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§ 2021. Agency appointments by President

(a) Representative and deputy representative; terms; functions

The President, by and with the advice and consent of the Senate, shall appoint a representative and a deputy representative of the United States to the International Atomic Energy Agency (referred to in this chapter as the “Agency”), who shall hold office at the pleasure of the President. Such representative and deputy representative shall represent the United States on the Board of Governors of the Agency, may represent the United States at the General Conference, and may serve *ex officio* as United States representative on any organ of that Agency, and shall perform such other functions in connection with the participation of the United States in the Agency as the President may from time to time direct. The Representative of the United States to the Vienna office of the United Nations shall also serve as representative of the United States to the Agency.

(b) Specified sessions

The President, by and with the advice and consent of the Senate, may appoint or designate from time to time to attend a specified session or specified sessions of the General Conference of the Agency a representative of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Conference.

(c) Designation of other persons

The President may also appoint or designate from time to time such other persons as he may deem necessary to represent the United States in the organs of the Agency. The President may designate any officer of the United States Government, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States on the Board of Governors or to the General Conference of the Agency in the absence or disability of the representative and deputy representative appointed under subsection (a) or in lieu of such representatives in connection with a specified subject matter.

(d) Compensation; allowances and benefits

All persons appointed or designated in pursuance of authority contained in this section shall receive compensation at rates determined by the President upon the basis of duties to be performed but not in excess of rates authorized by sections 401, 402, and 403 of the Foreign Service

Act of 1980 [22 U.S.C. 3961, 3962, and 3963] for chiefs of mission, members of the Senior Foreign Service, and Foreign Service officers occupying positions of equivalent importance, except that no Member of the Senate or House of Representatives or officer of the United States who is designated under subsection (b) or subsection (c) of this section as a delegate or representative of the United States or as an alternate to attend any specified session or specified sessions of the General Conference shall be entitled to receive such compensation. Any person who receives compensation pursuant to the provisions of this subsection may be granted allowances and benefits not to exceed those received under the Foreign Service Act of 1980 [22 U.S.C. 3901 *et seq.*] by chiefs of mission, members of the Senior Foreign Service, and Foreign Service officers occupying positions of equivalent importance.

(Pub. L. 85-177, § 2, Aug. 28, 1957, 71 Stat. 453; Pub. L. 96-465, title II, § 2206(a)(7)(A), Oct. 17, 1980, 94 Stat. 2161; Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title VII, § 708(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A-462.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in subsec. (d), is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, as amended, which is classified principally to chapter 52 (§ 3901 *et seq.*) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3901 of this title and Tables.

AMENDMENTS

1999—Subsec. (a). Pub. L. 106-113 inserted at end “The Representative of the United States to the Vienna office of the United Nations shall also serve as representative of the United States to the Agency.”

1980—Subsec. (d). Pub. L. 96-465 substituted “sections 401, 402, and 403 of the Foreign Service Act of 1980 for chiefs of mission, members of the Senior Foreign Service,” for “sections 866 and 867 of this title, for Chiefs of Mission” and “under the Foreign Service Act of 1980 by chiefs of mission, members of the Senior Foreign Service,” for “by Chiefs of Mission”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106-113 applicable to individuals appointed on or after Nov. 29, 1999, see section 1000(a)(7) [div. A, title VII, § 708(c)] of Pub. L. 106-113, set out as a note under section 287 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of this title.

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-228, div. B, title XIII, § 1341, Sept. 30, 2002, 116 Stat. 1451, provided that: “This subtitle [subtitle D (§§ 1341-1345) of title XIII of div. B of Pub. L. 107-228, enacting section 2027 of this title, amending section 2227 of this title, and enacting provisions set out as a note under this section] may be cited as the ‘Iran Nuclear Proliferation Prevention Act of 2002’.”

SHORT TITLE

Pub. L. 85-177, § 1, Aug. 28, 1957, 71 Stat. 453, provided that: “This Act [enacting this chapter and amending

section 2074 of Title 42, The Public Health and Welfare] may be cited as the 'International Atomic Energy Agency Participation Act of 1957.'

