporting Iran's development of petrochemical products;	President imposes, based on investigation (Sec. 4(e)). Generally, imposed for a period of 2 years (Sec. 9(b)). President may delay imposition of sanctions for up to 90 days in order to initiate consultations with foreign government of jurisdiction (Sec. 9(a)).	*Waivers issued pursuant to Sec. 4(c)(1)(A) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 5(a) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* The President may waive, case-by-case, for 6 months and for further 6-12 months depending on circumstances, for a foreign national if he finds it "vital to the national security interests" and notifies the Committees on Finance, Banking, Foreign Relations. Foreign Affairs, Ways and Means, Financial Services, 30 days in advance (Sec. 4(c)). The President may waive for 12 months if the targeted person is subject to a government

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
		—transporting crude oil from Iran; and —concealing Iran origin of petroleum products in the course of transporting such products. President may choose among the following penalties, and is required to impose at least five (Sec. 6): —deny Export-Import Bank program funds; —deny export licenses; —prohibit loans from U.S. financial institutions; —prohibit targeted financial institutions being designated as a primary dealer or a repository of government funds; —deny U.S. government procurement contracts; —limit or prohibit foreign exchange transactions; —limit or prohibit transactions with banks under U.S. jurisdiction; —prohibit transactions related to U.S.-based property; —prohibit investments in equity of a targeted entity; —deny visas to, or expel, any person who holds a position or controlling interest in a targeted entity; —impose any of the above on a targeted entity's principal executive officers; and —economic restrictions drawing from IEEPA authorities (see below).		cooperating with U.S. in multilateral nonproliferation efforts relating to Iran, it is vital to national security interests, and he notifies Congress 30 days in advance. The President may cancel an investigation (precursor to imposing sanctions) if he determines the person is no longer engaged in objectionable behavior and has credible assurances such behavior will not occur in the future (Sec. 4(e)). The President may not apply sanctions if transaction: —meets an existing contract requirement; —is completed by a sole source supplier; or —is "essential to the national security under defense coproduction agreements"; —is specifically designated under certain trade laws; —complies with existing contracts and pertains to spare parts, component parts, servicing and maintenance, or information and technology relating to essential U.S. products, or medicine, medical supplies or humanitarian items (Sec. 5(f)). The requirement to impose sanctions under Sec. 5(a) has no force or effect if the President determines Iran: —has ceased programs relating to nuclear weapons, chemical and biological weapons, ballistic missiles;

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				—is no longer designated as a state supporter of acts of international terrorism; and —"poses no significant threat to United States national security, interests, or allies." (Sec. 8). President may lift sanctions if he determines behavior has changed (Sec. 9(b)(2)). President may waive sanctions if he determines it is "essential to national security interests" to do so (Sec. 9(c)). President may delay imposition of sanctions expanded by amendments in the Comprehensive Iran Sanctions, Accountability, and Divestment Act (CISADA), relating to development and export of refined petroleum products, for up to 180 days, and in additional 180-day increments, if President certifies objectionable activities are being curtailed (CISADA, Sec. 102(h)).
		All U.S. government agencies are required to certify any prospective contractor as not being subject to sanctions under this section (Sec. 6(b)).		President may waive contractor certification requirement, case-by-case, if he finds it "essential to national security interests" to do so (Sec. 6(b)(5)).
Sec. 5(b), Sec. 6	Nonproliferation Anti-terrorism	Sec. 5(b) identifies developing Iran's WMD or other military capabilities as cause for sanctions: —exports, transfers, and transshipments of military/weapons goods, services, or technology; and	Statutory requirement; generally imposed for a period of 2 years (Sec. 9(b)). President may delay imposition of	The President may not apply sanctions if: —in the case of joint venture, is terminated within 180 days; —President determines the government of jurisdiction did not know person was engaged in activity, or has taken

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
		—joint ventures relating to uranium mining, production, or transportation. President may choose among the following penalties, and is required to impose at least five (Sec. 6): —deny Export-Import Bank program funds; —deny export licenses; —prohibit loans from U.S. financial institutions; —prohibit targeted financial institutions being designated as a primary dealer or a repository of government funds; —deny U.S. government procurement contracts; —limit or prohibit foreign exchange transactions; —limit or prohibit transactions with banks under U.S. jurisdiction; —prohibit transactions related to U.S.-based property; —prohibit investments in equity of a targeted entity; —deny visas to, or expel, any person who holds a position or controlling interest in a targeted entity; —impose any of the above on a targeted entity's principal executive officers; and —economic restrictions drawing from IEEPA authorities (see below). All U.S. government agencies are required to certify any prospective contractor as not being subject to sanctions under this section (Sec. 6(b)).	sanctions for up to 90 days in order to initiate consultations with foreign government of jurisdiction (Sec. 9(a)).	steps to prevent recurrence; —case-by-case, President determines approval of activity is "vital to national security interests of the United States" and notifies Congress; or The President may not apply sanctions if transaction: —meets an existing contract requirement; —is completed by a sole source supplier; or —is "essential to the national security under defense coproduction agreements"; —is specifically designated under certain trade laws; —complies with existing contracts and pertains to spare parts, component parts, servicing and maintenance, or information and technology relating to essential U.S. products, or medicine, medical supplies or humanitarian items (Sec. 5(f)). President may waive contractor certification requirement, case-by-case, if he finds it "essential to national security interests" to do so (Sec. 6(b)(5)). President may lift sanctions if he determines behavior has changed (Sec. 9(b)(2)). President may waive sanctions if he determines it is "essential to national security interests" to do so (Sec. 9(c)).

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION ACT (INKSA)				
(P.L. 106-178; 50 U.S.C. 1701 note; as amended)				
Sec. 3	Nonproliferation	Foreign persons identified by President as having transferred to or acquired from Iran goods, services, or technology related to weapons or missile proliferation may, at the President's discretion, be: —denied entering into procurement contracts with the U.S. government; —prohibited transactions relating to import into the United States; —prohibited arms sales from the United States of USML articles and services; —denied export licenses for items controlled under the Export Administration Act of 1979 or Export Administration Regulations.	At the President's discretion	President may choose to not impose sanctions, but must justify to Committees on Foreign Affairs and Foreign Relations (Sec. 4). President may choose to not impose sanctions if he finds: —targeted person did not *knowingly* engage in objectionable transaction; —transaction did not *materially* contribute to proliferation; —government of jurisdiction adheres to relevant nonproliferation regime; or —government of jurisdiction "has imposed meaningful penalties" (Sec. 5(a)).
TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT OF 2000 (TSRA)				
(Title IX of P.L. 106-387 (Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001); 22 U.S.C. 7201 *et seq.*; as amended)				
Sec. 906 (22 U.S.C. 7205)	Anti-terrorism	Requires export licenses for agricultural commodities, medicines, medical devices to any government designated as a state sponsor of acts of international terrorism.	Statutory requirement	No waiver; the executive branch (primarily Departments of Commerce, for exportation, and Treasury for related transactions) may issue export licenses limited to a 12-month duration but there is no limit on the number or nature of licenses generally.
Sec. 908 (22 U.S.C. 7207)	Anti-terrorism	Prohibits U.S. assistance—foreign aid, export assistance, credits, guarantees—for commercial exports to Iran.	Statutory requirement	President may waive if "it is in the national security interest of the United States to do so, or for humanitarian reasons."

