

tution, insurer, underwriter, guarantor, and any other business organization, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise; and (iii) any successor to any entity described in clause (ii).

**(B) Application to governmental entities**

The term “person” does not include a government or governmental entity that is not operating as a business enterprise.

**(7) United States person**

The term “United States person” means—

(A) a natural person who is a national of the United States (as defined in section 1101(a)(22) of title 8); or

(B) a corporation or other legal entity that is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if natural persons described in subparagraph (A) own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such legal entity.

(Pub. L. 114–125, title IX, §909, Feb. 24, 2016, 130 Stat. 236.)

**Editorial Notes**

REFERENCES IN TEXT

The United States-Israel Enhanced Security Cooperation Act of 2012, referred to in subsec. (a)(5), is Pub. L. 112–150, July 27, 2012, 126 Stat. 1146, which is classified principally to chapter 93 (§8601 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 8601 of Title 22 and Tables.

The United States-Israel Strategic Partnership Act of 2014, referred to in subsec. (a)(5), is Pub. L. 113–296, Dec. 19, 2014, 128 Stat. 4075. For complete classification of this Act to the Code, see Short Title of 2014 Amendment note set out under section 8601 of Title 22, Foreign Relations and Intercourse, and Tables.

The Export Administration Act of 1979, referred to in subsec. (a)(6)(B), is Pub. L. 96–72, Sept. 29, 1979, 93 Stat. 503, which was classified principally to chapter 56 (§4601 et seq.) of Title 50, War and National Defense, prior to repeal by Pub. L. 115–232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232, except for sections 11A, 11B, and 11C thereof (50 U.S.C. 4611, 4612, 4613).

The International Emergency Economic Powers Act, referred to in subsec. (a)(6)(B), 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.

The Tax Reform Act of 1976, referred to in subsec. (a)(6)(C), is Pub. L. 94–455, Oct. 4, 1976, 90 Stat. 1520. For complete classification of this Act to the Code, see Tables.

**Executive Documents**

DELEGATION OF FUNCTIONS

Functions of President under subsec. (d) of this section assigned to Secretary of State, in consultation with other relevant Federal agencies, see Ex. Ord. No. 13733, §1(b), July 22, 2016, 81 F.R. 49515, set out as a note under section 4421 of this title.

**§ 4453. Report on compliance with prohibition on importation of goods made with convict, forced, or indentured labor**

Not later than 180 days after February 24, 2016, and annually thereafter, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on compliance with section 1307 of this title that includes the following:

(1) The number of instances in which merchandise was denied entry pursuant to that section during the 1-year period preceding the submission of the report.

(2) A description of the merchandise denied entry pursuant to that section.

(3) Such other information as the Commissioner considers appropriate with respect to monitoring and enforcing compliance with that section.

(Pub. L. 114–125, title IX, §910(b), Feb. 24, 2016, 130 Stat. 239.)

**§ 4454. Trade preferences for Nepal**

**(a) Findings**

Congress makes the following findings:

(1) Nepal is among the least developed countries in the world, with a per capita gross national income of \$730 in 2014.

(2) Nepal suffered a devastating earthquake in April 2015, with subsequent aftershocks. More than 9,000 people died and approximately 23,000 people were injured.

**(b) Eligibility requirements**

**(1) In general**

The President may authorize the provision of preferential treatment under this section to articles that are imported directly from Nepal into the customs territory of the United States pursuant to subsection (c) if the President determines—

(A) that Nepal meets the requirements set forth in paragraphs (1), (2), and (3) of section 3703(a)<sup>1</sup> of this title; and

(B) after taking into account the factors set forth in paragraphs (1) through (7) of subsection (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462), that Nepal meets the eligibility requirements of such section 502.

**(2) Withdrawal, suspension, or limitation of preferential treatment; mandatory graduation**

The provisions of subsections (d) and (e) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462) shall apply with respect to Nepal to the same extent and in the same manner as such provisions apply with respect to beneficiary developing countries under title V of that Act (19 U.S.C. 2461 et seq.).

**(c) Eligible articles**

**(1) In general**

An article described in paragraph (2) may enter the customs territory of the United States free of duty.

<sup>1</sup> See References in Text note below.