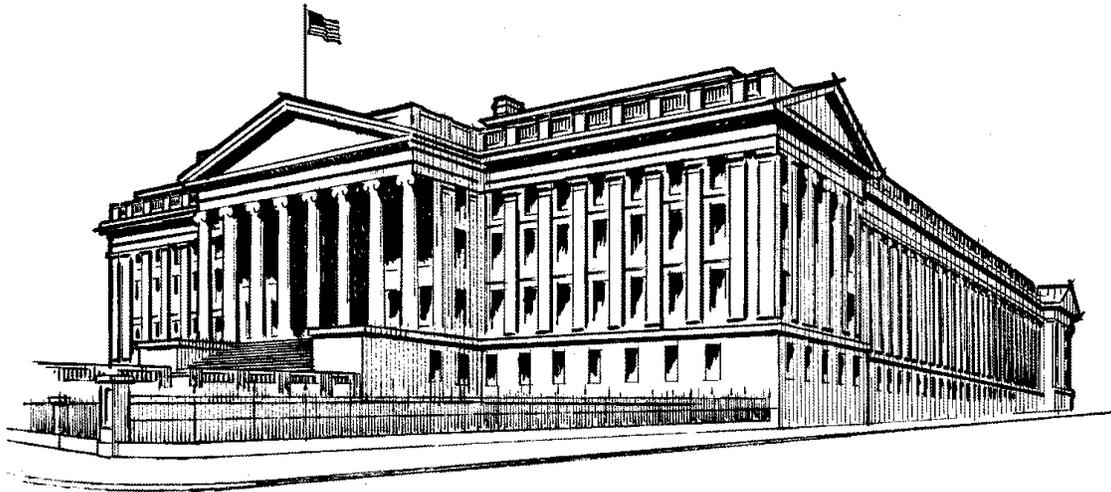


# **TERRORIST ASSETS REPORT**

**Calendar Year 2008  
Seventeenth Annual Report to Congress  
on  
Assets in the United States  
of Terrorist Countries  
and International Terrorism Program  
Designees**



**Office of Foreign Assets Control  
U.S. Department of the Treasury**

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**OFFICE OF FOREIGN ASSETS CONTROL  
U.S. DEPARTMENT OF THE TREASURY**

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## **BACKGROUND**

### **A. Economic Sanctions and Terrorism**

Historically, the U.S. Government has used economic sanctions primarily as a tool to pressure foreign governments and regimes, including state sponsors of terrorism. Since 1995, the U.S. Government has also used targeted economic sanctions as a tool against international terrorists and terrorist organizations. Following the events of September 11, 2001, President Bush issued Executive Order 13224, significantly expanding the scope of then-existing U.S. sanctions against terrorists and terrorist organizations. The combination of programs targeting international terrorists and terrorist organizations with those targeting terrorism-supporting governments constitutes a wide-ranging assault on international terrorism and its supporters and financiers.

The Department of the Treasury's Office of Foreign Assets Control (OFAC) is the lead office responsible for implementing sanctions with respect to assets of international terrorist organizations and terrorism-supporting countries. OFAC implements these sanctions as part of its general mission to administer and enforce economic and trade sanctions based on U.S. foreign policy and national security goals. In administering and enforcing U.S. economic sanctions programs, OFAC focuses on identifying persons for designation; assisting parties in complying with the sanctions prohibitions through its compliance and licensing efforts; assessing civil monetary penalties against persons violating the prohibitions; working with other U.S. Government agencies, including law enforcement; and coordinating and working with other nations to implement similar strategies. Currently, OFAC administers sanctions programs targeting international terrorists and terrorist organizations and their supporters. OFAC also administers sanctions programs relating to those countries that have been designated as state sponsors of terrorism.

### **B. Nature of Blocked Assets**

The blocked asset amounts described below represent amounts frozen under U.S. sanctions programs that block all property and interests in property of designated or blocked parties in the United States or in the possession or control of a U.S. person (or, in the case of Cuba, a person subject to U.S. jurisdiction). The term "interest" is broadly defined in OFAC's sanctions regulations in Chapter V of Title 31 of the Code of Federal Regulations. An interest in property may be direct or indirect and includes property interests short of full ownership. In many instances, the interest may be partial or contingent.

*Because the blocked assets discussed in this report include assets not actually owned by designated or blocked parties, they are described throughout as assets "relating to" a designated party. Many of the assets may be owned by or subject to claims by third parties.*

OFAC regulations generally prohibit any form of judicial disposition of blocked property. However, the Terrorism Risk Insurance Act of 2002 (the TRIA) includes a

provision making blocked assets of a terrorist party available to satisfy certain judgments against terrorist parties, including judgments based on claims for which sovereign immunity of foreign states is waived by 28 U.S.C. § 1605 (a)(7) (certain claims for personal injury or death).

Some, but not all, of OFAC's sanctions programs relating to terrorism generally entail the blocking, i.e., freezing, of assets. Implementation of programs targeting international terrorist organizations has resulted in the blocking in the United States of more than \$20 million in which there exists an interest of an international terrorist organization or other related designated party.<sup>1</sup>

More than \$470 million in assets relating to five designated state sponsors of terrorism have been identified by OFAC as located within U.S. jurisdiction.<sup>2</sup> Of that amount, \$323 million in assets are blocked pursuant to economic sanctions imposed by the United States and administered by OFAC. The remaining balance of \$148 million in assets represents non-blocked assets of individuals and entities from Iran and Syria.<sup>3</sup> Unless otherwise noted, this report provides data for the calendar year ending December 31, 2008.

### **C. Nature of OFAC Information Sources**

The sources of information that OFAC uses in this report vary depending on the nature of the sanctions target. With respect to terrorists and terrorist organizations, OFAC relies solely on information that U.S. persons are obligated to report to OFAC with respect to blocked assets. With respect to state sponsors of terrorism, OFAC relies primarily on reports of blocked property when applicable, but also has obtained with respect to certain countries additional information deemed appropriate for inclusion in the report.<sup>4</sup>

### **D. This Report**

Section 304 of Public Law 102-138, as amended by Public Law 103-236 (22 U.S.C. § 2656g) (hereinafter referred to as Section 304) (Tab 1), requires the Secretary of the Treasury, in consultation with the Attorney General and appropriate investigative agencies, to provide an annual report to the Congress concerning the nature and extent of assets held in the United States by terrorism-supporting countries and organizations engaged in international terrorism. The Department of the Treasury submitted its first Terrorist Assets Report to the Congress in April 1993. The current report, covering calendar year 2008, is the seventeenth successive Terrorist Assets Report.

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<sup>1</sup> This figure may not include certain amounts reported to OFAC as blocked where OFAC is reviewing the appropriateness of the blocking.