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
IRAN NUCLEAR PROLIFERATION PREVENTION ACT OF 2002 (INPPA)				
(Subtitle D of title XIII of P.L. 107-228 (Foreign Relations Authorization Act for Fiscal Year 2003))				
Sec. 1343(b) (22 U.S.C. 2027(b))	Nonproliferation	Requires the U.S. representative to the IAEA to oppose programs that are "inconsistent with nuclear nonproliferation and safety goals of the United States."	Discretionary, based on findings of the Secretary of State	No waiver; however, "nay" votes are based on the Secretary of State's annual review of IAEA programs and determinations.
IRAN FREEDOM SUPPORT ACT (IFSA)				
(P.L. 109-293; 50 U.S.C. 1701 note)				
Sec. 101	Democracy promotion General foreign policy reasons	Makes permanent the restrictions the President imposed under IEEPA/NEA authorities in Executive Order 12957, which: —prohibits any U.S. person from entering into a contract or financing or guaranteeing performance under a contract relating to petroleum resource development in Iran; and Executive Order 12959, which: —prohibits any U.S. person from investing in Iran; and Executive Order 13059, which: —prohibits any U.S. person from exporting where the end-user is Iran or the Government of Iran; —prohibits any U.S. person from investing in Iran; —prohibits any U.S. person from engaging in transactions or financing related to Iran-origin goods or services.	Statutory requirement	President may terminate the sanctions if he notifies Congress 15 days in advance, unless "exigent circumstances" warrant terminating the restrictions without notice, in which case Congress shall be notified within 3 days after termination.
COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010 (CISADA)				
(P.L. 111-195; 22 U.S.C. 8501 *et seq.*; as amended)				
Sec. 103(b)(1) and (2) (22 U.S.C. 8512)	Nonproliferation Human rights Anti-terrorism	Prohibits most imports into the United States of goods of Iranian origin. Prohibits a U.S. person from exporting most U.S.-origin goods, services, or technology to Iran.	Statutory requirement	Allows imports, exports, food, medicine, and humanitarian aid as covered by IEEPA and TSRA. President may allow exports if he determines

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				to do so is in the national interest. Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of weapons of mass destruction (WMD) (Sec. 401; 22 U.S.C. 8551). President may waive if he finds it "in the national interest" to do so (Sec. 401(b)).
Sec. 103(b)(3) (22 U.S.C. 8512)	Nonproliferation Human rights Anti-terrorism	Freezes assets of individual, family member, or associates acting on behalf of individual, in compliance with IEEPA authorities.	President determines	President's discretion. Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551). President may waive if he finds it "in the national interest" to do so (Sec. 401(b)).
Sec. 104(c) (22 U.S.C. 8513(c))	Anti-money laundering Anti-terrorism (financing) Nonproliferation	Imposes IEEPA-authorized economic restrictions, to be issued by Secretary of the Treasury in new regulations and prohibits U.S. banks opening or maintaining correspondent or payable-through accounts for any foreign financial institution that —facilitates Iran's acquisition of WMD; —facilitates Iran's support of foreign terrorist organizations (FTO); —facilitates activities of persons subject to U.N. Security Council sanctions;	Statutory requirement	*Sec. 104(c)(2)(E)(ii)(I) no longer applicable to transactions or services for specifically identified Iranian financial institutions. "Statutory sanctions authorities will no longer apply ... " to the extent an SDN has been delisted.* Secretary of the Treasury may waive if he finds it "necessary to the national interest" to do so (subsec. (f)). Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
		—engages in money laundering; —facilitates Iran's Central Bank or other financial institution in objectionable activities; or —facilitates transactions of IRGC or others under IEEPA sanctions.		designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551).
Sec. 104(c)(4) (22 U.S.C. 8513(c)(4))	Anti-money laundering Anti-terrorism (financing) Nonproliferation	Subjects National Iranian Oil Company (NIOC) and National Iranian Tanker Company (NITC) to IEEPA-authorized economic restrictions, promulgated by the Secretary of the Treasury under Sec. 104(c) (above) if found to be affiliated with the Iranian Revolutionary Guard Corps (IRGC).	Requires Secretary of the Treasury determination	Secretary of the Treasury may waive if he finds it "necessary to the national interest" to do so (subsec. (f)). If the country of primary jurisdiction is exempted under Sec. 1245, National Defense Authorization Act, 2012 (NDAA'12), that exemption extends to financial entities engaged in transactions with NIOC and NITC (Sec. 104(c)(4)(C)). Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551).
Sec. 104A (22 U.S.C. 8513A)	Anti-money laundering Anti-terrorism (financing) Nonproliferation	Expands restriction established in Sec. 104 (above) to also apply to any foreign financial institution that facilitates, participates, or assists in activities identified in Sec. 104(c).	Requires Secretary of the Treasury to issue new regulations	Secretary of the Treasury may waive if he finds it "necessary to the national interest" to do so (sec. 104(f)). Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551).
Sec. 105 (22 U.S.C. 8514)	Human rights	Imposes sanctions on individuals the President identifies as responsible for	Statutory requirement	President may terminate sanctions when he determines and certifies

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		or complicit in the human rights crackdown around the 2009 national election. Sanctions include visa ineligibility and IEEPA-related economic restrictions.	of the President	that the government of Iran has released political prisoners detained around the June 2009 election; ceased related objectionable activities; investigated related killings, arrests, and abuses; and made public commitment to establishing an independent judiciary and upholding international human rights standards. Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551). President may waive if he finds it "in the national interest" to do so (Sec. 401(b)).
Sec. 105A (22 U.S.C. 8514A)	Human rights	Imposes sanctions on any individual the President identifies as providing goods or technology to the government of Iran to facilitate human rights abuses, including "sensitive technology." Includes making such materials available to the IRGC. Sanctions include visa ineligibility and IEEPA-related economic restrictions.	Statutory requirement of the President	President may terminate sanctions when he determines an individual has taken steps toward stopping objectionable activity, and will not reengage. Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551). President may waive if he finds it "in the national interest" to do so (Sec. 401(b)).
Sec. 105B (22 U.S.C. 8514B)	Human rights (freedom of	Imposes sanctions on any individual the President identifies as engaging in	Statutory requirement	Most of CISADA, including sanctions under this section, ceases to be

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
	expression and assembly)	censorship or limiting the freedom of assembly. Sanctions include visa ineligibility and IEEPA-related economic restrictions.	of the President	effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551). President may waive if he finds it "in the national interest" to do so (Sec. 401(b)).
Sec. 105C (22 U.S.C. 8514C)	Human rights (diversion of food and medicine)	Imposes sanctions on any individual the President identifies as diverting food and medicine from reaching the Iranian people. Sanctions include visa ineligibility and IEEPA-related economic restrictions.	Statutory requirement of the President	Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551). President may waive if he finds it "in the national interest" to do so (Sec. 401(b)).
Sec. 106 (22 U.S.C. 8515)	Human rights (freedom of expression and assembly)	Prohibits entering into procurement contracts with any individual the President identifies as exporting sensitive technology to Iran. Sec. 412, Iran Threat Reduction and Syria Human Rights Act (ITRSHRA), further defines "sensitive technology."	Statutory requirement of the President	President may exempt some products defined in specific trade laws and IEEPA. Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551). President may waive if he finds it "in the national interest" to do so (Sec. 401(b)).
Sec. 108 (22 U.S.C. 8516)	International obligations	President may issue any regulations to comply with U.N. Security Council resolutions.	Discretion of the President	Discretion of the President. Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551).
Sec. 303 (22 U.S.C. 8543)	Export controls (nonproliferation; anti-terrorism)	President may identify and designate a country as a "Destination of Division Concern" if he finds it diverts export-controlled goods and technology to Iran that would materially contribute to that state's development of WMD, delivery systems, and international terrorism. President may delay or deny export licenses.	Discretion of the President	President terminates designation—and ensuing trade restrictions—on determining that country "has adequately strengthened the export control system." Most of CISADA, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401; 22 U.S.C. 8551).
NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 (NDAA 2012)				
(Sec. 1245 of P.L. 112-81; 22 U.S.C. 8513a; as amended)				
Sec. 1245	Anti-money laundering	Designates Iran's financial sector, including its Central Bank, as a "primary money laundering concern." —Requires the President to block and prohibit all transactions of any Iranian financial institution under U.S. jurisdiction. —Requires the President to prohibit opening of correspondent and payable-through accounts for any institution that conducts transactions for the Central Bank of Iran. —Authorizes the President to impose IEEPA-based sanctions.	Statutory requirement	*Waivers issued pursuant to Sec. 1245(d)(5) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1245(d)(1) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* President may delay imposition of sanctions if government of primary jurisdiction reduces its crude oil purchases from Iran. Renewable every 180 days. *Most recently waived, through May 12, 2018, in Presidential Determination No. 2018-1 of November 15, 2017 (82 Federal Register 59503).* President may waive imposition if he finds it "in the national security interest of the United States" to do so. Sanctions under this section cease to be

