

§ 8544. Enforcement authority

The Secretary of Commerce may designate any employee of the Office of Export Enforcement of the Department of Commerce to conduct activities specified in clauses (i), (ii), and (iii) of section 12(a)(3)(B) of the Export Administration Act of 1979 (50 U.S.C. App. 2411(a)(3)(B)) when the employee is carrying out activities to enforce—

(1) the provisions of the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);)

(2) the provisions of this subchapter, or any other provision of law relating to export controls, with respect to which the Secretary of Commerce has enforcement responsibility; or

(3) any license, order, or regulation issued under—

(A) the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);) or

(B) a provision of law referred to in paragraph (2).

(Pub. L. 111–195, title III, §305, July 1, 2010, 124 Stat. 1349.)

REFERENCES IN TEXT

The Export Administration Act of 1979, referred to in pars. (1) and (3)(A), is Pub. L. 96–72, Sept. 29, 1979, 93 Stat. 503, which is classified principally to section 2401 et seq. of Title 50, Appendix, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 2401 of Title 50, Appendix, and Tables.

The International Emergency Economic Powers Act, referred to in pars. (1) and (3)(A), is title II of Pub. L. 95–223, Dec. 28, 1977, 91 Stat. 1626, which is classified generally to chapter 35 (§1701 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 50 and Tables.

SUBCHAPTER IV—GENERAL PROVISIONS

§ 8551. General provisions**(a) Sunset**

The provisions of this Act (other than sections 105 and 305 [22 U.S.C. 8514, 8544] and the amendments made by sections 102, 107, 109, and 205) shall terminate, and section 80a–13(c)(1)(B) of title 15, as added by section 203(a), shall cease to be effective, on the date that is 30 days after the date on which the President certifies to Congress that—

(1) the Government of Iran has ceased providing support for acts of international terrorism and no longer satisfies the requirements for designation as a state sponsor of terrorism (as defined in section 301 [22 U.S.C. 8541]) under—

(A) section 2405(j)(1)(A) of the Appendix to title 50 (or any successor thereto);

(B) section 2780(d) of this title; or

(C) section 2371(a) of this title; and

(2) Iran has ceased the pursuit, acquisition, and development of, and verifiably dismantled its, nuclear, biological, and chemical weapons and ballistic missiles and ballistic missile launch technology.

(b) Presidential waivers**(1) In general**

The President may waive the application of sanctions under section 103(b) [22 U.S.C. 8512(b)], the requirement to impose or maintain sanctions with respect to a person under section 105(a) [22 U.S.C. 8514(a)], 105A(a) [22 U.S.C. 8514a(a)], 105B(a) [22 U.S.C. 8514b(a)], or 105C(a) [22 U.S.C. 8514c(a)], the requirement to include a person on the list required by section 105(b) [22 U.S.C. 8514(b)], 105A(b) [22 U.S.C. 8514a(b)], 105B(b) [22 U.S.C. 8514b(b)], or 105C(b) [22 U.S.C. 8514c(b)], the application of the prohibition under section 106(a) [22 U.S.C. 8515(a)], or the imposition of the licensing requirement under section 303(c) [22 U.S.C. 8543(c)] with respect to a country designated as a Destination of Diversion Concern under section 303(a) [22 U.S.C. 8543(a)], if the President determines that such a waiver is in the national interest of the United States.

(2) Reports**(A) In general**

If the President waives the application of a provision pursuant to paragraph (1), the President shall submit to the appropriate congressional committees a report describing the reasons for the waiver.

(B) Special rule for report on waiving imposition of licensing requirement under section 303(c)

In any case in which the President waives, pursuant to paragraph (1), the imposition of the licensing requirement under section 303(c) [22 U.S.C. 8543(c)] with respect to a country designated as a Destination of Diversion Concern under section 303(a) [22 U.S.C. 8543(a)], the President shall include in the report required by subparagraph (A) of this paragraph an assessment of whether the government of the country is taking the steps described in subparagraph (A) of section 303(d)(1) [22 U.S.C. 8543(d)(1)(A)].

(c) Authorizations of appropriations**(1) Authorization of appropriations for the Department of State and the Department of the Treasury**

There are authorized to be appropriated to the Secretary of State and to the Secretary of the Treasury such sums as may be necessary to implement the provisions of, and amendments made by, titles I and III of this Act [22 U.S.C. 8511 et seq., 8541 et seq.].

(2) Authorization of appropriations for the Department of Commerce

There are authorized to be appropriated to the Secretary of Commerce such sums as may be necessary to carry out title III [22 U.S.C. 8541 et seq.].

(Pub. L. 111–195, title IV, §401, July 1, 2010, 124 Stat. 1350; Pub. L. 112–158, title IV, §403(d), title VI, §605(b), Aug. 10, 2012, 126 Stat. 1255, 1265; Pub. L. 112–239, div. A, title XII, §1249(b), Jan. 2, 2013, 126 Stat. 2016.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (a) and (c)(1), is Pub. L. 111–195, July 1, 2010, 124 Stat. 1312, known as the