<sup>2</sup> North Korea's designation as a state sponsor of terrorism was rescinded on October 11, 2008. <http://www.state.gov/r/pa/ei/bgn/2792.htm>. Because North Korea was a designated state sponsor of terrorism for part of 2008, and because North Korean assets remain blocked under Executive Order, this report includes North Korean assets.

<sup>3</sup> See Part II, Section C, and Table 3, Non-Blocked Funds Relating to State Sponsors of Terrorism in the United States.

<sup>4</sup> See Part II, Section C regarding non-blocked assets.

The Terrorist Assets Report, which is prepared by OFAC based on information from the Department of the Treasury and other Government agencies and non-government parties, is submitted to the Committee on Foreign Relations and the Committee on Finance in the Senate and to the Committee on International Relations and the Committee on Ways and Means in the House of Representatives.

More than 20 Federal agencies and offices were polled in developing this report. These agencies and offices are listed in Tab 2.

Both funds and real and tangible property are included in this report.<sup>5</sup> Funds are reported in the following exhibits and tables:

- Exhibit A contains figures for blocked funds in the United States relating to international terrorist organizations.
- Tables 1 and 2 contain figures for blocked funds relating to state sponsors of terrorism that are held in the United States or in offshore branches or subsidiaries of U.S. banks.
- Table 3 contains figures for non-blocked funds of Iran and Syria as reported to OFAC by the Treasury International Capital Reporting System and the Federal Reserve.
- Table 4 summarizes the amounts reported in Tables 1 through 3.

Descriptions of real and tangible property are reported in Part I, Section E for international terrorist organizations and Part II, Section D for state sponsors of terrorism.

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<sup>5</sup> For purposes of this report, the term “funds” means financial holdings (e.g., cash accounts, securities, and debt obligations).

## **PART I ASSETS RELATING TO INTERNATIONAL TERRORIST ORGANIZATIONS**

Section 304 requires that the Department of the Treasury report on assets with respect to “organizations engaged in international terrorism.” For the purposes of this report, “organizations engaged in international terrorism” include only those organizations targeted with sanctions under any of the three OFAC-administered sanctions programs relating to terrorist organizations as discussed below.

### **A. Programs**

#### **1. Executive Order 13224 - Specially Designated Global Terrorists (SDGTs)**

On September 23, 2001, President Bush declared a national emergency, pursuant to the International Emergency Economic Powers Act, 50 U.S.C. §§ 1701-1706 (IEEPA), and other authorities, in Executive Order 13224 (E.O. 13224), "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism" (Tab 6). E.O. 13224 was issued in response to the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist acts committed on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of future attacks on U.S. nationals and the United States. The terrorist acts of September 11, 2001, were also recognized and condemned in United Nations Security Council Resolutions (UNSCR) 1368 (September 12, 2001), 1373 (September 28, 2001), and 1390 (January 28, 2002). See also UNSCR 1267 (October 15, 1999) (creating the framework for the “Consolidated List” of individuals and entities associated with Al-Qaida, Usama bin Laden, the Taliban); UNSCR 1822 (June 30, 2008).<sup>6</sup> E.O. 13224 imposes economic sanctions on persons who have been determined to have committed or pose a significant risk of committing acts of terrorism, as well as on persons determined to be owned or controlled by such persons or to provide support to such persons or acts of terrorism. It prohibits any transaction or dealing in property or interests in property of any person (i.e., an individual or entity) designated under its authority, including the donation of funds, goods, or services, and it blocks all property in the United States or within the possession or control of a U.S. person in which there is an interest of any designated person.

In the Annex to E.O. 13224, President Bush identified 12 individuals and 15 entities whose assets are subject to blocking. The Taliban and its leader were added to the Annex pursuant to Executive Order 13268 (E.O. 13268) (Tab 7). Subsequently, additional individuals and entities have been designated by the Department of State and the Department of the Treasury. As of December 31, 2008, a total of 524 individuals and entities had been identified or designated and remained listed as “Specially Designated Global Terrorists” or “SDGTs” for having met one or more of the criteria for designation

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<sup>6</sup> More than 360 individuals and entities designated by the United States Government pursuant to E.O. 13224 have been listed on the UNSCR 1267/1822 Consolidated List.

set forth in E.O. 13224.<sup>7</sup>

## **2. Executive Orders 12947 and 13099 - Specially Designated Terrorists (SDTs)**

On January 23, 1995, President Clinton declared a national emergency pursuant to IEEPA and other authorities in Executive Order 12947 (E.O. 12947), "Prohibiting Transactions With Terrorists Who Threaten To Disrupt the Middle East Peace Process" (Tab 3). E.O. 12947 targets terrorists threatening the Middle East peace process (termed "Specially Designated Terrorists," or "SDTs") and prohibits dealings in property or interests in property of any organization or individual designated under its authority, including the donation of funds, goods, or services, and it blocks all property in the United States or within the possession or control of a U.S. person in which there is an interest of any designated person. Twelve terrorist organizations were named in the Annex to E.O. 12947.

On August 20, 1998, President Clinton issued Executive Order 13099 (E.O. 13099) amending E.O. 12947 by adding three individuals and one organization to the Annex of E.O. 12947, including Usama bin Muhammad bin Awad bin Ladin (also known as Osama bin Ladin) and Al-Qaida (Tab 4). As of December 31, 2008, a total of 40 individuals and entities had been identified or designated and remained listed as SDTs.

## **3. Antiterrorism Act of 1996 – Foreign Terrorist Organizations (FTOs)**

On April 24, 1996, the President signed into law the Antiterrorism and Effective Death Penalty Act of 1996, Pub. L. 104-132, 110 Stat. 1247-1258 (the Antiterrorism Act). Section 302 of the Antiterrorism Act (8 U.S.C. § 1189) authorizes the Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, to designate organizations meeting stated criteria as FTOs, with prior notification to the Congress of the Secretary's intent to designate. Section 303 of the Act (18 U.S.C. § 2339B) makes it a crime for persons within the United States or subject to U.S. jurisdiction to knowingly provide material support or resources to a Foreign Terrorist Organization designated under Section 302. Additionally, except as authorized by the Department of the Treasury, U.S. financial institutions in possession or control of funds in which a Foreign Terrorist Organization or its agent has an interest are required to block such funds and report on the funds to the Department of the Treasury.

As of December 31, 2008, 44 organizations or groups had been designated as FTOs by the Department of State and remained listed as such. These 44 FTOs include 12 of the 13 Middle East terrorist organizations previously designated under Executive Orders 12947 and 13099 and 32 other foreign organizations located in South America, Europe, Asia, and Africa. All of these are also designated pursuant to E.O. 13224.

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<sup>7</sup> The 524 SDGTs designated pursuant to E.O. 13224 include 44 Foreign Terrorist Organizations (FTOs) designated by the Secretary of State pursuant to the Antiterrorism and Effective Death Penalty Act of 1996.

