

cial exports to Iran, Libya, North Korea, or Sudan.

**(2) Rule of construction**

Nothing in paragraph (1) shall be construed to alter, modify, or otherwise affect the provisions of section 6039 of this title or any other provision of law relating to Cuba in effect on the day before October 28, 2000.

**(3) Waiver**

The President may waive the application of paragraph (1) with respect to Iran, Libya, North Korea, and Sudan to the degree the President determines that it is in the national security interest of the United States to do so, or for humanitarian reasons.

**(b) Prohibition on financing of agricultural sales to Cuba**

**(1) In general**

No United States person may provide payment or financing terms for sales of agricultural commodities or products to Cuba or any person in Cuba, except in accordance with the following terms (notwithstanding part 515 of title 31, Code of Federal Regulations, or any other provision of law):

(A) Payment of cash in advance.

(B) Financing by third country financial institutions (excluding United States persons or Government of Cuba entities), except that such financing may be confirmed or advised by a United States financial institution.

Nothing in this paragraph authorizes payment terms or trade financing involving a debit or credit to an account of a person located in Cuba or of the Government of Cuba maintained on the books of a United States depository institution.

**(2) Penalties**

Any private person or entity that violates paragraph (1) shall be subject to the penalties provided in the Trading With the Enemy Act [50 App. U.S.C. 1 et seq.] for violations under that Act.

**(3) Administration and enforcement**

The President shall issue such regulations as are necessary to carry out this section, except that the President, in lieu of issuing new regulations, may apply any regulations in effect on October 28, 2000, pursuant to the Trading With the Enemy Act [50 App. U.S.C. 1 et seq.], with respect to the conduct prohibited in paragraph (1).

**(4) Definitions**

In this subsection—

(A) the term “financing” includes any loan or extension of credit;

(B) the term “United States depository institution” means any entity (including its foreign branches or subsidiaries) organized under the laws of any jurisdiction within the United States, or any agency, office or branch located in the United States of a foreign entity, that is engaged primarily in the business of banking (including a bank, savings bank, savings association, credit union,

trust company, or United States bank holding company); and

(C) the term “United States person” means the Federal Government, any State or local government, or any private person or entity of the United States.

(Pub. L. 106-387, §1(a) [title IX, §908], Oct. 28, 2000, 114 Stat. 1549, 1549A-70.)

REFERENCES IN TEXT

The Trading With the Enemy Act, referred to in subsec. (b)(2), (3), is act Oct. 6, 1917, ch. 106, 40 Stat. 411, as amended, which is classified to sections 1 to 6, 7 to 39 and 41 to 44 of Title 50, Appendix, War and National Defense. For complete classification of this Act to the Code, see Tables.

**§ 7208. Prohibition on additional imports from Cuba**

Nothing in this chapter shall be construed to alter, modify, or otherwise affect the provisions of section 515.204 of title 31, Code of Federal Regulations, relating to the prohibition on the entry into the United States of merchandise that: (1) is of Cuban origin; (2) is or has been located in or transported from or through Cuba; or (3) is made or derived in whole or in part of any article which is the growth, produce, or manufacture of Cuba.

(Pub. L. 106-387, §1(a) [title IX, §909], Oct. 28, 2000, 114 Stat. 1549, 1549A-71.)

**§ 7209. Requirements relating to certain travel-related transactions with Cuba**

**(a) Authorization of travel relating to commercial sale of agricultural commodities**

The Secretary of the Treasury shall promulgate regulations under which the travel-related transactions listed in subsection (c) of section 515.560 of title 31, Code of Federal Regulations, may be authorized on a case-by-case basis by a specific license for travel to, from, or within Cuba for the commercial export sale of agricultural commodities pursuant to the provisions of this chapter.

**(b) Prohibition on travel relating to tourist activities**

**(1) In general**

Notwithstanding any other provision of law or regulation, the Secretary of the Treasury, or any other Federal official, may not authorize the travel-related transactions listed in subsection (c) of section 515.560 of title 31, Code of Federal Regulations, either by a general license or on a case-by-case basis by a specific license for travel to, from, or within Cuba for tourist activities.

**(2) Definition**

In this subsection, the term “tourist activities” means any activity with respect to travel to, from, or within Cuba that is not expressly authorized in subsection (a) of this section, in any of paragraphs (1) through (12) of section 515.560 of title 31, Code of Federal Regulations, or in any section referred to in any of such paragraphs (1) through (12) (as such sections were in effect on June 1, 2000).

(Pub. L. 106-387, §1(a) [title IX, §910], Oct. 28, 2000, 114 Stat. 1549, 1549A-71.)

