

Trump Administration Continues Iran Deal by Executing Additional Waiver

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The State Department confirmed during a September 14, 2017 press briefing that the Trump administration has executed a necessary waiver to continue the United States' nuclear sanctions relief to Iran in compliance with the Joint Comprehensive Plan of Action (the "JCPOA"). Throughout the briefing, however, the State Department focused more on Iran's "malign behavior" than on the waiver itself. The same day, the Treasury Department's Office of Foreign Assets Control designated 11 entities and individuals for engaging in activities in support of designated Iranian actors or malicious cyber-enabled activity. This pattern of taking the necessary steps to comply with U.S. obligations under the JCPOA, while simultaneously criticizing Iran and imposing sanctions targeting other Iranian activities, is consistent with the administration's approach to its first waiver, and its first and second certifications to Congress regarding Iranian compliance with the JCPOA.

The Trump administration is currently reviewing the JCPOA, as we discussed in a prior blog post. It has been reported that this review may be completed next month, perhaps as early as October 15 when the Trump administration must submit its next certification to Congress.

Davis Polk will continue to monitor and report on JCPOA developments as well as the outcome of the policy review. In the meantime, we would welcome questions or comments.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

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