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				effective 30 days after President certifies and removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C. 8551) (Sec. 605; 22 U.S.C. 8785) (Sec. 1245(i)).
IRAN THREAT REDUCTION AND SYRIA HUMAN RIGHTS ACT OF 2012 (ITRSHRA)				
(P.L. 112-158; 22 U.S.C. 8701 et seq.)				
Sec. 211 (22 U.S.C. 8721)	Nonproliferation Anti-terrorism	President imposes IEEPA-based sanctions on any person he determines has engaged in transactions relating to providing a vessel or insuring a shipping service that materially contributes to the government of Iran's proliferation activities.	Statutory requirement	President may waive imposition if he finds it "vital to the national security interests of the United States" to do so. Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C. 8551) (Sec. 605; 22 U.S.C. 8785).
Sec. 212 (22 U.S.C. 8722)	Nonproliferation Anti-terrorism	President imposes IEEPA- and Iran Sanctions Act- (ISA) based sanctions (see above) on any person he determines has provided underwriting services or insurance for NIOC or NITC.	Statutory requirement	*Waivers issued pursuant to Sec. 212(d)(1) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 212(a) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* President may terminate if objectionable activity has ceased. Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				pursuit of WMD (Sec. 401, CISADA; 22 U.S.C. 8551) (Sec. 605; 22 U.S.C. 8785).
Sec. 213 (22 U.S.C. 8723)	Nonproliferation Anti-terrorism	President imposes IEEPA- and ISA-based sanctions (see above) on any person he determines has engaged in transactions relating to Iran's sovereign debt.	Statutory requirement	*Waivers issued pursuant to Sec. 213(b)(1) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 213(a) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C. 8551) (Sec. 605; 22 U.S.C. 8785).
Sec. 217 (22 U.S.C. 8724)	Nonproliferation Anti-terrorism	Requires President to certify that the Central Bank of Iran is not engaging in activities related to WMD or terrorism before he lifts IEEPA-based sanctions imposed pursuant to E.O. 13599 (see **Table 2**). Requires President to certify that sanctions evaders are engaged in activities related to WMD or terrorism before he lifts IEEPA-based sanctions imposed pursuant to E.O. 13608 (see **Table 2**).	Statutory requirement	President may still lift sanctions, but is slowed in doing so and must certify on new conditions relating to terrorism and proliferation.
Sec. 218 (22 U.S.C. 8725)	Nonproliferation Anti-terrorism	Extends IEEPA-based sanctions imposed on parent companies to their foreign subsidiaries, to prohibit transactions with the government of Iran.	Statutory requirement	Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C.

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				8551) (Sec. 605; 22 U.S.C. 8785).
Sec. 220(c) (22 U.S.C. 8726(c))	Nonproliferation Anti-terrorism	President may impose IEEPA-based sanctions on financial messaging services that facilitate transactions for the Central Bank of Iran or other restricted financial institutions.	At the President's discretion	*Committed to refrain from imposing discretionary sanctions blocking access to property or assets.* President's discretion. Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C. 8551) (Sec. 605; 22 U.S.C. 8785).
Sec. 221 (22 U.S.C. 8727)	Nonproliferation Anti-terrorism Human rights	Requires the President to identify senior Iranian government officials involved in proliferation, support of terrorism, or human rights violations. Requires the Secretaries of State and Homeland Security to, respectively, deny identified persons and their family members visas and entry into the United States.	Statutory requirement	President may waive if he finds it "essential to the national interests of the United States" and notifies Congress in advance. Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C. 8551) (Sec. 605; 22 U.S.C. 8785).

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
Sec. 301 (22 U.S.C. 8741)	National security Nonproliferation	Requires the President to identify members, agents, and affiliates of the IRGC and impose IEEPA-based sanctions. Requires the Secretaries of State and Homeland Security to, respectively, deny identified persons and their family members visas and entry into the United States.	Statutory requirement	President may waive if he finds it "vital to the national security interests of the United States to do so." Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C. 8551) (Sec. 605; 22 U.S.C. 8785).
Sec. 302 (22 U.S.C. 8742)	National security Nonproliferation	Requires the President to identify those who materially engage in support or transactions with the IRGC or related entities subject to IEEPA-based sanctions. Further requires the President to impose ISA-based sanctions on and additional IEEPA-based sanctions on those he identifies. President is not required to publicly identify such individual if "doing so would cause damage to the national security of the United States."	Statutory requirement	President may terminate when he determines objectionable activities have ceased. President may waive if activities have ceased or if "it is essential to the national security interests of the United States to do so." President may forego imposing sanctions if similar exception has been made under Sec. 104(c) of CISADA (see above). Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C. 8551) (Sec. 605; 22 U.S.C. 8785). See also: State Department Public Notice 8610 of January 22, 2014 (79 F.R. 4522)

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				(Guidance of January 20, 2014) Guidance of July 21, 2014 (79 F.R. 45233) Guidance of November 25, 2014 (79 F.R. 73141)
Sec. 303 (22 U.S.C. 8743)	Nonproliferation United Nations compliance	President is required to identify any agency of a foreign country that materially assists or engages in transactions with IRGC or any entity subject to U.N. Security Council sanctions. President may cut off most foreign aid, deny arms sales and transfers, deny export licenses, require opposition to loans to that foreign country in the international financial institutions, deny USG financial assistance, or impose other IEEPA-based sanctions.	Statutory requirement; however, President selects specific actions	President may terminate if objectionable activities have ceased, or if "it is essential to the national security interests of the United States to terminate such measures." President may waive imposition of any measure if he explains his decision to Congress (and justification may be subsequent to action taken). Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C. 8551) (Sec. 605; 22 U.S.C. 8785).
Sec. 411 (22 U.S.C. 8751)	Human rights Nonproliferation Anti-terrorism	Requires the President to maintain IEEPA-based sanctions pursuant to E.O. 13606 (see **Table 2**) until he certifies Iran has ceased its support of international terrorism and pursuit of weapons proliferation, under Sec. 401, CISADA (see above).	Statutory requirement	President's determination.
Sec. 501 (22 U.S.C. 8771)	Nonproliferation	Requires the Secretaries of State and Homeland Security to, respectively, deny visas and entry into the United States to Iranian citizens who seek education in the United States related to energy, nuclear science, or nuclear engineering.	Statutory requirement	Most of ITR, including sanctions under this section, ceases to be effective when President removes Iran's designation as a sponsor of acts of international terrorism and that country has ceased its pursuit of WMD (Sec. 401, CISADA; 22 U.S.C.

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				8551) (Sec. 605; 22 U.S.C. 8785).
IRAN FREEDOM AND COUNTER-PROLIFERATION ACT OF 2012 (IFCA)				
(Title XII, subtitle D, of National Defense Authorization Act for Fiscal Year 2013; **NDAA 2013**; P.L. 112-239; 22 U.S.C. 8801 *et seq.*)				
Sec. 1244 (22 U.S.C. 8803)	Nonproliferation	*The President, in sec. 3 of E.O. 13716 of January 16, 2016, authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to block property and interests in property of those "providing significant financial, material, technological, support, or goods or services to transactions related to the energy, shipping, and shipbuilding sectors of Iran.* *E.O. 13716 of January 16, 2016, at sec. 3(b), further authorizes the Secretaries to block loans above $10 million in any 12-month period; prohibit foreign exchange, transfers or credits through U.S. financial institutions; block property, investments under U.S. jurisdiction; block U.S. persons from investing in debt of a sanctioned person; prohibit imports; and extend restrictions to officers of sanctioned entity.* *E.O. 13716 of January 16, 2016, at sec. 3(c), further authorizes the Secretaries to block property of any individual who is found to engage in diversion of food and medicine intended for the people of Iran; misappropriation of resources; transactions with a sanctioned person; or owned or controlled by a sanctioned person.* Designates entities that operate Iran's ports, and entities in energy, shipping, and shipbuilding, including NITC, IRISL, and NIOC, and their affiliates, as "entities of proliferation concern."	Statutory requirement	*Waivers issued pursuant to Sec. 1244(i) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1244(c)(1) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* *Statement of Licensing Policy (SLP) for transactions related to providing Iran commercial passenger aircraft, and related spare parts and services, for exclusively civil aviation end use will be revoked in 90 days, effective May 8, 2018.* *Sanctions imposed under Sec. 1244(d)(1), (d)(2), (h)(2), are reimposed but subject to a 90-day wind-down waiver , effective May 8, 2018.* Humanitarian-related transactions are exempted. President may exempt transactions related to Afghanistan reconstruction and development, if he determines it in the national interest to do so. President may exempt application to those countries exempted from NDAA'12 requirements (see above). Some aspects of trade in natural gas are exempted. President may waive for 180 days if he finds it "vital to the national

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
		Requires the President to block transactions and interests in property under U.S. jurisdiction of such entities. Requires the President to impose ISA-based sanctions on any person who knowingly engages in trade related to energy, shipping, or shipbuilding sectors of Iran.		security of the United States" to do so.
Sec. 1245 (22 U.S.C. 8804)	Nonproliferation	Requires the President to impose ISA-based sanctions on any person who knowingly engages in trade related to precious metal, or material used in energy, shipping, or shipbuilding, if controlled by IRGC or other sanctioned entity.	Statutory requirement	*Waivers issued pursuant to Sec. 1245(g) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1245(a)(1), (c), relating to correspondent or payable-through accounts, are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* President may exempt those he determines are exercising "due diligence" to comply with restrictions. President may waive for 180 days, and may renew that waiver in 6-month increments, if he finds it "vital to the national security of the United States" to do so.
Sec. 1246 (22 U.S.C. 8805)	Nonproliferation	Requires the President to impose ISA-based sanctions on any person who knowingly provides underwriting or insurance services to any sanctioned entity with respect to Iran.	Statutory requirement	*Waivers issued pursuant to Sec. 1246(e) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1246(a), relating to SDN designations and underwriting, insurance, or reinsurance, are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* Humanitarian-related transactions are exempted. President may exempt those he determines are exercising "due diligence" to comply with restrictions.

