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U.S. Sanctions: Overview for the 119th Congress

Introduction

Economic sanctions represent a constellation of coercive measures imposed for foreign policy or national security reasons. They may be imposed unilaterally or multilaterally against a target to bring about a change in behavior. Sanctions may aim to uphold international norms, prevent adversaries from achieving certain military-related capabilities, deter other malign actors from engaging in problematic behavior, and increase costs associated with a certain political decision or activity. Sanctions are public action short of (or a precursor to) direct military action.

Sanctions can take many forms and variously impose restrictions on customary international economic activity, including flows of goods, people, or services. Restrictive measures can include trade embargoes; export controls; import limitations; tariffs; procurement bans; conditions on or denials of foreign assistance, loans, or investments; blocking of property; prohibitions on transactions; and travel restrictions, such as visa bans or air space access.

Sanctions targets may be narrowly or comprehensively defined to include foreign jurisdictions, governments, individuals, nongovernmental organizations, and other entities. Secondary sanctions may be used to impose additional pressure on a sanctions target. They seek to deter third parties from engaging in activities with the primary target and further restrict the primary target's access to third-party resources, which may otherwise be available to advance malign intentions, evade sanctions, or mitigate the economic toll of sanctions.

A sanction's impact may be measured in terms of its economic effect on the country imposing sanctions, the target, and third-party stakeholders; humanitarian consequences and other harms to the civilian populace; and ability to achieve near- and long-term political objectives. The effectiveness of sanctions may depend on domestic compliance and enforcement, whether other countries participate in the sanctions regime, the extent to which a target is dependent on economic or political ties to the sanctioning country or countries, and whether the target is able to circumvent or adapt to sanctions.

U.S. Sanctions in 2025

U.S. sanctions derive from multiple legal authorities that variously prohibit, limit, condition, or regulate certain economic activities. As circumstances arise, the President or another officer in the executive branch draws on these statutorily derived coercive economic policy tools to advance specific U.S. strategic imperatives. In practice, each sanctions program develops a unique implementation footprint, based on the legal authorities in use, and policy rationales for imposing sanctions, as well as the selection of sanctions targets and types of activities to curtail through sanctions. Current U.S. sanctions target various foreign jurisdictions, governments, individuals, and other entities that are found to be the source of foreign policy or national security threats, including

- countries whose governments are supporters of acts of international terrorism (e.g., Cuba, Iran, North Korea, and Syria) or other sanctionable activity (e.g., drug trafficking, human trafficking, use of child soldiers, human rights or religious freedom violations, military coups d'etat, or the expropriation of U.S. property);
- persons found to engage in objectionable activity or economic sectors related to certain sanctioned countries or regions (e.g., those sanctioned due to a declared national emergency related to Afghanistan, Belarus, Burma, Central African Republic, Cuba, the Democratic Republic of the Congo, Ethiopia, Hong Kong, Iran, Iraq, Lebanon, Libya, Mali, Nicaragua, North Korea, Russia, Somalia, South Sudan, Sudan, Syria, Venezuela, the Western Balkans, or Yemen);
- persons, globally, found to engage in harmful activity (e.g., those subject to sanctions stemming from a declared national emergency related to corruption, certain International Criminal Court investigations, drug trafficking, foreign interference in U.S. elections, hostage taking or wrongful detention of U.S. nationals, human rights, malicious cyber-enabled activity, nuclear weapons proliferation, rough diamond trade, terrorism, or transnational organized crime); and
- persons found by the United Nations Security Council to be engaged in undermining international peace and security (e.g., sanctions concerning Al Shabaab; Central African Republic; the Democratic Republic of Congo; Guinea-Bissau; Haiti; individuals suspected of involvement in the 2005 bombing that killed former Lebanese Prime Minister Rafiq Hariri and others; Iraq; the Islamic State, Al Qaeda and associates; Libya; North Korea; South Sudan; Sudan; the Taliban; and Yemen).

Role of the President

Congress has granted the President substantial decisionmaking authority regarding the imposition of sanctions. Many U.S. sanctions are based on statutorily authorized national emergency powers, pursuant to which the President can impose, via executive order, restrictions on various transactions, activities, and persons within U.S. jurisdiction. Statutory sanctions also typically provide the President with substantial discretion in their implementation, including with respect to determining who meets statutory criteria for sanctions and when sanctions waivers or licenses may be issued.

Sanctions and Emergency Powers

Drawing on statutory authority provided in the International Emergency Economic Powers Act (IEEPA; 50 U.S.C. §§1701 et seq.), the President may determine that a situation 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" and to declare a "national emergency with respect to such threat" (50 U.S.C. §1701(a)). The National Emergencies Act (NEA; 50 U.S.C. §§1601 et seq.) provides that a declaration of national emergency automatically terminates on the anniversary of its declaration, unless the President transmits to Congress and publishes in the *Federal Register* his decision to continue it (50 U.S.C. §1622(d)). National emergencies may also terminate by Presidential proclamation or by the enactment of a joint resolution (50 U.S.C. §1622(a)).

