

Export Administration Regulations (or any corresponding similar regulation or ruling).

**(4) Divert; diversion**

The terms “divert” and “diversion” refer to the transfer or release, directly or indirectly, of a good, service, or technology to an end-user or an intermediary that is not an authorized recipient of the good, service, or technology.

**(5) End-user**

The term “end-user”, with respect to a good, service, or technology, means the person that receives and ultimately uses the good, service, or technology.

**(6) Export Administration Regulations**

The term “Export Administration Regulations” means subchapter C of chapter VII of title 15, Code of Federal Regulations (or any corresponding similar regulation or ruling).

**(7) Government**

The term “government” includes any agency or instrumentality of a government.

**(8) Intermediary**

The term “intermediary” means a person that receives a good, service, or technology while the good, service, or technology is in transit to the end-user of the good, service, or technology.

**(9) International Traffic in Arms Regulations**

The term “International Traffic in Arms Regulations” means subchapter M of chapter I of title 22, Code of Federal Regulations (or any corresponding similar regulation or ruling).

**(10) Iran**

The term “Iran” includes the Government of Iran and any agency or instrumentality of Iran.

**(11) Iranian end-user**

The term “Iranian end-user” means an end-user that is the Government of Iran or a person in, or an agency or instrumentality of, Iran.

**(12) Iranian intermediary**

The term “Iranian intermediary” means an intermediary that is the Government of Iran or a person in, or an agency or instrumentality of, Iran.

**(13) State sponsor of terrorism**

The term “state sponsor of terrorism” means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to—

- (A) section 4605(j)(1)(A) of title 50 (or any successor thereto);
- (B) section 2780(d) of this title; or
- (C) section 2371(a) of this title.

**(14) United States Munitions List**

The term “United States Munitions List” means the list maintained pursuant to part 121 of the International Traffic in Arms Regulations (or any corresponding similar regulation or ruling).

(Pub. L. 111–195, title III, §301, July 1, 2010, 124 Stat. 1345.)

TERMINATION OF SECTION

*For termination of section, see section 8551(a) of this title.*

**§ 8542. Identification of countries of concern with respect to the diversion of certain goods, services, and technologies to or through Iran**

**(a) In general**

Not later than 180 days after July 1, 2010, the Director of National Intelligence shall submit to the President, the Secretary of Defense, the Secretary of Commerce, the Secretary of State, the Secretary of the Treasury, and the appropriate congressional committees a report that identifies each country the government of which the Director believes, based on all information available to the Director, is allowing the diversion through the country of goods, services, or technologies described in subsection (b) to Iranian end-users or Iranian intermediaries.

**(b) Goods, services, and technologies described**

Goods, services, or technologies described in this subsection are goods, services, or technologies—

- (1) that—
  - (A) originated in the United States;
  - (B) would make a material contribution to Iran’s—
    - (i) development of nuclear, chemical, or biological weapons;
    - (ii) ballistic missile or advanced conventional weapons capabilities; or
    - (iii) support for international terrorism; and
  - (C) are—
    - (i) items on the Commerce Control List or services related to those items; or
    - (ii) defense articles or defense services on the United States Munitions List; or
- (2) that are prohibited for export to Iran under a resolution of the United Nations Security Council.

**(c) Updates**

The Director of National Intelligence shall update the report required by subsection (a)—

- (1) as new information becomes available; and
- (2) not less frequently than annually.

**(d) Form**

The report required by subsection (a) and the updates required by subsection (c) may be submitted in classified form.

(Pub. L. 111–195, title III, §302, July 1, 2010, 124 Stat. 1346.)

TERMINATION OF SECTION

*For termination of section, see section 8551(a) of this title.*

**§ 8543. Destinations of Diversion Concern**

**(a) Designation**

**(1) In general**

The President shall designate a country as a Destination of Diversion Concern if the President determines that the government of the