## **B. Administering and Enforcing the Terrorism Sanctions**

Terrorists, terrorist groups, and terrorist supporters that are designated pursuant to Executive Orders 12947 and 13224, or as a FTO, are placed on OFAC's public list and are generically referred to as "Specially Designated Nationals" or "SDNs." In the context of the terrorism programs, they may be known as SDTs, SDGTs, or FTOs, depending on the individual or entity in question.

U.S. persons<sup>8</sup> are prohibited from conducting unauthorized transactions or having other dealings with or providing services to the designated individuals or entities. Foreign persons may be held liable for effecting such transactions from or through the United States. Any property or property interest of a designated person that comes within the control of a U.S. person is blocked and must be reported to OFAC.

## **C. Impact of Terrorism Sanctions**

The imposition of sanctions by the United States and its international partners against terrorists, terrorist organizations, and their support structures is a powerful tool. Its effects reach far beyond the blocking of terrorist assets. Designating individuals or organizations as SDGTs, SDTs, or FTOs notifies the U.S. public and the world that these parties are either actively engaged in or supporting terrorism or that they are being used by terrorists and their organizations. Notification exposes and isolates these individuals and organizations, denies them access to the U.S. financial system, and, in the case of a UN designation, the global financial system as well. Furthermore, banks and other private institutions around the world frequently consult OFAC's SDN list and report denying listed persons access to their institutions. In addition, the imposition of economic sanctions can assist or complement the law enforcement actions of other U.S. agencies and/or other governments.

## **D. Summary of Blocked Assets of International Terrorist Organizations**

As of December 31, 2008, assets blocked pursuant to E.O.s 12947 and 13224 totaled \$24,880,496.<sup>9</sup> Total amounts blocked will be subject to change for a number of reasons, including application of the TRIA, which authorizes eligible persons who hold judgments arising out of acts of terrorism to attach certain blocked assets to satisfy their

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<sup>8</sup> U.S. persons include: all U.S. citizens, U.S. permanent resident aliens, and foreign nationals present in the United States; U.S. citizens and U.S. permanent resident aliens abroad; corporations organized under U.S. law and foreign companies' branches/subsidiaries located in the United States; and foreign branches of U.S. companies.

<sup>9</sup> Taliban assets are blocked pursuant to E.O. 13224. On July 2, 2002, the President issued E.O. 13268, terminating Executive Order 13129 (Tab 5) and the emergency with respect to the Taliban because the U.S. military campaign in Afghanistan ended the Taliban's territorial control. The Taliban and its leader, Mohammed Omar, were added to the Annex to E.O. 13224 pursuant to E.O. 13268. Accordingly, the remaining blocked assets of the Taliban and its leader have been incorporated into the above section of this report dealing with SDGTs. Approximately \$261.5 million in Afghan assets were unblocked and turned over to the Afghan Interim Authority between February and April 2002 as the Authority established control over Afghanistan following the United States-led military campaign.

compensatory damages awards.<sup>10</sup> Additionally, fluctuation may occur in the value of blocked assets for reasons that include the authorized withdrawal of blocked funds under various circumstances consistent with overall sanctions policy.

The increase in blocked terrorist organization assets in 2008 may be due to new or additional blockings, interest paid on blocked funds, or increased value of certain blocked securities.

## **E. Real and Tangible Property of International Terrorist Organizations**

The U.S. Government has identified and designated organizations inside the United States that are branches of, or have been determined to provide support to or be owned or controlled by, designated terrorist groups or individuals. The following organizations own blocked real and/or tangible property inside the United States: the Holy Land Foundation has tangible property in several warehouse locations in the United States; the Benevolence International Foundation owns real estate and tangible property in the greater-Chicago area as well as tangible property in several warehouse locations in the United States; the Islamic American Relief Agency owns tangible property as well as an interest in real property in Missouri; the Al Haramain Islamic Foundation owns real estate in Missouri; and KindHearts for Charitable Humanitarian Development owns tangible property in warehouse locations in Illinois and Ohio. The specific current values for these real and tangible properties are not known. OFAC utilizes a government contractor to ensure that blocked tangible property is stored in a safe and secure environment. Based on long-standing policy, OFAC does not conduct valuations of tangible property or appraisals of real property until the property is to be sold or auctioned. In some cases, tax assessments for real property are available from a local tax office, but these assessments may not reflect a true market value.

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<sup>10</sup> Section 201(a) of the TRIA provides:

(a) IN GENERAL-Notwithstanding any other provision of law, and except as provided in subsection (b), in every case in which a person has obtained a judgment against a terrorist party on a claim based upon an act of terrorism, or for which a terrorist party is not immune under section 1605 (a)(7) of Title 28, United States Code, the blocked assets of that terrorist party (including the blocked assets of any agency or instrumentality of that terrorist party) shall be subject to execution or attachment in aid of execution in order to satisfy such judgment to the extent of any compensatory damages for which such terrorist party has been adjudged liable.

**EXHIBIT A**

**Blocked Funds in the United States Relating to SDGT, SDT and FTO Programs<sup>11</sup>**

ORGANIZATION/RELATED DESIGNEES	BLOCKED AS OF 2008	BLOCKED AS OF 2007
AL-QAIDA	\$ 11,504,602	\$ 11,324,361
HAMAS	\$ 8,480,705	\$ 8,658,832
HIZBALLAH	\$ 4,218,222	\$ 437,281
MUJAHEDIN-E KHALQ ORGANIZATION	\$ 112,836	\$ 111,423
NEW PEOPLE'S ARMY	\$ 3,750	\$ 3,750
PALESTINIAN ISLAMIC JIHAD	\$ 63,682	\$ 63,508
KAHANE CHAI	\$ 201	\$ 201
TALIBAN	\$ 0.00	\$ 2,648
LIBERATION TIGERS OF TAMIL EELAM (LTTE)	\$ 496,499	\$ 134,916
<b>Total Blocked Funds of SDGTs, SDTs, and FTOs</b>	<b>\$ 24,880,496</b>	<b>\$ 20,736,920</b>

<sup>11</sup> Assets reported in Exhibit A as blocked pursuant to the terrorist programs may also include assets attributable to state-sponsors of terrorism to the extent that a state-owned entity was designated on the basis of providing support to one of the listed international terrorist organizations. For administrative purposes, an allocation of blocked assets has been attributed to one terrorist organization in certain cases even though the publicly disclosed basis for designation may link an entity to more than one terrorist organization.

## **PART II ASSETS RELATING TO STATE SPONSORS OF TERRORISM**

### **A. The State Sponsors of Terrorism**

"Terrorist countries" for purposes of this report are the state sponsors of terrorism designated by the Secretary of State under Section 6(j) of the Export Administration Act (50 U.S.C. App. § 2405), Section 40(d) of the Arms Export Control Act (22 U.S.C. § 2780(d)), and section 620A of the Foreign Assistance Act (22 U.S.C. § 2371). States currently designated as sponsors of terrorism are: Cuba, Iran, Sudan, and Syria. As noted above, North Korea's designation as a state sponsor of terrorism was terminated on October 11, 2008. See <http://www.state.gov/r/pa/ei/bgn/2792.htm> . Because North Korea was a designated state sponsor of terrorism for part of 2008, and because certain North Korean assets remain blocked, as described below, this report includes such North Korean assets.