### § 7210. Application of the Trade Sanctions Reform and Export Enhancement Act

Nothing in the Trade Sanctions Reform and Export Enhancement Act of 2000 [22 U.S.C. § 7201 et seq.] shall limit the application or scope of any law establishing criminal or civil penalties, including any Executive order or regulation promulgated pursuant to such laws (or similar or successor laws), for the unlawful export of any agricultural commodity, medicine, or medical device to—

(1) a foreign organization, group, or person designated pursuant to Executive Order No. 12947 of January 23, 1995, as amended;

(2) a Foreign Terrorist Organization pursuant to the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132);

(3) a foreign organization, group, or person designated pursuant to Executive Order No. 13224 (September 23, 2001);

(4) any narcotics trafficking entity designated pursuant to Executive Order No. 12978 (October 21, 1995) or the Foreign Narcotics Kingpin Designation Act (Public Law 106-120) [21 U.S.C. § 1901 et seq.]; or

(5) any foreign organization, group, or persons subject to any restriction for its involvement in weapons of mass destruction or missile proliferation.

(Pub. L. 107-56, title II, § 221(b), Oct. 26, 2001, 115 Stat. 292.)

#### REFERENCES IN TEXT

The Trade Sanctions Reform and Export Enhancement Act of 2000, referred to in text, is section 1(a) [title IX] of Pub. L. 106-387, Oct. 28, 2000, 114 Stat. 1549, 1549A-67, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 7201 of this title and Tables.

Executive Order No. 12947, referred to in par. (1), is set out as a note under section 1701 of Title 50, War and National Defense.

The Antiterrorism and Effective Death Penalty Act of 1996, referred to in par. (2), is Pub. L. 104-132, Apr. 24, 1996, 110 Stat. 1214, as amended. For complete classification of this Act to the Code, see Short Title of 1996 Amendment note set out under section 1 of Title 18, Crimes and Criminal Procedure, and Tables.

Executive Order No. 13224, referred to par. (3), is set out as a note under section 1701 of Title 50, War and National Defense.

Executive Order No. 12978, referred to par. (4), is set out as a note under section 1701 of Title 50, War and National Defense.

The Foreign Narcotics Kingpin Designation Act, referred to in par. (4), is title VIII of Pub. L. 106-120, Dec. 3, 1999, 113 Stat. 1626, as amended, which is classified principally to chapter 24 (§ 1901 et seq.) of Title 21, Food and Drugs. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of Title 21 and Tables.

#### CODIFICATION

Section was enacted as part of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, and not as part of the Trade Sanctions Reform and Export Enhancement Act of 2000 which comprises this chapter.

### § 7211. Technical clarification relating to provision of material support to terrorism

No provision of the Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX of

Public Law 106-387) [22 U.S.C. § 7201 et seq.] shall be construed to limit or otherwise affect section 2339A or 2339B of title 18.

(Pub. L. 107-56, title VIII, § 807, Oct. 26, 2001, 115 Stat. 378.)

#### REFERENCES IN TEXT

The Trade Sanctions Reform and Export Enhancement Act of 2000, referred to in text, is section 1(a) [title IX] of Pub. L. 106-387, Oct. 28, 2000, 114 Stat. 1549, 1549A-67, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 7201 of this title and Tables.

#### CODIFICATION

Section was enacted as part of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, and not as part of the Trade Sanctions Reform and Export Enhancement Act of 2000 which comprises this chapter.

## CHAPTER 80—DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE (DTS-PO)

|       |                                                                                                                                                                                                                                                                                                                                                                    |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sec.  |                                                                                                                                                                                                                                                                                                                                                                    |
| 7301. | Reorganization of Diplomatic Telecommunications Service Program Office. <ul style="list-style-type: none"> <li>(a) Reorganization.</li> <li>(b) Purpose and duties of DTS-PO.</li> </ul>                                                                                                                                                                           |
| 7302. | Personnel. <ul style="list-style-type: none"> <li>(a) Establishment of position of Chief Executive Officer.</li> <li>(b) Establishment of positions of Deputy Executive Officer.</li> <li>(c) Termination of positions of Director and Deputy Director.</li> <li>(d) Employees of DTS-PO.</li> <li>(e) Staff of Federal agencies.</li> </ul>                       |
| 7303. | Diplomatic Telecommunications Service Oversight Board. <ul style="list-style-type: none"> <li>(a) Oversight Board established.</li> </ul>                                                                                                                                                                                                                          |
| 7304. | General provisions. <ul style="list-style-type: none"> <li>(a) Report to Congress.</li> <li>(b) Notification requirements.</li> <li>(c) Procurement authority of DTS-PO.</li> <li>(d) Definition of appropriate congressional committees of jurisdiction.</li> <li>(e) Statutory construction.</li> <li>(f) Authorization of appropriations for DTS-PO.</li> </ul> |

### § 7301. Reorganization of Diplomatic Telecommunications Service Program Office

#### (a) Reorganization

Effective 60 days after December 27, 2000, the Diplomatic Telecommunications Service Program Office (DTS-PO) established pursuant to title V of Public Law 102-140 shall be reorganized in accordance with this chapter.

#### (b) Purpose and duties of DTS-PO

The purpose and duties of DTS-PO shall be to carry out a program for the establishment and maintenance of a diplomatic telecommunications system and communications network (hereinafter in this chapter referred to as “DTS”) capable of providing multiple levels of service to meet the wide ranging needs of all United States Government agencies and departments at diplomatic facilities abroad, including national security needs for secure, reliable, and robust communications capabilities.