REPORTING REQUIREMENTS

Pub. L. 107-228, div. B, title XIII, §1344, Sept. 30, 2002, 116 Stat. 1452, required the Secretary of State to submit to Congress, beginning no later than 180 days after Sept. 30, 2002, and for five years thereafter, reports concerning assistance, nuclear materials and technology given by the International Atomic Energy Agency to Iran, Iranians in leadership positions at the Agency, the expected timeframe for the completion of the nuclear power reactors at the Bushehr nuclear power plant, and certain information on all programs and projects of the International Atomic Energy Agency in each country described in section 2227(a) of the title.

OPPOSITION TO CERTAIN PROGRAMS OR PROJECTS; REPORTING REQUIREMENTS

Pub. L. 105-277, div. G, subdiv. B, title XXVIII, §2809(b), (c), Oct. 21, 1998, 112 Stat. 2681-850, provided that:

“(b) OPPOSITION TO CERTAIN PROGRAMS OR PROJECTS.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to oppose the following:

“(1) Technical assistance programs or projects of the Agency at the Juragua Nuclear Power Plant near Cienfuegos, Cuba, and at the Pedro Pi Nuclear Research Center.

“(2) Any other program or project of the Agency in Cuba that is, or could become, a threat to the security of the United States.

“(c) REPORTING REQUIREMENTS.—

“(1) REQUEST FOR IAEA REPORTS.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to request the Director-General of the Agency to submit to the United States all reports prepared with respect to all programs or projects of the Agency that are of concern to the United States, including the programs or projects described in subsection (b).

“(2) ANNUAL REPORTS TO THE CONGRESS.—Not later than 180 days after the date of the enactment of this Act [Oct. 21, 1998], and on an annual basis thereafter, the Secretary of State, in consultation with the United States representative to the International Atomic Energy Agency, shall prepare and submit to the Congress a report containing a description of all programs or projects of the Agency in each country described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)).”

TERMINATION OF AUTHORITY UNDER THIS SECTION

Authority under this section to terminate if Senate refuses its advice and consent by a formal vote to an amendment to the Statute of the Agency, see section 2026 of this title.

Executive Documents

PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

Entitlement of Agency to privileges, exemptions, and immunities as an international organization as designated by Ex. Ord. No. 10727, Aug. 31, 1957, 22 F.R. 7099, see note set out under section 288 of this title.

§ 2022. Purpose of participation; reports to Congress

The participation of the United States in the International Atomic Energy Agency shall be consistent with and in furtherance of the purposes of the Agency set forth in its Statute and the policy concerning the development, use, and control of atomic energy set forth in the Atomic Energy Act of 1954, as amended [42 U.S.C. 2011 et

seq.]. The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress on the activities of the International Atomic Energy Agency and on the participation of the United States therein. In addition to any other requirements of law, the Department of State and the Atomic Energy Commission shall keep the Committees on Energy and Commerce and on Foreign Affairs of the House of Representatives and the Committees on Energy and Natural Resources and on Foreign Relations of the Senate, as appropriate, currently informed with respect to the activities of the Agency and the participation of the United States therein.

(Pub. L. 85-177, §3, Aug. 28, 1957, 71 Stat. 453; Pub. L. 103-437, §9(b), Nov. 2, 1994, 108 Stat. 4588.)

Editorial Notes

REFERENCES IN TEXT

Statute, referred to in text, is the “Statute of the International Atomic Energy Agency”.

The Atomic Energy Act of 1954, as amended, referred to in text, is act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, §1, 68 Stat. 919, which is classified principally to chapter 23 (§2011 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of Title 42 and Tables.

AMENDMENTS

1994—Pub. L. 103-437 substituted “Committees on Energy and Commerce and on Foreign Affairs of the House of Representatives and the Committees on Energy and Natural Resources and on Foreign Relations of the Senate” for “Joint Committee on Atomic Energy, the House Committee on Foreign Affairs, and the Senate Committee on Foreign Relations”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

TERMINATION OF REPORTING REQUIREMENTS

Pub. L. 89-348, §1(20), Nov. 8, 1965, 79 Stat. 1311, repealed the following reporting requirement: “The report to the Congress by the President not less than once each year on the activities of the International Atomic Energy Agency and on the participation of the United States therein (71 Stat. 453; 22 U.S.C. 2022).”

TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The Public Health and Welfare. See, also, Transfer of Functions notes set out under those sections.

TERMINATION OF AUTHORITY UNDER THIS SECTION

Authority under this section to terminate if Senate refuses its advice and consent by a formal vote to an amendment to the Statute of the Agency, see section 2026 of this title.