### **B. Reported Blocked Assets Relating to State Sponsors of Terrorism**

The following information describes the nature and extent of assets held in the United States or in offshore branches or subsidiaries of U.S. banks that are blocked because they relate to North Korea and countries designated as state sponsors of terrorism.<sup>12</sup> These assets include funds reported in Tables 1 and 2, as well as real and tangible property described in Section D below.

Tables 1 and 2 include a breakdown of the blocked funds reported to OFAC relating to the four current state sponsors of terrorism and North Korea. Table 4 is a summary of the amounts reported in Tables 1 and 2 (as well as Table 3). Note that the funds reported in Table 2 are not physically located in the United States, but rather in foreign branches and subsidiaries of U.S. banks, where such funds may also be subject to legal requirements of the host country.

The value, location, and composition of reported blocked assets may change over time based on OFAC's receipt of reports from holders of blocked assets identifying additional assets of sanctioned countries; updates of information received from holders of blocked accounts on accrued interest and fluctuating market values; and licensing of various transactions in accordance with United States national security objectives and applicable law. Additionally, there are circumstances under which blocked assets of state sponsors of terrorism may be subject to attachment pursuant to the TRIA or vesting to satisfy foreign policy objectives or meet statutory obligations.

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<sup>12</sup> Blocked assets held by foreign subsidiaries of U.S. banks are reported only in the case of Cuba.

## **CUBA**

The fund totals for Cuba, as set forth in Tables 1 and 2, are derived from annual reports of blocked property submitted to OFAC pursuant to OFAC's regulations. See 31 CFR § 501.603(b)(2). Because the Cuba sanctions target not only the Government of Cuba, but also its nationals, defined to include entities and individuals, the reported figure includes assets in which either the Government of Cuba or a Cuban national has an interest, as defined by OFAC. Some of these assets may be owned by third parties.

## **IRAN**

Blocked assets reported for Iran include blocked funds, as well as blocked diplomatic and consular property. The blocked Iranian property includes property of the Government of Iran that was blocked as a result of the hostage crisis and has remained blocked, under OFAC's Iranian Assets Control Regulations, 31 CFR part 535, since the that crisis was resolved in 1981. The property remains blocked in part because of pending claims before the Iran-U.S. Claims Tribunal. Blocked funds in which the Government of Iran has an interest are reported in Table 1. The blocked Iranian diplomatic and consular real and tangible property is described in Section D below. The blocked funds reported in Table 1 include rental proceeds derived from the diplomatic and consular property; the security deposits of the tenants are included in the reported figure.<sup>13</sup> The State Department's Office of Foreign Missions, the custodian of the diplomatic and consular real estate, is authorized to use the rental proceeds to maintain the blocked properties in keeping with the treaty obligations of the United States, and certain funds may have been earmarked for these purposes. In addition to the diplomatic and consular real estate and rental proceeds, there are 11 Government of Iran consular accounts that have been blocked since 1981.

In addition, blocked assets in which Government of Iran entities designated under Executive Order 13382 have an interest have been included in Tables 1 and 2. Executive Order 13382 blocks the property of "Weapons of Mass Destruction Proliferators and Their Supporters." These blocked assets include assets that may be owned by third parties. The increase in blocked assets reported for Iran in Table 1 is primarily attributable to blockings under Executive Order 13382.<sup>14</sup>

## **NORTH KOREA**

The fund totals for North Korea, as set forth in Tables 1 and 2, are derived from annual reports of blocked property submitted to OFAC pursuant to OFAC's regulations. See 31 CFR § 501.603(b)(2). Because the North Korea sanctions previously targeted not only the Government of North Korea, but also its nationals, defined to include entities and individuals, the reported figure includes assets in which either the Government of North

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<sup>13</sup> Of the amount reported for Iran for 2008 in Table 1, \$67,935 represents rental proceeds.

<sup>14</sup> Blocked assets in which Government of Iran entities designated under Executive Order 13224 ("Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism") have an interest are not included in Tables 1 and 2. They are included in the totals set forth in Exhibit A above.

Korea or a North Korean national has an interest, as defined by OFAC. Some of these assets may be owned by third parties. Because nearly all prospective transactions in which the Government of North Korea or North Korean nationals have an interest have been authorized since June 2000, no additional assets relating to North Korea have been blocked pursuant to the Foreign Assets Control Regulations, 31 CFR Part 500, since that time.

In addition, the blocked assets in which North Korean entities designated under Executive Order 13382 have an interest have been included in Tables 1 and 2. These blocked assets include assets that may be owned by third parties and that have been blocked due to an interest, as defined by OFAC, of North Korea.

## **SUDAN**

The fund totals for Sudan, as set forth in Tables 1 and 2, are derived from annual reports of blocked property submitted to OFAC pursuant to OFAC's regulations. See 31 CFR § 501.603(b)(2). The blocked funds totals may include assets owned by third parties and that have been blocked due to an interest, as defined by OFAC, of the Government of Sudan.

## **SYRIA**

Although Executive Order 13338 of May 11, 2004, Executive Order 13399 of April 25, 2006, and Executive Order 13460 of February 13, 2008 block the property of individuals and entities designated by the Secretary of the Treasury, in consultation with the Secretary of State, no assets of the individuals and entities presently targeted by such sanctions have been reported to OFAC.

### **C. Non-Blocked Funds relating to State Sponsors of Terrorism**

Non-blocked funds associated with Iranian and Syrian individuals and entities are reported in Table 3. There is no requirement for U.S. persons to report non-blocked assets of State Sponsors or Terrorism to OFAC. The non-blocked funds reported in Table 3 are derived from the Department of the Treasury's reporting systems on U.S. international capital movements and portfolio investment and data provided by the Federal Reserve System. These systems are designed primarily to collect information in aggregate form concerning the U.S. balance of payments and international investment position. The information provided to the Department of the Treasury through these reporting systems, together with the Federal Reserve System's data on assets and liabilities of U.S. banks' large foreign offices, represent comprehensive U.S. surveys of bank liabilities and portfolio investment concerning individuals and public and private entities located in foreign countries. There are statutory restrictions on access to, and the use of, the data. Data on non-blocked assets held in large offshore branches and subsidiaries of U.S. banks are taken from quarterly reports to the Federal Reserve System.

