

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.

Section 4618 of title 50, referred to in subsec. (d)(2), was repealed by Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232.

DELEGATION OF FUNCTIONS

For delegation of functions of President under subsec. (b) of this section to the Secretary of State and the Secretary of the Treasury, see section 1(e)(iii) of Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50052, set out in a note under section 9403 of this title.

§ 9411. Presidential waiver authority

(a) Case-by-case waiver authority

(1) In general

The President may waive, on a case-by-case basis and for a period of not more than 180 days, a requirement under section 9403, 9404, 9405, 9406, or 9407 of this title to impose or maintain sanctions with respect to a person, and may waive the continued imposition of such sanctions, not less than 30 days after the President determines and reports to the appropriate congressional committees that it is vital to the national security interests of the United States to waive such sanctions.

(2) Renewal of waivers

The President may, on a case-by-case basis, renew a waiver under paragraph (1) for an additional period of not more than 180 days if, not later than 15 days before that waiver expires, the President makes the determination and submits to the appropriate congressional committees a report described in paragraph (1).

(3) Successive renewal

The renewal authority provided under paragraph (2) may be exercised for additional successive periods of not more than 180 days if the President follows the procedures set forth in paragraph (2), and submits the report described in paragraph (1), for each such renewal.

(b) Contents of waiver reports

Each report submitted under subsection (a) in connection with a waiver of sanctions under section 9403, 9404, 9405, 9406, or 9407 of this title with respect to a person, or the renewal of such a waiver, shall include—

(1) a specific and detailed rationale for the determination that the waiver is vital to the national security interests of the United States;

(2) a description of the activity that resulted in the person being subject to sanctions;

(3) an explanation of any efforts made by the United States, as applicable, to secure the cooperation of the government with primary jurisdiction over the person or the location where the activity described in paragraph (2) occurred in terminating or, as appropriate, penalizing the activity; and

(4) an assessment of the significance of the activity described in paragraph (2) in contributing to the ability of Iran to threaten the in-

terests of the United States or allies of the United States, develop systems capable of delivering weapons of mass destruction, support acts of international terrorism, or violate the human rights of any person in Iran.

(c) Effect of report on waiver

If the President submits a report under subsection (a) in connection with a waiver of sanctions under section 9403, 9404, 9405, 9406, or 9407 of this title with respect to a person, or the renewal of such a waiver, the President shall not be required to impose or maintain sanctions under section 9403, 9404, 9405, 9406, or 9407 of this title, as applicable, with respect to the person described in the report during the 30-day period referred to in subsection (a).

(Pub. L. 115-44, title I, §112, Aug. 2, 2017, 131 Stat. 897.)

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section to the Secretary of State, in consultation with the Secretary of the Treasury, see section 1(b)(vi) of Memorandum of President of the United States, Oct. 11, 2017, 82 F.R. 50051, set out in a note under section 9403 of this title.

§ 9412. Report and annual briefing on Iranian expenditures supporting foreign military and terrorist activities

(a) Report

(1) Report required

Not later than 90 days after December 20, 2019, the Director of National Intelligence shall submit to the congressional intelligence committees a report, and not less frequently than once each year thereafter provide a briefing to Congress, describing Iranian expenditures in the previous calendar year on military and terrorist activities outside the country, including each of the following:

(A) The amount spent in such calendar year on activities by the Islamic Revolutionary Guard Corps, including activities providing support for—

- (i) Hizballah;
- (ii) Houthi rebels in Yemen;
- (iii) Hamas;
- (iv) proxy forces in Iraq and Syria; or
- (v) any other entity or country the Director determines to be relevant.

(B) The amount spent in such calendar year for ballistic missile research and testing or other activities that the Director determines are destabilizing to the Middle East region.

(2) Form

The report required under subsection (a)¹ shall be submitted in unclassified form, but may include a classified annex.

(b) Annual briefing

Following the submission of the report under subsection (a), the Director shall annually provide a briefing to the congressional intelligence committees on the information described in such subsection.

¹ So in original. Probably should be "paragraph (1)".

(Pub. L. 116–92, div. E, title LXVII, § 6705, Dec. 20, 2019, 133 Stat. 2224.)

CODIFICATION

Section was enacted as part of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020, and also as part of the National Defense Authorization Act for Fiscal Year 2020, and not as part of the Countering Iran's Destabilizing Activities Act of 2017 which comprises this chapter.

DEFINITIONS

“Congressional intelligence committees” means the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives, see section 5003 of Pub. L. 116–92, set out as a note under section 3003 of Title 50, War and National Defense.

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SUBCHAPTER I—SANCTIONS AND OTHER MEASURES WITH RESPECT TO THE RUSSIAN FEDERATION

§ 9501. Findings

Congress makes the following findings:

(1) On March 6, 2014, President Barack Obama issued Executive Order No. 13660 (79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine), which authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to impose sanctions on those determined to be undermining democratic processes and institutions in Ukraine or threatening the peace, security, stability, sovereignty, and territorial integrity of Ukraine. President Obama subsequently issued Executive Order No. 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) and Executive Order No. 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine) to expand sanctions on certain persons contributing to the situation in Ukraine.

(2) On December 18, 2014, the Ukraine Freedom Support Act of 2014 was enacted (Public Law 113–272; 22 U.S.C. 8921 et seq.), which includes provisions directing the President to impose sanctions on foreign persons that the President determines to be entities owned or controlled by the Government of the Russian Federation or nationals of the Russian Federation that manufacture, sell, transfer, or otherwise provide certain defense articles into Syria.

(3) On April 1, 2015, President Obama issued Executive Order No. 13694 (80 Fed. Reg. 18077; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), which authorizes the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, to impose sanctions on persons determined to be engaged in malicious cyber-hacking.

(4) On July 26, 2016, President Obama approved a Presidential Policy Directive on United States Cyber Incident Coordination, which states, “certain cyber incidents that have significant impacts on an entity, our national security, or the broader economy require a unique approach to response efforts”.

(5) On December 29, 2016, President Obama issued an annex to Executive Order No. 13694,¹

¹ See References in Text note below.