For more on IEEPA, see CRS Report R45618, *The International Emergency Economic Powers Act: Origins, Evolution, and Use*.

Role of Executive Branch Agencies

Various agencies and departments in the executive branch, including the Departments of State, the Treasury, and Commerce administer sanctions.

- **State** manages arms sales, diplomacy, visas, military aid, and foreign aid. This includes maintaining various sanctions lists, such as the list of groups designated as Foreign Terrorist Organizations, a list of restricted entities and sub-entities associated with Cuba (known as the Cuba Restricted List), country-specific policies of arms trade denial, targeted sanctions against those engaged in proliferation activities, and lists of countries whose governments engaged in sanctionable actions.
- **Treasury** regulates economic transactions, access to U.S.-based assets, use of the U.S. dollar, the U.S. banking system, and the U.S. voice and vote in the international financial institutions. This includes maintaining 45 program-specific sanctions regulations (31 C.F.R. Chapter V); a consolidated list of Specially Designated Nationals (SDNs), whose property within U.S. jurisdiction is blocked and with whom U.S. persons are generally prohibited from doing business; several other non-SDN lists, including the Non-SDN Chinese Military-Industrial Complex Companies List; and special anti-money laundering regulations that can prohibit U.S. financial institutions from engaging with targeted jurisdictions, financial institutions, international transactions, or types of accounts.
- **Commerce** oversees export licensing, including for dual-use items, and implements controls coordinated with partner countries. This includes maintaining certain lists to which restrictive end-user controls apply, such as the Entity List, Denied Persons List, Unverified List, and Military End-User List. Through its subagency, the National Oceanic and Atmospheric Administration, Commerce also plays a role in identifying countries engaged in Illegal, Unreported, and Unregulated fishing, upon which sanctions, such as U.S. port access restrictions and/or import bans, may be imposed.

Other agencies also play a role in U.S. sanctions policy. The **Department of Justice** investigates and prosecutes sanctions violations. The **Department of Homeland Security** oversees immigration controls and customs policy affecting the importation of goods, including with respect to goods made with forced labor. The **Department of Energy** oversees international nuclear agreement obligations. The **Department of the Interior** plays a role in determining whether instances of endangered species trafficking may warrant an import ban on goods from the offending country. The **Department of Defense** may impose military procurement restrictions (including with respect to certain foreign adversary countries) and maintains a list of Chinese military companies operating in the United States.

Role of Congress

Congress plays a key role in establishing sanctions policy through legislation, conducting oversight of sanctions effectiveness, and appropriating funds to resource executive agencies involved in sanctions implementation and enforcement. Through legislation, Congress can shape sanctions objectives and set the conditions under which sanctions may be applied, waived, exempted, or terminated.

As noted above, Congress has authorized broad sanctions powers through statutes such as IEEPA. Other statutory sanctions address specific threats arising from certain countries or transnational concerns (often referring back to the IEEPA/NEA-based national emergency framework for sanctions implementation). Congress has also embedded restrictive measures within regulatory regimes governing broad sectors, such as international trade in weapons and dual-use items, travel and immigration, financial services, and foreign assistance—such measures can be applied as sanctions in furtherance of U.S. foreign policy or national security objectives.

Congress has limited the scope of the President's powers to impose sanctions; for example, the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. §§7201 et seq.) constrains the President from imposing unilateral agricultural or medical sanctions. Some sanctions legislation has also included provisions for Congress to review executive sanctions actions and pass joint resolutions of disapproval when there is disagreement between the two branches over the application of certain sanctions policy tools.

The 118th Congress passed multiple bills with a wide variety of restrictive sanctions-related provisions, spanning appropriations vehicles (P.L. 118-42, P.L. 118-47, P.L. 118-50, and P.L. 118-83), national defense authorization acts (P.L. 118-31 and P.L. 118-159), and stand-alone legislation (e.g., P.L. 118-62, the Prohibiting Russian Uranium Imports Act). In the 119th Congress, dozens of sanctions-related bills have been introduced, and some have passed the House; such bills address issues that include the International Criminal Court (H.R. 23), sanctions compliance (H.R. 1450), economic or industrial espionage by foreign adversaries (H.R. 1486), forced organ harvesting (H.R. 1503 and H.R. 1540), potential People's Republic of China aggression toward Taiwan (H.R. 1716), Iran (H.R. 1800), and piracy (H.R. 1998).

Liana W. Rosen, Specialist in International Sanctions and Financial Crimes

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