## **D. Real and Tangible Property of State Sponsors of Terrorism**

Based on available information, each of the current State Sponsors of Terrorism owns diplomatic and consular real property in the United States. Cuba owns six blocked properties located in New York and Washington, D.C. Syria owns four non-blocked properties located in New York and Washington, D.C. Sudan owns six blocked properties located in New Jersey, New York, Virginia, and Washington, D.C. Iran owns eleven blocked properties located in California, Illinois, Maryland, New York, Texas, and Washington, D.C.

In addition, a Government of Iran bank owns property in New York that was blocked in connection with the bank's designation in 2007 pursuant to Executive Order 13382.

OFAC does not conduct valuations of tangible property or appraisals of real property until the property is to be sold or auctioned. In some cases, tax assessments for real property are available from a local tax office, but these assessments may not reflect a true market value.<sup>15</sup>

In regard to tangible property, Iran has laid claim before the Iran-U.S. Claims Tribunal to miscellaneous blocked and non-blocked military and non-military property that it asserts was in the possession of private entities in the United States when the hostage crisis was resolved in 1981. In response, the United States has asserted, among other arguments, that Iran has failed to identify the property, to establish that the property was in existence in 1981, to prove that it owned the property, to show that pre-existing liens have been satisfied, and/or to demonstrate that, due to physical deterioration, obsolescence, or other reasons, the property had anything more than a nominal or negligible value. These issues are pending before the Tribunal.

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<sup>15</sup> The value of Iran's diplomatic and consular property, together with the remaining diplomatic and consular furnishings, had been reported in past years in the Terrorist Assets Report as \$23.2 million. In its 2006 report, OFAC determined that the continued use of this figure may not provide an accurate reflection of the value of this property given the general fluctuation in property values in recent years. Because a current valuation for Iran's diplomatic and consular property is not available, OFAC has chosen not to include a figure in recent reports with respect to the value of this property.

**TABLE 1**

<b>Blocked Funds 1/ Relating to State Sponsors of Terrorism in the United States</b>			
<b>(Amounts in millions of U.S. dollars)</b>			
<b>Country</b>	<b>2008</b>	<b>2007</b>	<b>Source*</b>
<b>CUBA</b>	\$231.8	\$218.1	
<b>IRAN</b>	\$23.8	\$16.8	
<b>NORTH KOREA</b>	\$34.0	\$31.8	
<b>SUDAN</b>	\$33.9	\$48.2	
<b>SYRIA</b>	\$0.0	\$0.0	
<b>TOTAL</b>	<b>\$323.5</b>	<b>\$314.9</b>	
*Table Source: Office of Foreign Assets Control, unless otherwise noted			

1/ The value of real and tangible property is excluded from the amounts report in Table 1 and is discussed separately in Part II, Section D.

**TABLE 2**

<b>Blocked Funds Relating to State Sponsors of Terrorism in Foreign Branches and Subsidiaries of United States Banks 1/</b>			
<b>(Amounts in millions of U.S. dollars)</b>			
<b>Country</b>	<b>2008</b>	<b>2007</b>	<b>Source*</b>
<b>CUBA</b>	\$0.3	\$0.3	
<b>IRAN</b>	\$1.5	\$0.0	
<b>NORTH KOREA</b>	\$0.2	\$0.2	
<b>SUDAN</b>	\$0.1	\$0.1	
<b>SYRIA</b>	\$0.0	\$0.0	
<b>TOTAL</b>	<b>\$2.1</b>	<b>\$0.6</b>	
*Table Source: Office of Foreign Assets Control, unless otherwise noted			

1/ The reporting of blocked funds held by foreign subsidiaries of U.S. banks is limited to the assets of Cuba and North Korea.

**TABLE 3**

<b>Non-Blocked Funds Relating to State Sponsors of Terrorism in the United States</b>			
<i>(Amounts in millions of U.S. dollars)</i>			
<b>Country</b>	<b>2008</b>	<b>2007</b>	<b>Source</b>
<b>IRAN</b>	\$51.0	\$28.0	Treasury International Capital Reporting System and Federal Reserve System <u>1/</u>
	\$11.0	\$7.0	Survey of Foreign Holdings of U.S. Securities (Treasury International Capital Reporting System) <u>2/</u>
	\$0.0	\$0.0	Treasury International Capital Reporting System <u>3/</u>
<b>Net Iranian Assets</b>	\$62.0	\$35.0	
<b>SYRIA</b>	\$73.0	\$37.0	Treasury International Capital Reporting System and Federal Reserve System <u>1/</u>
	\$13.0	\$19.0	Survey of Foreign Holdings of U.S. Securities (Treasury International Capital Reporting System) <u>2/</u>
	\$0.0	(\$4.0)	Treasury International Capital Reporting System <u>3/</u>
<b>Net Syrian Assets</b>	\$86.0	\$52.0	
<b>TOTAL</b>	<b>\$148.0</b>	<b>\$87.0</b>	

1/ Total liabilities to individuals and entities located in Iran/Syria reported by banks in the United States, by non-banking institutions in the U.S., and by large offshore branches and subsidiaries of United States banks as of September 30, 2007 and December 31, 2008.

2/ Total United States long-term securities held by individuals and entities located in Iran/Syria reported by U.S.-resident custodians and issuers as of June 30, 2007-2008.

3/ Net purchases by individuals and entities located in Iran/Syria of United States long-term securities reported by U.S.-resident banks, securities brokers and dealers, and other market participants in the United States for the period July 1, 2007 to September 30, 2007 and July 1, 2008 to December 31, 2008.

**TABLE 4**

<b>Summary of Funds Relating to State Sponsors of Terrorism Subject to United States Jurisdiction</b>		
<b>(Amounts in millions of U.S. dollars)</b>		
	<b>2008</b>	<b>2007</b>
TABLE 1: Blocked Funds in the United States	\$323.5	\$314.9
TABLE 2: Blocked Funds in Foreign Branches and Subsidiaries of U.S. Banks	\$2.1	\$0.6
TABLE 3: Non-Blocked Funds in the United States	\$148.0	\$87.0
<b><i>Total Funds Relating to State Sponsors of Terrorism Subject to U.S. Jurisdiction</i></b>	<b>\$473.6</b>	<b>\$402.5</b>

TITLE 22--FOREIGN RELATIONS AND INTERCOURSE

CHAPTER 38--DEPARTMENT OF STATE

Sec. 2656g. Report on terrorist assets in United States

(a) Reports to Congress

Beginning 90 days after October 28, 1991, and every 365 days thereafter, the Secretary of the Treasury, in consultation with the Attorney General and appropriate investigative agencies, shall submit to the Committee on Foreign Relations and the Committee on Finance of the Senate and the Committee on Foreign Affairs and the Committee on Ways and Means of the House of Representatives a report describing the nature and extent of assets held in the United States by terrorist countries and any organization engaged in international terrorism. Each such report shall provide a detailed list and description of specific assets.

(b) Definitions

For purposes of this section--

(1) the term ``terrorist countries'', refers to countries designated by the Secretary of State under section 2780(d) of this title; and

(2) the term ``international terrorism'' has the meaning given such term in section 2656f(d) of this title.

