

(e) Termination of designation

The designation of a country as a Destination of Diversion Concern under subsection (a) shall terminate on the date on which the President determines, and certifies to the appropriate congressional committees, that the country has adequately strengthened the export control system of the country to prevent the diversion of goods, services, and technologies described in section 8542(b) of this title to Iranian end-users or Iranian intermediaries.

(f) Form of reports

A report required by subsection (b) or (d) may be submitted in classified form.

(Pub. L. 111-195, title III, § 303, July 1, 2010, 124 Stat. 1347.)

TERMINATION OF SECTION

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

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Memorandum of President of the United States, Sept. 23, 2010, 75 F.R. 67025, set out as a note under section 8501 of this title.

§ 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))¹ 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.)¹ (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.)¹ (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 text, is Pub. L. 96-72, Sept. 29, 1979, 93 Stat. 503, which was classified principally to section 2401 et seq. of the former Appendix to Title 50, War and National Defense, prior to editorial reclassification and renumbering as chapter 56 (§ 4601 et seq.) of Title 50. Section 12 of the Act is now classified to section 4614 of Title 50. For complete classification of this Act to the Code, see 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 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; 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

¹ See References in Text note below.

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 Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, which enacted this chapter, amended sections 287c, 2778, and 2780 of this title, section 80a–13 of Title 15, Commerce and Trade, section 310 of Title 31, Money and Finance, and section 4315 of Title 50, War and National Defense, enacted provisions set out as notes under section 80a–13 of Title 15 and section 1701 of Title 50, and amended provisions set out as notes under section 1701 of Title 50. Title I of the Act enacted subchapter I of this chapter, amended sections 287c, 2778, and 2780 of this title, section 310 of Title 31, and section 4315 of Title 50, enacted provisions set out as a note under section 1701 of Title 50, and amended provisions set out as a note under section 1701 of Title 50. Title III of the Act enacted subchapter III of this chapter. Section 102 of the Act enacted and amended provisions set out as notes under section 1701 of Title 50. Section 107 of the Act amended sections 287c, 2778, and 2780 of this title and section 4315 of Title 50. Section 109 of the Act enacted section 8517 of this title and amended section 310 of Title 31. Section 205 of the Act amended section 80a–13 of Title 15, enacted provisions set out as a note under section 80a–13 of Title 15, and amended provisions set out as a note under section 1701 of Title 50. For complete classification of this Act to the Code, see Short Title note set out under section 8501 of this title and Tables.

AMENDMENTS

2013—Subsec. (b)(1). Pub. L. 112–239 substituted “105B(a), or 105C(a)” for “or 105B(a)” and “105B(b), or 105C(b)” for “or 105B(b)”.

2012—Subsec. (a)(2). Pub. L. 112–158, § 605(b), inserted “, and verifiably dismantled its,” after “development of”.

Subsec. (b)(1). Pub. L. 112–158, § 403(d), inserted “, 105A(a), or 105B(a)” after “105(a)” and “, 105A(b), or 105B(b)” after “105(b)”.

DELEGATION OF FUNCTIONS

Ex. Ord. No. 13553, §§ 5–7, Sept. 28, 2010, 77 Stat. 60568, 60569, authorized the Secretary of the Treasury, in con-

sultation with the Secretary of State, to exercise the functions and waiver authorities conferred upon the President by subsec. (b) of this section with respect to the requirement to impose or maintain sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) under section 8514(a) of this title; authorized the Secretary of State, in consultation with the Secretary of Homeland Security on certain admissibility matters, to exercise the functions and waiver authorities conferred upon the President by subsec. (b) of this section with respect to the requirement to impose or maintain visa sanctions under section 8514(a) of this title; and authorized the Secretary of State, in consultation with the Secretary of the Treasury, to exercise the functions and waiver authorities conferred upon the President by subsec. (b) of this section with respect to the requirement to include a person on the list required by section 8514(b) of this title.

Other delegations of functions vested in the President by this section were contained in the following:

Memorandum of President of the United States, June 3, 2013, 78 F.R. 35545, set out as a note under section 8801 of this title.

Memorandum of President of the United States, Sept. 23, 2010, 75 F.R. 67025, set out as a note under section 8501 of this title.

CHAPTER 93—UNITED STATES-ISRAEL COOPERATION

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§ 8601. Findings

Congress makes the following findings:

(1) Since 1948, United States Presidents and both houses of Congress, on a bipartisan basis and supported by the American people, have repeatedly reaffirmed the special bond between the United States and Israel, based on shared values and shared interests.

(2) The Middle East is undergoing rapid change, bringing with it hope for an expansion of democracy but also great challenges to the national security of the United States and our allies in the region, particularly to our most important ally in the region, Israel.

(3) The Government of the Islamic Republic of Iran is continuing its decades-long pattern of seeking to foment instability and promote extremism in the Middle East, particularly in this time of dramatic political transition.

(4) At the same time, the Government of the Islamic Republic of Iran continues to enrich uranium in defiance of multiple United Nations Security Council resolutions.

(5) A nuclear-weapons capable Iran would fundamentally threaten vital United States interests, encourage regional nuclear proliferation, further empower Iran, the world's leading state sponsor of terror, and pose a serious and destabilizing threat to Israel and the region.

(6) Over the past several years, with the assistance of the Governments of the Islamic Re-