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				President may waive for 180 days, and may renew that waiver in 6-month increments, if he finds it "vital to the national security of the United States" to do so.
Sec. 1247 (22 U.S.C. 8806)	Nonproliferation	Requires the President to prohibit any correspondent or payable-through account by a foreign financial institution that is found to facilitate a "significant financial transaction" on behalf of any Iranian Specially Designated National (SDN).	Statutory requirement	*Waivers issued pursuant to Sec. 1247(f) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1247(a), relating to SDN designations and foreign financial institutions, are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* Humanitarian-related transactions are exempted. President may exempt application to those countries exempted from NDAA'12 requirements (see above). President may waive for 180 days, and may renew that waiver in 6-month increments, if he finds it "vital to the national security of the United States" to do so.
Sec. 1248 (22 U.S.C. 8807)	Human rights	Requires the President to apply Sec. 105(c), CISADA-based sanctions (see above) to the Islamic Republic of Iran Broadcasting and the President of that entity, and to add this entity and individual to the SDN list.	Statutory requirement	President may waive if he finds it "in the national interest" to do so (Sec. 401(b), CISADA). President may terminate sanctions when he determines and certifies that the government of Iran has released political prisoners detained around the June 2009 election; ceased related objectionable activities; investigated related killings, arrests, and abuses; and made public commitment to establishing an independent judiciary and upholding international human

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				rights standards (Sec. 105(d), CISADA).
COUNTERING IRAN'S DESTABILIZING ACTIVITIES ACT OF 2017				
(Title I of the Countering America's Adversaries Through Sanctions Act (CAATSA); P.L. 115-44; 22 U.S.C. 9401 *et seq.*)				
Sec. 104 (22 U.S.C. 9403)	Nonproliferation (ballistic missiles)	Requires President to impose IEEPA-based sanctions and deny visas for those who engage in activities that materially contribute to Iran's ballistic missile program.	Statutory requirement	Sec. 112 provides the President the authority to waive for 180 days, case-by-case, if he finds it vital to U.S. national security interests to do so. Determination may be renewed in additional 180-day increments with congressional notification. Also constructed in context of E.O. 13382 (see **Table 2**).
Sec. 105 (22 U.S.C. 9404)	Terrorism	Requires President to impose IEEPA-based sanctions with respect to IRGC and foreign affiliates.	Statutory requirement	Sec. 112 provides the President the authority to waive for 180 days, case-by-case, if he finds it vital to U.S. national security interests to do so. Determination may be renewed in additional 180-day increments with congressional notification. Also constructed in context of E.O. 13224 (see **Table 2**).
Sec. 106 (22 U.S.C. 9405)	Human rights	Authorizes the President to impose IEEPA-based sanctions on those identified by the Secretary of State as "responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights" against Iranians who are whistleblowers against state corruption, human rights violations, or civil liberties violations.	Discretion of the President	Sec. 112 provides the President the authority to waive for 180 days, case-by-case, if he finds it vital to U.S. national security interests to do so. Determination may be renewed in additional 180-day increments with congressional notification.
Sec. 107 (22 U.S.C. 9406)	Nonproliferation	Requires the President to impose IEEPA-based sanctions on those he finds to engage in arms trade with Iran.	Statutory requirement	Sec. 107(d) authorizes the President to waive if in U.S. national security interest; Iran is no longer a national security threat; and Iran no longer "satisfies the

Statutory Basis	Rationale	Restriction	Authority To Impose	Authority To Lift or Waive
				requirements for designation as a state sponsor of terrorism." In addition, sec. 112 provides the President the authority to waive for 180 days, case-by-case, if he finds it vital to U.S. national security interests to do so. Determination may be renewed in additional 180-day increments with congressional notification.
Sec. 108 (22 U.S.C. 9407)	Nonproliferation Terrorism	Requires the President to review, 5 years after enactment, all Iran-related SDN to determine their role in ballistic missile proliferation or terrorism.	Statutory requirement	Sec. 112 provides the President the authority to waive for 180 days, case-by-case, if he finds it vital to U.S. national security interests to do so. Determination may be renewed in additional 180-day increments with congressional notification.

Notes: AECA = Arms Export Control Act; CISADA = Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010; DNI = Director of National Intelligence; E.O. = Executive Order; FTO = Foreign Terrorist Organization; IAEA = International Atomic Energy Agency; IEEPA = International Emergency Economic Powers Act; IFI = International Financial Institution; IFSA = Iran Freedom Support Act; IIANA = Iran-Iraq Arms Non-Proliferation Act of 1992; INA = Immigration and Nationality Act of 1952; INKSA = Iran, North Korea, Syria Nonproliferation Act; IRGC = Iranian Revolutionary Guard Corps; ISA = Iran Sanctions Act of 1996; ITRSHRA = Iran Threat Reduction and Syria Human Rights Act of 2012; NDAA = National Defense Authorization Act; NEA = National Emergencies Act; NICO = Naftiran Intertrade Company; NIOC = National Iranian Oil Company; NITC = National Iranian Tanker Company; SDN = Specially Designated National; TSRA = Trade Sanctions Reform Act of 2000; UNICEF = U.N. Children's Fund; UNPA = United Nations Participation Act of 1945; UNSC = United Nations Security Council; USC = United States Code; USML = United States Munitions List; USTR = U.S. Trade Representative; WMD = Weapons of Mass Destruction.

a. The State Department published a current and complete list of 16 entities subject to sanctions under the ISA 1996 as of March 4, 2015. See Department of State Public Notice 9061 of March 4, 2015 (80 *Federal Register* 12544; March 9, 2015).

Table 2. Executive Orders Issued to Meet Statutory Requirements To Impose Economic Sanctions on Iran

Executive Order	Underlying Statute	Restriction	Authority To Lift or Waive
E.O. 12170 (November 14, 1979)	IEEPA / NEA	Declares a national emergency exists relating to 1979 events in Iran; blocks Iranian government property subject to U.S. jurisdiction. Secretary of the Treasury administers.	President The President most recently continued the national emergency declared in E.O. 12170 in a notice of November 6, 2017 (82 F.R. 51969).
E.O. 12938 (November 14, 1994)	IEEPA / NEA AECA (also invoked in Sec. 3(b)(1), INKSA)	Declares a national emergency exists relating to the proliferation of weapons of mass destruction and the means of delivery. Succeeds and replaces similar authorities of 1990 and 1994. Establishes export controls, sanctions affecting foreign aid, procurement, imports, on proliferators. Establishes sanctions—affecting foreign aid, IFI support, credits, arms sales, exports, imports, landing rights—targeting foreign countries that produce or use chemical or biological weapons. Secretaries of State, Commerce, Defense, and the Treasury administer.	President
E.O. 12957 (March 15, 1995)	IEEPA / NEA	*The President, in sec. 4 and 5 of E.O. 13716 of January 16, 2016, prohibits donations for the benefit of any blocked person under this or related Orders.* *E.O. 13716 of January 16, 2016, at sec. 6, further prohibits entry into the United States of any person blocked under sec. 3(a)(i) or 3(c)(i) (see IFCA, sec. 1244).* Declares a national emergency exists relating to Iran's proliferation activities; prohibits persons under U.S. jurisdiction from entering into certain transactions with respect to Iranian petroleum resources. Secretaries of the Treasury and State administer.	President Sec. 101(a), IFSA, codifies this EO. The President must notify Congress 15 days in advance of its termination, unless exigent circumstances justify acting first. The President most recently continued the national emergency declared in E.O. 12957 in a notice of March 12, 2018 (83 F.R. 11393).
E.O. 12959 (May 6, 1995)	IEEPA / NEA ISDC '85	Expands national emergency set forth in E.O. 12957; prohibits entering into new investment. Secretaries of the Treasury and State administer.	President Sec. 101(a), IFSA, codifies this EO. The President must notify Congress 15 days in advance of its termination, unless exigent circumstances justify acting first.
E.O. 13059 (August 19, 1997)	IEEPA / NEA ISDC '85	Clarifies steps taken in E.O. 12957 and E.O. 12959; prohibits most imports from Iran, exports to Iran, new investment, transactions relating to Iran-origin goods regardless of their location Secretaries of the Treasury and State administer.	President Sec. 101(a), IFSA, codifies this EO. The President must notify Congress 15 days in advance of its termination, unless exigent circumstances justify acting first.