(Pub. L. 102-138, title III, Sec. 304, Oct. 28, 1991, 105 Stat. 710; Pub. L. 103-236, title I, Sec. 133(b)(2), Apr. 30, 1994, 108 Stat. 396.)

Amendments

1994--Subsec. (a). Pub. L. 103-236 substituted ``Secretary of the Treasury, in consultation with the Attorney General and appropriate investigative agencies,'' for ``Secretary of the Treasury'' and inserted at end ``Each such report shall provide a detailed list and description of specific assets.''

Change of Name

Committee on Foreign Affairs of House of Representatives treated as referring to Committee on International Relations of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

## Federal Agencies and Offices Polled for Information

<b>Board of Governors of the Federal Reserve</b>
<b>Bureau of Alcohol, Tobacco, and Firearms and Explosives</b>
<b>Department of Defense</b>
<b>Department of Homeland Security</b> <ul style="list-style-type: none"><li>• U.S. Customs and Border Protection</li><li>• U.S. Secret Service</li></ul>
<b>Department of Justice</b>
<b>Department of State</b>
<b>Department of the Treasury</b> <ul style="list-style-type: none"><li>• Financial Crimes Enforcement Network</li><li>• Office of Foreign Assets Control</li><li>• Office of International Affairs</li><li>• Terrorist Financing and Financial Crime</li><li>• Internal Revenue Service</li><li>• Office of General Counsel</li><li>• Office of International Investment</li><li>• Office of Intelligence Analysis</li></ul>
<b>Drug Enforcement Administration</b>
<b>Federal Bureau of Investigation</b>
<b>Intelligence Community</b>
<b>Federal Reserve System</b>
<b>National Drug Intelligence Center</b>

Executive Order

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Wednesday  
January 25, 1995

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**Part IX**

**The President**

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**Executive Order 12947—Prohibiting  
Transactions With Terrorists Who  
Threaten To Disrupt the Middle East  
Peace Process**

## Title 3—

## Executive Order 12947 of January 23, 1995

## The President

**Prohibiting Transactions With Terrorists Who Threaten To Disrupt the Middle East Peace Process**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, WILLIAM J. CLINTON, President of the United States of America, find that grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and hereby declare a national emergency to deal with that threat.

I hereby order:

**Section 1.** Except to the extent provided in section 203(b)(3) and (4) of IEEPA (50 U.S.C. 1702(b)(3) and (4)) and in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date: (a) all property and interests in property of:

(i) the persons listed in the Annex to this order;

(ii) foreign persons designated by the Secretary of State, in coordination with the Secretary of the Treasury and the Attorney General, because they are found:

(A) to have committed, or to pose a significant risk of committing, acts of violence that have the purpose or effect of disrupting the Middle East peace process, or

(B) to assist in, sponsor, or provide financial, material, or technological support for, or services in support of, such acts of violence; and

(iii) persons determined by the Secretary of the Treasury, in coordination with the Secretary of State and the Attorney General, to be owned or controlled by, or to act for or on behalf of, any of the foregoing persons, that are in the United States, that hereafter come within the United States, or that hereafter come within the possession or control of United States persons, are blocked;

(b) any transaction or dealing by United States persons or within the United States in property or interests in property of the persons designated in or pursuant to this order is prohibited, including the making or receiving of any contribution of funds, goods, or services to or for the benefit of such persons;

(c) any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order, is prohibited.

**Sec. 2.** For the purposes of this order: (a) the term “person” means an individual or entity;

(b) the term “entity” means a partnership, association, corporation, or other organization, group, or subgroup;

(c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States; and

(d) the term "foreign person" means any citizen or national of a foreign state (including any such individual who is also a citizen or national of the United States) or any entity not organized solely under the laws of the United States or existing solely in the United States, but does not include a foreign state.

**Sec. 3.** I hereby determine that the making of donations of the type specified in section 203(b)(2)(A) of IEEPA (50 U.S.C. 1702(b)(2)(A)) by United States persons to persons designated in or pursuant to this order would seriously impair my ability to deal with the national emergency declared in this order, and hereby prohibit such donations as provided by section 1 of this order.

**Sec. 4.** (a) The Secretary of the Treasury, in consultation with the Secretary of State and, as appropriate, the Attorney General, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

(b) Any investigation emanating from a possible violation of this order, or of any license, order, or regulation issued pursuant to this order, shall first be coordinated with the Federal Bureau of Investigation (FBI), and any matter involving evidence of a criminal violation shall be referred to the FBI for further investigation. The FBI shall timely notify the Department of the Treasury of any action it takes on such referrals.

**Sec. 5.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 6.** (a) This order is effective at 12:01 a.m., eastern standard time on January 24, 1995.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.



THE WHITE HOUSE,  
January 23, 1995.

ANNEX

TERRORIST ORGANIZATIONS WHICH THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS

Abu Nidal Organization (ANO)

Democratic Front for the Liberation of Palestine (DFLP)

Hizballah

Islamic Gama'at (IG)

Islamic Resistance Movement (HAMAS)

Jihad

Kach

Kahane Chai

Palestinian Islamic Jihad-Shiqaqi faction (PIJ)

Palestine Liberation Front-Abu Abbas faction (PLF-Abu Abbas)

Popular Front for the Liberation of Palestine (PFLP)

Popular Front for the Liberation of Palestine-General Command (PFLP-GC)

[FR Doc. 95-2040

Filed 1-24-95; 10:10 am]

Billing code 4810-31-P

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**Presidential Documents**

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**Title 3—****Executive Order 13099 of August 20, 1998****The President****Prohibiting Transactions With Terrorists Who Threaten To Disrupt the Middle East Peace Process**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, WILLIAM J. CLINTON, President of the United States of America, in order to take additional steps with respect to grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process and the national emergency described and declared in Executive Order 12947 of January 23, 1995, hereby order:

**Section 1.** The title of the Annex to Executive Order 12947 of January 23, 1995, is revised to read "TERRORISTS WHO THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS."

**Sec. 2.** The Annex to Executive Order 12947 of January 23, 1995, is amended by adding thereto the following persons in appropriate alphabetical order:

Usama bin Muhammad bin Awad bin Ladin (a.k.a. Usama bin Ladin)

Islamic Army (a.k.a. Al-Qaida, Islamic Salvation Foundation, The Islamic Army for the Liberation of the Holy Places, The World Islamic Front for Jihad Against Jews and Crusaders, and The Group for the Preservation of the Holy Sites)

Abu Hafs al-Masri

Rifa'i Ahmad Taha Musa

**Sec. 3.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 4.** (a) This order is effective at 12:01 a.m., eastern daylight time on August 21, 1998.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.



THE WHITE HOUSE,  
August 20, 1998.

