

The delegation in this memorandum shall apply to any provision of any future public law that is the same or substantially the same as section 1211 of the Act.

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DONALD J. TRUMP.

**§§ 4605 to 4610. Repealed. Pub. L. 115-232, div. A, title XVII, § 1766(a), Aug. 13, 2018, 132 Stat. 2232**

Section 4605, Pub. L. 96-72, § 6, Sept. 29, 1979, 93 Stat. 513; Pub. L. 96-533, title I, § 111, Dec. 16, 1980, 94 Stat. 3138; Pub. L. 97-145, § 6, Dec. 29, 1981, 95 Stat. 1728; Pub. L. 99-64, title I, § 108(a)-(g)(1), (h)-(j)(1), (k), (l)(1), July 12, 1985, 99 Stat. 131-136; Pub. L. 99-399, title V, § 509(b), Aug. 27, 1986, 100 Stat. 874; Pub. L. 100-418, title II, § 2423, Aug. 23, 1988, 102 Stat. 1358; Pub. L. 101-222, § 4, Dec. 12, 1989, 103 Stat. 1897; Pub. L. 101-510, div. A, title XVII, § 1702(a), Nov. 5, 1990, 104 Stat. 1739; Pub. L. 102-138, title V, § 504(b), Oct. 28, 1991, 105 Stat. 724; Pub. L. 102-182, title III, §§ 304(b), 309(a), Dec. 4, 1991, 105 Stat. 1246, 1258; Pub. L. 103-236, title VII, § 736, Apr. 30, 1994, 108 Stat. 506; Pub. L. 104-316, title I, § 128(c), Oct. 19, 1996, 110 Stat. 3841; Pub. L. 105-277, div. G, title XIV, § 1422(b)(7), Oct. 21, 1998, 112 Stat. 2681-793; Pub. L. 108-458, title VII, § 7102(c)(1), Dec. 17, 2004, 118 Stat. 3776, related to prohibition or curtailment of exports to further United States foreign policy or to fulfill its international obligations.

Section 4606, Pub. L. 96-72, § 7, Sept. 29, 1979, 93 Stat. 515; Pub. L. 99-64, title I, §§ 109, 110, July 12, 1985, 99 Stat. 137, 139; Pub. L. 100-180, div. A, title XII, § 1246, Dec. 4, 1987, 101 Stat. 1165; Pub. L. 100-418, title II, § 2424(a), Aug. 23, 1988, 102 Stat. 1359; Pub. L. 100-449, title III, § 305(a), Sept. 28, 1988, 102 Stat. 1876, related to quantitative restrictions on exports of goods in order to carry out policy declaration in former section 4602 of this title.

Section 4607, Pub. L. 96-72, § 8, Sept. 29, 1979, 93 Stat. 521, related to issuance of regulations prohibiting intentional boycotting of friendly countries. See section 4842 of this title.

Section 4608, Pub. L. 96-72, § 9, Sept. 29, 1979, 93 Stat. 524, related to procedures for hardship relief from export controls.

Section 4609, Pub. L. 96-72, § 10, Sept. 29, 1979, 93 Stat. 525; Pub. L. 99-64, title I, § 111, July 12, 1985, 99 Stat. 142; Pub. L. 100-418, title II, § 2425(a), (c), Aug. 23, 1988, 102 Stat. 1360, 1361, related to processing of export license applications. See section 4815 of this title.

Section 4610, Pub. L. 96-72, § 11, Sept. 29, 1979, 93 Stat. 529; Pub. L. 97-145, § 4(a)-(c), Dec. 29, 1981, 95 Stat. 1727; Pub. L. 99-64, title I, § 112, July 12, 1985, 99 Stat. 146; Pub. L. 100-418, title II, § 2426, Aug. 23, 1988, 102 Stat. 1361, related to penalties for violations. See section 4819 of this title.

Sections 4605 to 4610 were formerly classified to sections 2405 to 2410, respectively, of the former Appendix to this title prior to editorial reclassification and renumbering.

Prior sections 2405 to 2410 of the former Appendix to this title expired with the expiration of Pub. L. 91-184 on Sept. 30, 1979.

Section 2405, Pub. L. 91-184, § 6, Dec. 30, 1969, 83 Stat. 844; Pub. L. 95-52, title I, §§ 103(d), 112, title II, § 203(a), June 22, 1977, 91 Stat. 237, 240, 247; Pub. L. 95-223, title III, § 301(b)(2), Dec. 28, 1977, 91 Stat. 1629, set forth provisions respecting violations and penalties.

Section 2406, Pub. L. 91-184, § 7, Dec. 30, 1969, 83 Stat. 845; Pub. L. 95-52, title I, §§ 113(a), 114, title II, § 201(c), June 22, 1977, 91 Stat. 241, 246, set forth enforcement procedures applicable to the Export Administration Act of 1969.

Section 2407, Pub. L. 91-184, § 8, Dec. 30, 1969, 83 Stat. 846; Pub. L. 95-52, title II, § 203(b), June 22, 1977, 91 Stat. 247, related to exemption from administrative procedure and judicial review provisions.

Section 2408, Pub. L. 91-184, § 9, Dec. 30, 1969, 83 Stat. 846, related to providing information to exporters.

Section 2409, Pub. L. 91-184, § 10, Dec. 30, 1969, 83 Stat. 846; Pub. L. 93-500, § 3(b), Oct. 29, 1974, 88 Stat. 1552; Pub. L. 93-608, § 2(1), Jan. 2, 1975, 88 Stat. 1971; Pub. L. 95-52, title I, § 116(a), (b)(2), June 22, 1977, 91 Stat. 241, 242, set forth requirements respecting semiannual reports to President and Congress.

Section 2410, Pub. L. 91-184, § 11, Dec. 30, 1969, 83 Stat. 846; Pub. L. 95-52, title II, § 204, June 22, 1977, 91 Stat. 247, defined “person” and “United States person” for purposes of the Export Administration Act of 1969.

**§ 4611. Multilateral export control violations**

**(a) Determination by the President**

The President, subject to subsection (c), shall apply sanctions under subsection (b) for a period of not less than 2 years and not more than 5 years, if the President determines that—

(1) a foreign person has violated any regulation issued by a country to control exports for national security purposes pursuant to the agreement of the group known as the Coordinating Committee, and

(2) such violation has resulted in substantial enhancement of Soviet and East bloc capabilities in submarine or antisubmarine warfare, ballistic or antiballistic missile technology, strategic aircraft, command, control, communications and intelligence, or other critical technologies as determined by the President, on the advice of the National Security Council, to represent a serious adverse impact on the strategic balance of forces.

The President shall notify the Congress of each action taken under this section. This section, except subsections (h) and (j), applies only to violations that occur after August 23, 1988.

**(b) Sanctions**

The sanctions referred to in subsection (a) shall apply to the foreign person committing the violation, as well as to any parent, affiliate, subsidiary, and successor entity of the foreign person, and, except as provided in subsection (c), are as follows:

(1) a prohibition on contracting with, and procurement of products and services from, a sanctioned person, by any department, agency, or instrumentality of the United States Government, and

(2) a prohibition on importation into the United States of all products produced by a sanctioned person.

**(c) Exceptions**

The President shall not apply sanctions under this section—

(1) in the case of procurement of defense articles or defense services—

(A) under existing contracts or subcontracts, including the exercise of options for production quantities to satisfy United States operational military requirements;

(B) if the President determines that the foreign person or other entity to which the sanctions would otherwise be applied is a sole source supplier of essential defense articles or services and no alternative supplier can be identified; or

(C) if the President determines that such articles or services are essential to the national security under defense coproduction agreements; or