Executive Order	Underlying Statute	Restriction	Authority To Lift or Waive
E.O. 13224 (September 23, 2001)	IEEPA / NEA UNPA'45 (also invoked in Sec. 211, ITRSHRA)	Declares a national emergency exists relating to international terrorism, in the aftermath of events of September 11, 2001; blocks property and prohibits transactions with persons who commit, threaten to commit, or support terrorism. Generates a list of designated individuals who are incorporated into the Specially Designated Nationals (SDN) list. Secretaries of the Treasury, State, Homeland Security, and the Attorney General administer.	President
E.O. 13382 (June 28, 2005)	IEEPA / NEA (also invoked in Sec. 211, ITRSHRA)	Expands national emergency set forth in E.O. 12938; blocks property of WMD proliferators and their supporters. Secretaries of State, the Treasury, and the Attorney General administer.	President See also Guidance of January 20, 2014 (79 F.R. 5025) Guidance of July 21, 2014 (79 F.R. 45233) Guidance of November 25, 2014 (79 F.R. 73141)
E.O. 13438 (July 17, 2007)	IEEPA / NEA	Expands national emergency relating to events in Iraq and set forth in E.O. 13303, May 22, 2003; blocks property of certain persons who threaten stabilization efforts in Iraq. Secretaries of the Treasury, State, and Defense administer.	President
E.O. 13553 (September 28, 2010)	IEEPA / NEA CISADA	Expands national emergency set forth in E.O. 12957; blocks property of certain persons with respect to human rights abuses by the government of Iran. Generates a list of designated individuals for whom property under U.S. jurisdiction is blocked. Imposes sanctions on those who enter into transactions with designated individuals. This is the initial implementation of requirements under CISADA. Secretaries of the Treasury and State administer.	President
E.O. 13574 (May 23, 2011)		Revoked. See **Table 4**.	
E.O. 13590 (November 20, 2011)		Revoked. See **Table 4**.	
E.O. 13599 (February 5, 2012)	IEEPA / NEA NDAA '12	Expands national emergency set forth in E.O. 12957; blocks property of the government of Iran and Iranian financial institutions, including the Central Bank of Iran. Secretaries of the Treasury, State, and Energy, and DNI administer.	President Sec. 217, ITRSHRA, requires the President notify Congress 90 days in advance of termination of this E.O., and certify a number of objectionable activities have ceased.

Executive Order	Underlying Statute	Restriction	Authority To Lift or Waive
E.O. 13606 (April 22, 2012)	IEEPA / NEA	Expands, in the case of Iran, national emergency set forth in E.O. 12957; blocks the property and suspends entry into the United States of persons found to commit human rights abuses by the governments of Iran and Syria, facilitated misuse of information technology. Generates new list of SDN. Secretaries of the Treasury and State administer.	President Sec. 411, ITRSHRA, requires the President notify Congress 30 days in advance of termination of this E.O., and certify a number of objectionable activities have ceased pursuant to Sec. 401, CISADA.
E.O. 13608 (May 1, 2012)	IEEPA / NEA	Expands, in the case of Iran, national emergency set forth in E.O. 12957; prohibits transactions with and suspends entry into the United States of foreign sanctions evaders. Generates new list of SDN. Secretaries of the Treasury and State administer.	President Sec. 217, ITRSHRA, requires the President notify Congress 30 days in advance of termination of this E.O., and certify a number of objectionable activities have ceased pursuant to Sec. 401, CISADA.
E.O. 13622 (July 30, 2012)		Revoked. See **Table 4**.	
E.O. 13628 (October 9, 2012)	IEEPA / NEA ISA '96 CISADA ITRSHRA INA	Partially revoked; see **Table 4**. Expands national emergency set forth in E.O. 12957; primarily implements ITRSHRA. Further prohibits U.S. financial institutions from making loans or credits, foreign exchange transactions, and transfers or credits between financial institutions. Blocks property of those who deal in equity or debt instruments of a sanctioned person. Prohibits imports, exports. Extends sanctions to other officers of sanctioned entities. Blocks property affiliated with human rights abusers, including those who limit freedom of expression. Blocks entry into the United States of those who engage in certain human rights abuses. The President, and Secretaries of the Treasury, State, and Commerce, the USTR, Chairman of Federal Reserve Board, and President of Ex-Im Bank, administer.	President
E.O. 13645 (June 3, 2013)		Revoked. See **Table 4**.	

Executive Order	Underlying Statute	Restriction	Authority To Lift or Waive
E.O. 13694 (April 1, 2015) as amended by E.O. 13757 (December 28, 2016)	IEEPA / NEA	Authorizes the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, to block property and interests in property of those found to have engaged in "cyber-enabled activities originating from ... outside the United States" that have affected a critical infrastructure sector, computers or networks, financial information, trade secrets, personal identifiers, or election processes, among other targets.	President.
E.O. 13716 (January 16, 2016)	IEEPA / NEA ISA'96 CISADA ITRSHRA IFCA'12 INA	Revokes several other E.O. (see **Table 4**). At sec. 3(a), authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to block property and interests in property of those "providing significant financial, material, technological, support, or goods or services to transactions related to the energy, shipping, and shipbuilding sectors of Iran." At sec. 3(b), further authorizes the Secretaries to block loans above $10 million in any 12-month period; prohibit foreign exchange, transfers or credits through U.S. financial institutions; block property, investments under U.S. jurisdiction; block U.S. persons from investing in debt of a sanctioned person; prohibit imports; and extend restrictions to officers of sanctioned entity. At sec. 3(c), further authorizes the Secretaries to block property of any individual who is found to engage in diversion of food and medicine intended for the people of Iran; misappropriation of resources; transactions with a sanctioned person; or owned or controlled by a sanctioned person.	President.
Presidential Proclamation 9645 (September 24, 2017)	INA	Suspends entry into the United States of persons from a number of foreign countries, including Iran. [Based on E.O. 13780, March 6, 2017]	*Currently facing a challenge in the U.S. Supreme Court.* Commissioner, U.S. Customs and Border Protection may issue visas on a case-by-case basis. Secretary of Homeland Security, in consultation with Secretary of State, may devise "a process to assess whether any suspensions and limitations ... should be continued, terminated, modified, or supplemented."

Notes: AECA = Arms Export Control Act; CISADA = Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010; DNI = Director of National Intelligence; E.O. = Executive Order; IEEPA = International

Emergency Economic Powers Act; IFI = International Financial Institution; IFCA = Iran Freedom and Counter-proliferation Act of 2012; IFSA = Iran Freedom Support Act; INA = Immigration and Nationality Act of 1952; INKSA = Iran, North Korea, Syria Nonproliferation Act; ISA = Iran Sanctions Act of 1996; ITRSHRA = Iran Threat Reduction and Syria Human Rights Act of 2012; NDAA = National Defense Authorization Act; NEA = National Emergencies Act; NICO = Naftiran Intertrade Company; NIOC = National Iranian Oil Company; SDN = Specially Designated National; UNPA = United Nations Participation Act of 1945; USTR = U.S. Trade Representative.

a. Presidential Proclamation 9645, restricting entry into the United States from certain countries, is currently being challenged in the U.S. Supreme Court. See CRS Legal Sidebar LSB10017, *Overview of "Travel Ban" Litigation and Recent Developments*, by Hillel R. Smith and Ben Harrington.