Executive Order

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Wednesday  
July 7, 1999

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**Part IV**

**The President**

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**Executive Order 13129—Blocking Property  
and Prohibiting Transactions With the  
Taliban**

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# Presidential Documents

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**Title 3—****Executive Order 13129 of July 4, 1999****The President****Blocking Property and Prohibiting Transactions With the Taliban**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) ("IEEPA"), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, WILLIAM J. CLINTON, President of the United States of America, find that the actions and policies of the Taliban in Afghanistan, in allowing territory under its control in Afghanistan to be used as a safe haven and base of operations for Usama bin Ladin and the Al-Qaida organization who have committed and threaten to continue to commit acts of violence against the United States and its nationals, constitute an unusual and extraordinary threat to the national security and foreign policy of the United States, and hereby declare a national emergency to deal with that threat.

I hereby order:

**Section 1.** Except to the extent provided in section 203(b) of IEEPA (50 U.S.C. 1702(b)) and in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date:

(a) all property and interests in property of the Taliban; and

(b) all property and interests in property of persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General:

(i) to be owned or controlled by, or to act for or on behalf of, the Taliban; or

(ii) to provide financial, material, or technological support for, or services in support of, any of the foregoing,

that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, are blocked.

**Sec. 2.** Except to the extent provided in section 203(b) of IEEPA (50 U.S.C. 1702(b)) and in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date:

(a) any transaction or dealing by United States persons or within the United States in property or interests in property blocked pursuant to this order is prohibited, including the making or receiving of any contribution of funds, goods, or services to or for the benefit of the Taliban or persons designated pursuant to this order;

(b) the exportation, reexportation, sale, or supply, directly or indirectly, from the United States, or by a United States person, wherever located, of any goods, software, technology (including technical data), or services to the territory of Afghanistan controlled by the Taliban or to the Taliban or persons designated pursuant to this order is prohibited;

(c) the importation into the United States of any goods, software, technology, or services owned or controlled by the Taliban or persons designated

pursuant to this order or from the territory of Afghanistan controlled by the Taliban is prohibited;

(d) any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order is prohibited; and

(e) any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

**Sec. 3.** The Secretary of the Treasury, in consultation with the Secretary of State, is hereby directed to authorize commercial sales of agricultural commodities and products, medicine, and medical equipment for civilian end use in the territory of Afghanistan controlled by the Taliban under appropriate safeguards to prevent diversion to military, paramilitary, or terrorist end users or end use or to political end use.

**Sec. 4.** For the purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, corporation, or other organization, group, or subgroup;

(c) the term "the Taliban" means the political/military entity headquartered in Kandahar, Afghanistan that as of the date of this order exercises de facto control over the territory of Afghanistan described in paragraph (d) of this section, its agencies and instrumentalities, and the Taliban leaders listed in the Annex to this order or designated by the Secretary of State in consultation with the Secretary of the Treasury and the Attorney General. The Taliban is also known as the "Taleban," "Islamic Movement of Taliban," "the Taliban Islamic Movement," "Talibano Islami Tahrik," and "Tahrike Islami'a Taliban"

(d) the term "territory of Afghanistan controlled by the Taliban" means the territory referred to as the "Islamic Emirate of Afghanistan," known in Pashtun as "de Afghanistan Islami Emarat" or in Dari as "Emarat Islami-e Afghanistan," including the following provinces of the country of Afghanistan: Kandahar, Farah, Helmund, Nimruz, Herat, Badghis, Ghowr, Oruzghon, Zabol, Paktiha, Ghazni, Nangarhar, Lowgar, Vardan, Faryab, Jowlan, Balkh, and Paktika. The Secretary of State, in consultation with the Secretary of the Treasury, is hereby authorized to modify the description of the term "territory of Afghanistan controlled by the Taliban"

(e) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States.

**Sec. 5.** The Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

**Sec. 6.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 7.** (a) This order is effective at 12:01 a.m. Eastern Daylight Time on July 6, 1999.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.



THE WHITE HOUSE,  
*July 4, 1999.*

Billing code 3195-01-P

**Annex**

Mohammed Omar (Amir al-Mumineen [Commander of the Faithful]);

[FR Doc. 99-17444

Filed 7-6-99; 12:38 pm]

Billing code 4710-10-M



# Federal Register

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**Tuesday,  
September 25, 2001**

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## **Part IV**

## **The President**

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**Executive Order 13224—Blocking  
Property and Prohibiting Transactions  
With Persons Who Commit, Threaten To  
Commit, or Support Terrorism  
Notice of September 24, 2001—  
Continuation of Emergency With Respect  
to UNITA**

# Presidential Documents

## Title 3—

## Executive Order 13224 of September 23, 2001

### The President

### Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*)(IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c) (UNPA), and section 301 of title 3, United States Code, and in view of United Nations Security Council Resolution (UNSCR) 1214 of December 8, 1998, UNSCR 1267 of October 15, 1999, UNSCR 1333 of December 19, 2000, and the multilateral sanctions contained therein, and UNSCR 1363 of July 30, 2001, establishing a mechanism to monitor the implementation of UNSCR 1333,

I, GEORGE W. BUSH, President of the United States of America, find that grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks in New York, Pennsylvania, and the Pentagon committed on September 11, 2001, acts recognized and condemned in UNSCR 1368 of September 12, 2001, and UNSCR 1269 of October 19, 1999, and the continuing and immediate threat of further attacks on United States nationals or the United States constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and in furtherance of my proclamation of September 14, 2001, Declaration of National Emergency by Reason of Certain Terrorist Attacks, hereby declare a national emergency to deal with that threat. I also find that because of the pervasiveness and expansiveness of the financial foundation of foreign terrorists, financial sanctions may be appropriate for those foreign persons that support or otherwise associate with these foreign terrorists. I also find that a need exists for further consultation and cooperation with, and sharing of information by, United States and foreign financial institutions as an additional tool to enable the United States to combat the financing of terrorism.

I hereby order:

**Section 1.** Except to the extent required by section 203(b) of IEEPA (50 U.S.C. 1702(b)), or provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order, all property and interests in property of the following persons that are in the United States or that hereafter come within the United States, or that hereafter come within the possession or control of United States persons are blocked:

(a) foreign persons listed in the Annex to this order;

(b) foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, to have committed, or to pose a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States;

(c) persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, to be owned or controlled by, or to act for or on behalf of those persons listed in the Annex to this order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of this order;

(d) except as provided in section 5 of this order and after such consultation, if any, with foreign authorities as the Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, deems appropriate in the exercise of his discretion, persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General;

(i) to assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism or those persons listed in the Annex to this order or determined to be subject to this order; or

(ii) to be otherwise associated with those persons listed in the Annex to this order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of this order.

