

OFFICE OF FOREIGN ASSETS CONTROL

REPORT OF LICENSING ACTIVITIES

PURSUANT TO

THE TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT OF 2000

July – September 2009

This report is submitted pursuant to section 906(b) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (“TSRA”) and covers activities undertaken by the Treasury Department’s Office of Foreign Assets Control (“OFAC”) under section 906(a)(1) of the TSRA from July through September 2009. Under the procedures established in its TSRA-related regulations, OFAC processes license applications requesting authorization to export agricultural commodities, medicine, and medical devices to Iran and Sudan under the one-year specific licensing regime set forth in section 906 of the TSRA.

From July 1 through September 30, 2009, OFAC’s Licensing Division received a total of 373 applications pursuant to section 906(a)(1) of the TSRA. During this quarter, OFAC issued a total of 330 licensing determinations,¹ of which 129 were for cases received in this quarter. OFAC issued 237 licenses, 36 license amendments, 31 “return-without-action” letters, and 6 denial letters in this quarter. Of the total licenses issued, 225 involved products for Iran and 12 for Sudan. For more details, see Charts 1-3 and Graph 1.²

¹A “licensing determination” is any action that OFAC takes on a license application. It may take the form of a license, a license amendment, a “return-without-action” letter, a general information letter, an interpretative letter, a denial letter, or a close-out determination.

² On September 9, 2009, OFAC issued a general license authorizing most exports of agricultural commodities, medicine, and medical devices to specified areas of Sudan, including Southern Sudan, Southern Kordofan/Nuba Mountains State, Blue Nile State, Abyei, Darfur, and marginalized areas in and around Khartoum (the “Specified Areas”), thereby removing the requirement for exporters to apply for a specific license for such exports. OFAC took this action to resolve a tension between TSRA and the Darfur Peace and Accountability Act of 2006 (Pub. L. 109-344, 120 Stat. 1869) (“DPAA”), which removed restrictions on most trade and related activities with the Specified Areas.

The new general license authorizes TSRA-related exports to the Specified Areas, provided that the transactions do not involve any property or interests in property of the Government of Sudan or relate to the petroleum or petrochemical industries in Sudan. The new general license meets the requirements in section 906(a)(1) of TSRA. First, the general license covers exports shipped within the twelve-month period beginning on the date of the signing of the export contract. Second, OFAC will determine each year, by the anniversary of the publication of the general license, whether the general license should be revoked. Third, OFAC has determined that existing prohibitions and safeguards provide adequate procedures to make the general license inapplicable to exports to entities within Sudan that promote international terrorism. For example, the general license does not authorize exports to terrorists or terrorist-supporting entities on OFAC’s list of Specially Designated Nationals and Blocked Persons. Specific licenses are still required for TSRA-related transactions involving the Government of Sudan, any individual or entity in an area of Sudan other than the Specified Areas, or persons in third countries purchasing specifically for resale to the foregoing.

CHART 1
Number of License Applications and Licenses Issued by Product

	Agricultural Commodities	Medicine	Medical Devices	TOTAL
License Applications	148	38	187	373
Licenses Issued	87	22	128	237
License Amendments Issued	14	1	21	36
Applications Denied	0	2	4	6

CHART 2
Number of License Applications and Licenses Issued by Country

	Iran	Sudan	TOTAL
License Applications	344	29	373
Licenses Issued	225	12	237
License Amendments Issued	34	2	36
Applications Denied	6	0	6

CHART 3
Number of License Applications and Licenses Issued by Country and Product

	Agricultural Commodities	Medicine	Medical Devices	TOTAL
IRAN				
License Applications	125	35	184	344
Licenses and License Amendments Issued	93	22	144	259
SUDAN				
License Applications	23	3	3	29
Licenses and License Amendments Issued	8	1	5	14

GRAPH 1
**Average Processing Time for Issuing
 Licensing Determinations (Business Days)**