Table 3. Legislation Made Inapplicable on Implementation Day to Meet Requirements of the JCPOA

Effective January 16, 2016; Reestablished pending 90-day (August 6) or 180-day (November 4) wind-down periods, pursuant to President's announcement of May 8, 2018, unless otherwise noted.

Section Affected	Target	No Longer Applied	Waiver or Revocation: Rationale
IRAN SANCTIONS ACT OF 1996 (ISA 1996)[a]			
(P.L. 104-172; 50 U.S.C. 1701 note; as amended; Act sunsets effective December 31, 2026 (Sec. 13(b))			
Sec. 5(a)	Non-U.S. persons who: —make investments above specified thresholds that could directly and significantly contribute to the maintenance or enhancement of Iran's ability to develop petroleum resources; —knowingly sell, lease, or provide to Iran goods, services, technology, information, or support that could directly and significantly facilitate the maintenance or enhancement of Iran's domestic production of refined petroleum products; —sell or provide to Iran refined petroleum products or sell, lease, or provide to Iran goods, services, technology, information, or support that could directly and significantly contribute to the enhancement of Iran's ability to import refined petroleum products; —knowingly participate in certain joint ventures for the development of petroleum resources outside of Iran; —knowingly sell, lease, or provide to Iran goods, services, technology, information, or support that could directly and significantly contribute to the maintenance or enhancement of Iran's ability to develop petroleum resources located in Iran or domestic production of	Sanctions drawn from ISA'96 and IEEPA authorities	*Waivers issued pursuant to Sec. 4(c)(1)(A) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 5(a) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* See **Table 1**.

Section Affected	Target	No Longer Applied	Waiver or Revocation: Rationale
	refined petrochemical products; —knowingly sell, lease, or provide to Iran goods, services, technology, or support that could directly and significantly contribute to the maintenance or expansion of Iran's domestic production of petrochemical products; —own, operate, or control, or insure a vessel used to transport crude oil from Iran to another country; —own, operate, or control a vessel used in a manner that conceals the Iranian origin of crude oil or refined petroleum products transported on the vessel		
COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010 (CISADA)			
(P.L. 111-195; 22 U.S.C. 8501 *et seq.*; as amended)			
Sec. 104(c)(2)(E)(ii)(I) (22 U.S.C. 8513(c)(2)(E)(ii)(I))	Foreign financial institutions that knowingly facilitate a significant transaction or provide significant financial services for a person whose property or interests in property are blocked in connection with Iran's proliferation of WMD or their means of delivery	Correspondent or payable-through account sanctions	No longer applicable to transactions or services for specifically identified Iranian financial institutions "Statutory sanctions authorities will no longer apply.... " to the extent an SDN has been delisted.
NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 (NDAA 2012)			
(Sec. 1245 of P.L. 112-81; 22 U.S.C. 8513a; as amended)			
Sec. 1245(d), (d)(1)	Significant financial transactions by foreign financial institutions, including transactions with the Central Bank of Iran	Correspondent or payable-through account sanctions	*Waivers issued pursuant to Sec. 1245(d)(5) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1245(d)(1) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* See **Table 1**.

Section Affected	Target	No Longer Applied	Waiver or Revocation: Rationale
			Most recently waived, through May 12, 2018, in Presidential Determination No. 2018-1 of November 15, 2017 (82 Federal Register 59503).
IRAN THREAT REDUCTION AND SYRIA HUMAN RIGHTS ACT OF 2012 (ITRSHRA)			
(P.L. 112-158; 22 U.S.C. 8701 et seq.)			
Sec. 212(a) (22 U.S.C. 8722(a))	Non-U.S. persons who knowingly provide underwriting services or insurance or reinsurance for NIOC, NITC, or a successor entity to either company, in cases where the transactions are for activities described in sections 4.2.1, 4.3, and 4.4 of Annex II of the JCPOA	Sanctions drawn from ISA'96 and IEEPA authorities	*Waivers issued pursuant to Sec. 212(d)(1) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 212(a) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* See **Table 1**.
Sec. 213(a) (22 U.S.C. 8723(a))	Non-U.S. persons who purchase, subscribe to, or facilitate the issuance of sovereign debt of the Government of Iran, including governmental bonds	Sanctions drawn from ISA'96 and IEEPA authorities	*Waivers issued pursuant to Sec. 212(d)(1) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 212(a) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* See **Table 1**.
Sec. 220(c) (22 U.S.C. 8726(c))	Non-U.S. persons who knowingly provide specialized financial messaging services that facilitate transactions for the Central Bank of Iran or other financial institutions not designated as an SDN	Blocking access to property or assets	Committed to refrain from imposing discretionary sanctions.
IRAN FREEDOM AND COUNTER-PROLIFERATION ACT OF 2012 (IFCA)			
(Title XII, subtitle D, of National Defense Authorization Act for Fiscal Year 2013; **NDAA 2013**; P.L. 112-239; 22 U.S.C. 8801 *et seq.*)			
Sec. 1244(c), (c)(1) (22 U.S.C. 8803(c), (c)(1))	Non-U.S. persons who knowingly provide significant financial, material, technological, or other support to, or goods or services to a person who is part of the energy, shipping, or shipbuilding sectors, or a port operator, or Iranian individuals or entities	Blocking access to property or assets	*Waivers issued pursuant to Sec. 1244(i) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1244(c)(1) are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* *Statement of Licensing Policy (SLP) for transactions related to providing Iran*

Section Affected	Target	No Longer Applied	Waiver or Revocation: Rationale
	identified in the JCPOA (Annex II, Attachment 3) for delisting		*commercial passenger aircraft, and related spare parts and services, for exclusively civil aviation end use will be revoked in 90 days, effective May 8, 2018.* See **Table 1**.
Sec. 1244(d)(1) (22 U.S.C. 8803(d)(1))	Non-U.S. persons who knowingly sell, supply, or transfer to or from Iran significant goods or services used in connection with the energy, shipping, or shipbuilding sectors of Iran, including NIOC, NITC, and IRISL	Sanctions drawn from ISA'96 authorities	*Waivers issued pursuant to Sec. 1244(i) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1244(d)(1) are reimposed but subject to a 90-day wind-down waiver , effective May 8, 2018.* See **Table 1**.
Sec. 1244(d)(2) (22 U.S.C. 8803(d)(2))	Significant financial transactions by foreign financial institutions for the sale, supply, or transfer to or from Iran of significant goods or services used in connection with the energy, shipping, or shipbuilding sectors, including NIOC, NITC, IRISL	Correspondent or payable-through account sanctions	*Waivers issued pursuant to Sec. 1244(i) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1244(d)(2) are reimposed but subject to a 90-day wind-down waiver , effective May 8, 2018.* See **Table 1**.
Sec. 1244(h)(2) (22 U.S.C. 8803(h)(2))	Financial transactions by foreign financial institutions for the sale, supply, or transfer to or from Iran of natural gas	Correspondent or payable-through account sanctions	*Waivers issued pursuant to Sec. 1244(i) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1244(h)(2) are reimposed but subject to a 90-day wind-down waiver , effective May 8, 2018.* See **Table 1**.
Sec. 1245(a)(1), (a)(1)(A), (a)(1)(B), (a)(1)(C)(i)(II), (a)(1)(C)(ii)(II) (22 U.S.C. 8804)	Non-U.S. persons who sell, supply, or transfer to or from Iran precious metals or specified materials (graphite, raw or semi-finished metals), subject to certain limitations	Sanctions drawn from ISA'96 authorities	*Waivers issued pursuant to Sec. 1245(g) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1245(a)(1), relating to correspondent or payable-through accounts, are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* See **Table 1**.
Sec. 1245(c) (22 U.S.C. 8804(c))	Significant financial transactions by foreign financial institutions for the sale, supply, or	Correspondent or payable-through account sanctions	*Waivers issued pursuant to Sec. 1245(g) are revoked, effective May 8, 2018.*