**Sec. 2.** Except to the extent required by section 203(b) of IEEPA (50 U.S.C. 1702(b)), or provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date:

(a) any transaction or dealing by United States persons or within the United States in property or interests in property blocked pursuant to this order is prohibited, including but not limited to the making or receiving of any contribution of funds, goods, or services to or for the benefit of those persons listed in the Annex to this order or determined to be subject to this order;

(b) any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order is prohibited; and

(c) any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

**Sec. 3.** For purposes of this order:

(a) the term “person” means an individual or entity;

(b) the term “entity” means a partnership, association, corporation, or other organization, group, or subgroup;

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States; and

(d) the term “terrorism” means an activity that—

(i) involves a violent act or an act dangerous to human life, property, or infrastructure; and

(ii) appears to be intended—

(A) to intimidate or coerce a civilian population;

(B) to influence the policy of a government by intimidation or coercion; or

(C) to affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking.

**Sec. 4.** I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by United States persons to persons determined to be subject to this order would seriously impair my ability to deal with the national emergency declared in this order, and would endanger Armed Forces of the United States that are in a situation where imminent involvement in hostilities is clearly indicated by the circumstances, and hereby prohibit such donations as provided by section 1 of this order. Furthermore, I hereby determine that the Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX, Public Law 106-387) shall not affect the imposition or the continuation of the imposition of any unilateral agricultural sanction or unilateral medical sanction on

any person determined to be subject to this order because imminent involvement of the Armed Forces of the United States in hostilities is clearly indicated by the circumstances.

**Sec. 5.** With respect to those persons designated pursuant to subsection 1(d) of this order, the Secretary of the Treasury, in the exercise of his discretion and in consultation with the Secretary of State and the Attorney General, may take such other actions than the complete blocking of property or interests in property as the President is authorized to take under IEEPA and UNPA if the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, deems such other actions to be consistent with the national interests of the United States, considering such factors as he deems appropriate.

**Sec. 6.** The Secretary of State, the Secretary of the Treasury, and other appropriate agencies shall make all relevant efforts to cooperate and coordinate with other countries, including through technical assistance, as well as bilateral and multilateral agreements and arrangements, to achieve the objectives of this order, including the prevention and suppression of acts of terrorism, the denial of financing and financial services to terrorists and terrorist organizations, and the sharing of intelligence about funding activities in support of terrorism.

**Sec. 7.** The Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and UNPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

**Sec. 8.** Nothing in this order is intended to affect the continued effectiveness of any rules, regulations, orders, licenses, or other forms of administrative action issued, taken, or continued in effect heretofore or hereafter under 31 C.F.R. chapter V, except as expressly terminated, modified, or suspended by or pursuant to this order.

**Sec. 9.** Nothing contained in this order is intended to create, nor does it create, any right, benefit, or privilege, substantive or procedural, enforceable at law by a party against the United States, its agencies, officers, employees or any other person.

**Sec. 10.** For those persons listed in the Annex to this order or determined to be subject to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to this order.

**Sec. 11.** (a) This order is effective at 12:01 a.m. eastern daylight time on September 24, 2001.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

A handwritten signature in black ink, appearing to read "G. W. Bush", written in a cursive style.

THE WHITE HOUSE,  
*September 23, 2001.*

## ANNEX

Al Qaida/Islamic Army  
Abu Sayyaf Group  
Armed Islamic Group (GIA)  
Harakat ul-Mujahidin (HUM)  
Al-Jihad (Egyptian Islamic Jihad)  
Islamic Movement of Uzbekistan (IMU)  
Asbat al-Ansar  
Salafist Group for Call and Combat (GSPC)  
Libyan Islamic Fighting Group  
Al-Itihaad al-Islamiya (AIAI)  
Islamic Army of Aden  
Usama bin Laden  
Muhammad Atif (aka, Subhi Abu Sitta,  
    Abu Hafs Al Masri)  
Sayf al-Adl  
Shaykh Sai'id (aka, Mustafa Muhammad Ahmad)  
Abu Hafs the Mauritanian (aka, Mahfouz Ould al-Walid, Khalid Al-  
    Shanqiti)  
Ibn Al-Shaykh al-Libi  
Abu Zubaydah (aka, Zayn al-Abidin Muhammad Husayn, Tariq)  
Abd al-Hadi al-Iraqi (aka, Abu Abdallah)  
Ayman al-Zawahiri  
Thirwat Salah Shihata  
Tariq Anwar al-Sayyid Ahmad (aka, Fathi, Amr al-Fatih)  
Muhammad Salah (aka, Nasr Fahmi Nasr Hasanayn)  
Makhtab Al-Khidamat/Al Kifah  
Wafa Humanitarian Organization  
Al Rashid Trust  
Mamoun Darkazanli Import-Export Company



# Federal Register

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**Wednesday,  
July 3, 2002**

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**Part V**

## **The President**

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**Executive Order 13268—Termination of  
Emergency With Respect to the Taliban  
and Amendment of Executive Order  
13224 of September 23, 2001**

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# Presidential Documents

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Title 3—

Executive Order 13268 of July 2, 2002

The President

## Termination of Emergency With Respect to the Taliban and Amendment of Executive Order 13224 of September 23, 2001

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c), and section 301 of title 3, United States Code,

I, GEORGE W. BUSH, President of the United States of America, find that the situation that gave rise to the declaration of a national emergency in Executive Order 13129 of July 4, 1999, with respect to the Taliban, in allowing territory under its control in Afghanistan to be used as a safe haven and base of operations for Usama bin Ladin and the Al-Qaida organization, has been significantly altered given the success of the military campaign in Afghanistan, and hereby revoke that order and terminate the national emergency declared in that order with respect to the Taliban. At the same time, and in order to take additional steps with respect to the grave acts of terrorism and threats of terrorism committed by foreign terrorists, the continuing and immediate threat of further attacks on United States nationals or the United States, and the national emergency described and declared in Executive Order 13224 of September 23, 2001, I hereby order:

**Section 1.** The Annex to Executive Order 13224 of September 23, 2001, is amended by adding thereto the following persons in appropriate alphabetical order:

Mohammed Omar (aka, Amir al-Mumineen [Commander of the Faithful])

The Taliban.

**Sec. 2.** For the purposes of this order and Executive Order 13224 of September 23, 2001, the term “the Taliban” is also known as the “Taleban,” “Islamic Movement of Taliban,” “the Taliban Islamic Movement,” “Talibano Islami Tahrik,” and “Tahrike Islami’a Taliban”. The Secretary of State, in consultation with the Secretary of the Treasury, is hereby authorized to modify the definition of the term “the Taliban,” as appropriate.

**Sec. 3.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 4.** Pursuant to section 202 of the NEA (50 U.S.C. 1622), termination of the national emergency with respect to the Taliban shall not affect any action taken or proceeding pending not finally concluded or determined as of the date of this order, or any action or proceeding based on any act committed prior to the date of this order, or any rights or duties that matured or penalties that were incurred prior to the date of this order.



THE WHITE HOUSE,  
*July 2, 2002.*