Section Affected	Target	No Longer Applied	Waiver or Revocation: Rationale
	transfer to or from Iran of precious metals or specified materials (graphite, raw or semi-finished metals) that are within the scope of waivers under sec. 1245(a)(1)		*Sanctions imposed under Sec. 1245(c), relating to correspondent or payable-through accounts, are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* See **Table 1**.
Sec. 1246(a) (22 U.S.C. 8805(a))	Non-U.S. persons who provide underwriting services, insurance, or reinsurance in connection with activities involving Iran that are described in sections 17.1 to 17.2 and 17.5 of Annex V of the JCPOA, or to or for any individual or entity whose property and interests in property are blocked solely pursuant to E.O. 13599	Sanctions drawn from ISA'96 authorities	*Waivers issued pursuant to Sec. 1246(e) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1246(a), relating to SDN designations and underwriting, insurance, or reinsurance, are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* See **Table 1**.
Sec. 1246(a)(1)(B)(i), (a)(1)(B)(ii), (a)(1)(B)(iii)(I), (a)(1)(C) (22 U.S.C. 8805(a))	Persons who knowingly provide underwriting services or insurance or reinsurance to or for any person designated for the imposition of sanctions in connection with Iran's proliferation of WMD or their means of delivery	Sanctions drawn from ISA'96 authorities	*Waivers issued pursuant to Sec. 1246(e) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1246(a), relating to SDN designations and underwriting, insurance, or reinsurance, are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* See **Table 1**.
Sec. 1247(a) (22 U.S.C. 8806(a))	Significant financial transaction by a foreign financial institution on behalf of any Iranian specially designated national (SDN)	Correspondent or payable-through account sanctions	*Waivers issued pursuant to Sec. 1247(f) are revoked, effective May 8, 2018.* *Sanctions imposed under Sec. 1247(a), relating to SDN designations and foreign financial institutions, are reimposed but subject to a 90-day wind-down waiver, effective May 8, 2018.* See **Table 1**.

Source: U.S. Department of the Treasury. U.S. Department of State. *Guidance Relating to the Lifting of Certain U.S. Sanctions Pursuant to the Joint Comprehensive Plan of Action on Implementation Day*. January 16, 2016 (*Guidance of January 16, 2016*); Department of State. *Report to Congress: Waiver of Certain Sanctions to Provide for a Wind-Down Period for Sanctions Relief Previously Provided Consistent with the Joint Comprehensive Plan of Action*; and *Waiver Revocations, Determinations, Certifications, and Findings.* May 8, 2018.

Notes: The *Guidance of January 16, 2016* notes that "This document is explanatory only and does not have the force of law. Please see particularly the legally binding provisions cited ... governing the sanctions. This document does not supplement or modify the statutory authorities, Executive orders, or regulations."

Table 4. Executive Orders Revoked or Amended on Implementation Day to Meet Requirements of the JCPOA

Effective pursuant to Executive Order 13716 of January 16, 2016

Executive Order	Underlying Statute	Restriction	Authority to Lift or Waive
E.O. 13574 (May 23, 2011)	IEEPA / NEA ISA '96 CISADA	*Revoked.* Expanded national emergency set forth in E.O. 12957; implemented new sanctions added to ISA. Prohibited U.S. financial institutions from making loans or credits, or engaging in foreign exchange transactions. Prohibited imports from, and blocks property of, a sanctioned person. The President, and Secretaries of the Treasury and State, administered.	President
E.O. 13590 (November 20, 2011)	IEEPA / NEA	*Revoked.* Expanded national emergency set forth in E.O. 12957; blocked property of those who trade in goods, services, technology, or support for Iran's energy and petrochemical sectors. Prohibited Ex-Im Bank from entering into transactions with sanctioned person. Required Federal Reserve to deny goods and services. Prohibited U.S. financial institutions from making most loans or credits. Secretaries of State, the Treasury, and Commerce, the U.S. Trade Representative (USTR), Chairman of Federal Reserve Board, and President of Ex-Im Bank, administered.	President
E.O. 13622 (July 30, 2012)	IEEPA / NEA NDAA '12	*Revoked.* Expanded national emergency set forth in E.O. 12957; authorized sanctions on foreign financial institutions that finance activities with NIOC, NICO. Prohibited correspondent and payable-through accounts. Prohibited Ex-Im financing, designation as a primary dealer of U.S. debt instruments, access to U.S. financial institutions. Blocked property; denied imports and exports. The President, and Secretaries of the Treasury, State, and Commerce, the USTR, Chairman of Federal Reserve Board, and President of Ex-Im Bank, administered.	President See also: Guidance of January 20, 2014 (79 F.R. 5025) Guidance of July 21, 2014 (79 F.R. 45233) Guidance of November 25, 2014 (79 F.R. 73141)
E.O. 13628 (October 9, 2012)	IEEPA / NEA ISA '96 CISADA ITRSHRA INA	*Partially revoked. See* ***Table 2***. Denied access to certain financing tools, property, and imports, if one engaged in expansion of Iran's refined petroleum sector.	President

Executive Order	Underlying Statute	Restriction	Authority to Lift or Waive
E.O. 13645 (June 3, 2013)	IEEPA / NEA CISADA IFCA INA	*Revoked*. Expanded national emergency set forth in E.O. 12957; imposed restrictions on foreign financial institutions engaged in transactions relating to, or maintaining accounts dominated by, Iran's currency (*rial*). Prohibited opening or maintaining U.S.-based payable-through correspondent accounts. Blocked property under U.S. jurisdiction. Imposed restrictions on those, including foreign financial institutions, found to be materially assisting in any way an Iran-related SDN. Imposed restrictions on those found to engage in transactions related to Iran's petroleum or related products. Required the Secretary of State to impose restrictions on financing (Federal Reserve, Ex-Im Bank, commercial banks) on those found to engage in significant transactions related to Iran's automotive sector. Blocked property of those found to have engage in diversion of goods and services intended for the people of Iran The President, and Secretaries of the Treasury, State, Homeland Security, and Commerce, the USTR, Chairman of Federal Reserve Board, and President of Ex-Im Bank, administered.	President See also Guidance of January 20, 2014 (79 F.R. 5025) Guidance of July 21, 2014 (79 F.R. 45233) Guidance of November 25, 2014 (79 F.R. 73141)

Source: Executive Order 13716 of January 16, 2016 (81 F.R. 3693-3698).

Appendix. Key U.S. Legal Authorities That Remain in Place After Implementation Day

U.S. DEPARTMENT OF THE TREASURY

U.S. DEPARTMENT OF STATE

Guidance Relating to the Lifting of Certain U.S. Sanctions Pursuant to the Joint Comprehensive Plan of Action on Implementation Day

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VII. Key U.S. Legal Authorities That Remain in Place After Implementation Day

A number of U.S. legal authorities that are outside the scope of the JCPOA and are directed toward, or have been used to address, U.S. concerns with respect to, Iran remain in place after Implementation Day. A non-exhaustive list of such authorities is set out below:

A. Trade Sanctions

1. *Trade Embargo*: The U.S. domestic trade embargo imposed on Iran under the national emergency declared in E.O. 12957, as implemented through the ITSR, also referred to as U.S. primary sanctions, remains in place following Implementation Day. Pursuant to the ITSR and with limited exceptions,[24] U.S. persons, as defined in section 560.314 of the ITSR, continue to be broadly prohibited from engaging in transactions or dealings directly or indirectly with Iran or its government. In addition, non-U.S. persons continue to be prohibited from knowingly engaging in conduct that seeks to evade U.S. restrictions on transactions or dealings with Iran or that causes the export of goods or services from the United States to Iran.

Please note that, under the ITSR, the clearing of transactions involving Iran through the U.S. financial system, including foreign branches of U.S. financial institutions continues to be prohibited.

2. *Export Controls*: U.S. controls on the exportation or reexportation of goods, technology, and services to Iran imposed pursuant to the ITSR, including sections 560.204 and 560.205, as well as the Export Administration Regulations, 15 C.F.R. parts 730-774 (EAR), and the International Traffic in Arms Regulations, 22 CFR parts 120-130 (ITAR), remain in place. Pursuant to these authorities and unless exempt from regulation or authorized under the relevant regulations, the exportation or reexportation by a U.S. person or from the United States to Iran or the Government of Iran, as well as the reexportation by non-U.S. persons of items that contain 10 percent or more U.S.-controlled content with knowledge or reason to know that the reexportation is intended specifically to Iran or the Government of Iran, generally requires a license.

B. Designation Authorities and Blocking Sanctions

In addition, the United States retains a number of authorities that are directed toward, or have been used to address, U.S. concerns with respect to Iran. Generally, these authorities provide for the imposition of blocking sanctions on persons meeting certain criteria or engaging in specified conduct, as well as their support networks.

[24] These exceptions include the three categories of activity the United States has committed to license pursuant to section 5 of Annex II of the JCPOA, as well as activities that are exempt from regulation or authorized under the ITSR. See section IV above and sections J, K, and L of the JCPOA FAQs for further details.

Designation authorities:

The activities targeted by these authorities include the following:

1. *Support for terrorism*: E.O. 13224 (blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism);

2. *Iran's human rights abuses*:

- E.O.s 13553 and 13628 (implementing sections 105, 105A, and 105B of CISADA (related to persons who are responsible for or complicit in human rights abuses committed against the citizens of Iran; transfers of goods or technologies to Iran that are likely to be used to commit serious human rights abuses against the people of Iran; and persons who engage in censorship or similar activities with respect to Iran)); and
- E.O. 13606 (relating to the provision of information technology used to further serious human rights abuses);

3. *Proliferation of WMD and their means of delivery, including ballistic missiles*: E.O.s 12938 and 13382;

4. *Support for persons involved in human rights abuses in Syria or for the Government of Syria*: E.O.s 13572 and 13582;

5. *Support for persons threatening the peace, security, or stability of Yemen*: E.O. 13611;

6. *Transactions or activities described in section 1244(c)(1)(A) of IFCA if the transaction involves any person on the SDN list (other than an Iranian financial institution whose property and interests in property are blocked solely pursuant to E.O. 13599)*: Section 1244(c)(1) of IFCA;

7. *Diversion of goods intended for the people of Iran*: CISADA 105C, as added by section 1249 of IFCA (relating to the diversion of goods, including agricultural commodities, food, medicine, and medical devices, intended for the people of Iran, or the misappropriation of proceeds from the sale or resale of such goods);

8. *Knowingly and directly providing specialized financial messaging services to, or knowingly enabling or facilitating direct or indirect access to such messaging services for a financial, institution whose property or interests in property are blocked in connection with Iran's proliferation of WMD or their means of delivery, or Iran's support for international terrorism*: Section 220 of the TRA [ITRSHRA];[25]

9. *Officials, agents, and affiliates of the IRGC*: Section 301 of the TRA[26] (providing for the designation of officials, agents, or affiliates of the IRGC); and

10. *Foreign sanctions evaders*: E.O. 13608 (authorizing the imposition of prohibitions on transactions or dealings by U.S. persons involving persons determined to have: (i) violated, attempted to violate, conspired to violate, or caused a violation of U.S. sanctions with respect to Iran or Syria (including sanctions imposed under counter-proliferation or counter-terrorism

[25] The United States has committed not to apply the sanctions under section 220 of the TRA with respect to the CBI or any financial institution listed in Attachment 3 to Annex II of the JCPOA.

[26] Section 302(b)(2) of the TRA further provides for discretionary blocking of persons determined to meet the criteria set out in section 302(a). See section VII.D.1 below.

authorities); or (ii) facilitated deceptive transactions for or on behalf of any person subject to U.S. sanctions concerning Iran or Syria).[27]

Blocking authorities:

The persons targeted by these authorities include the following:

1. *The Government of Iran and Iranian Financial Institutions*: E.O. 13599, section 217(a) of the TRA, section 560.211 of the ITSR; and

2. *Islamic Republic of Iran Broadcasting and its president under section 105(c) of CISADA*: Section 1248 of IFCA.

C. Correspondent and Payable-through Account Sanctions

After Implementation Day, FFIs may be subject to correspondent or payable-through account secondary sanctions for:

1. Knowingly facilitating a significant financial transaction with designated Iranian financial institutions that remain or are placed on the SDN List (section 1245(d) of NDAA 2012);

2. Knowingly facilitating a significant financial transaction on behalf of any Iranian persons that remain or are placed on the SDN List (section 1247(a) of IFCA);

3. Knowingly facilitating a significant financial transaction or providing significant financial services for any other person on the SDN List with the "[IFSR]" identifying tag (i.e., the Islamic Revolutionary Guard Corps (IRGC) and any of its designated officials, agents, or affiliates; individuals and entities designated pursuant to E.O. 13382 in connection with Iran's proliferation of WMD or their means of delivery; and individuals and entities designated pursuant to E.O. 13224 in connection with Iran's support for international terrorism) (section 104(c)(2)(E) of CISADA);

4. Knowingly facilitating a significant financial transaction for the sale, supply, or transfer to or from Iran of significant goods and services used in connection with the energy, shipping, or shipbuilding sectors of Iran where the transactions involve persons who remain or are placed on the SDN List (section 1244(d)(2) of IFCA); or

5. Knowingly conducting or facilitating a significant financial transaction for the sale, supply, or transfer to or from Iran of graphite, raw or semi-finished metals such as aluminum and steel, coal, and software for integrating industrial processes that have been determined pursuant to section 1245(e)(3) of IFCA to be used as described in that section if the transactions involve (i) persons on the SDN List; (ii) the sale, supply, or transfer of materials described in section 1245(d) of IFCA that have not been approved by the procurement channel established pursuant to paragraph 16 of UNSCR 2231 and section 6 of Annex IV of the JCPOA, in cases in which the procurement channel applies; or (iii) the sale, supply, or transfer of materials described in section 1245(d) of IFCA if the material is sold, supplied, or transferred, or resold, retransferred, or otherwise supplied directly or indirectly, for use in connection with the military or ballistic missile program of Iran (section 1245(c) of IFCA).

D. Menu-based Sanctions

After Implementation Day, menu-based secondary sanctions continue to attach to:

[27] E.O. 13608 is not a blocking authority. However, U.S. persons are prohibited from engaging in transactions or dealings with persons sanctioned under this authority.

1. Persons who materially assist, sponsor, or provide financial, material, or technological support for, or goods or services in support of: the IRGC or any of its officials, agents, or affiliates blocked pursuant to IEEPA; persons that engage in significant transactions with (i) any of the foregoing or (ii) persons subject to financial sanctions pursuant to the UNSCRs that impose sanctions with respect to Iran, or a person acting for or on behalf of, or owned or controlled by, such person (section 302(a) of the TRA);

2. Non-U.S. persons who engage in transactions or activities described in sections 1244(d)(1) and 1246(a) of IFCA if the transactions involve persons on the SDN List; and

3. Non-U.S. persons who sell, supply, or transfer directly or indirectly to or from Iran graphite, raw or semi-finished metals such as aluminum and steel, coal, and software for integrating industrial processes that have been determined pursuant to section 1245(e)(3) of IFCA to be used as described in that section if the transactions involve (i) persons on the SDN List; (ii) the sale, supply, or transfer of materials described in section 1245(d) of IFCA that have not been approved by the procurement channel established pursuant to paragraph 16 of UNSCR 2231 and section 6 of Annex IV of the JCPOA, in cases in which the procurement channel applies; or (iii) the sale, supply, or transfer of materials described in section 1245(d) of IFCA if the material is sold, supplied, or transferred, or resold, retransferred, or otherwise supplied directly or indirectly, for use in connection with the military or ballistic missile program of Iran (section 1245(a) of IFCA).

E. Non-Proliferation Sanctions

On Transition Day, the United States will seek such legislative action as may be appropriate to terminate, or modify to effectuate the termination of, the nuclear proliferation-related statutory sanctions set forth in paragraph 4.9 of Annex II of the JCPOA, including sanctions under the Iran, North Korea and Syria Nonproliferation Act on the acquisition of nuclear-related commodities and services for nuclear activities contemplated in the JCPOA, to be consistent with the U.S. approach to other non-nuclear weapon states under the Treaty on the Non-Proliferation of Nuclear Weapons. The JCPOA does not address the application of a number of generally- applicable non-proliferation statutes related to transfers of proliferation-sensitive equipment and technology, or statutes that provide for sanctions for activities that would be outside the scope of the JCPOA.

F. Terrorism List Sanctions

Iran remains designated as a state sponsor of terrorism under relevant laws (section 6(j) of the Export Administration Act; section 40 of the Arms Export Control Act; and section 620A of the Foreign Assistance Act), and the JCPOA does not alter that designation. A number of different sanctions laws and restrictions are keyed to this designation, including restrictions on foreign assistance (22 U.S.C. § 2371), a ban on defense exports and sales (22 U.S.C. § 2780), controls on exports of certain sensitive technology and dual-use items (50 U.S.C. App. § 2405), and various financial and other restrictions.

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