

ticular subject matters, organize and coordinate subgroups of the Center's members.

SEC. 5. *General Provisions.* (a) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law, regulation, Executive Order, or Presidential Directive to an executive department, agency, or head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) Nothing in this order shall be construed to provide exclusive or primary investigative authority to any agency. Agencies shall continue to investigate criminal and administrative export violations consistent with their existing authorities, jointly or separately, with coordination through the Center to enhance enforcement efforts and minimize potential for conflict.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA.

§ 4602. Repealed. Pub. L. 115-232, div. A, title XVII, § 1766(a), Aug. 13, 2018, 132 Stat. 2232

Section, Pub. L. 96-72, § 3, Sept. 29, 1979, 93 Stat. 504; Pub. L. 99-64, title I, § 103, July 12, 1985, 99 Stat. 121; Pub. L. 103-199, title II, § 201(b)(2), Dec. 17, 1993, 107 Stat. 2321, set forth policy declarations with respect to the Export Administration Act of 1979.

Section was formerly classified to section 2402 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

A prior section 2402 of the former Appendix to this title, Pub. L. 91-184, § 3, Dec. 30, 1969, 83 Stat. 841; Pub. L. 92-412, title I, § 103, Aug. 29, 1972, 86 Stat. 644; Pub. L. 93-500, §§ 2, 4(b), (c), 11, Oct. 29, 1974, 88 Stat. 1552, 1553, 1556; Pub. L. 95-52, title I, § 115, title II, § 202, June 22, 1977, 91 Stat. 241, 247, set forth declaration of policy of Congress with respect to the Export Administration Act of 1969, prior to the expiration of Pub. L. 91-184 on Sept. 30, 1979.

§ 4603. Repealed. Pub. L. 115-232, div. A, title XVII, § 1766(a), Aug. 13, 2018, 132 Stat. 2232

Section, Pub. L. 96-72, § 4, Sept. 29, 1979, 93 Stat. 505; Pub. L. 99-64, title I, § 104, July 12, 1985, 99 Stat. 122; Pub. L. 100-418, title II, §§ 2411, 2412, Aug. 23, 1988, 102 Stat. 1347; Pub. L. 114-125, title VIII, § 802(d)(2), Feb. 24, 2016, 130 Stat. 210, set forth general provisions relating to export licensing and controls.

Section was formerly classified to section 2403 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

A prior section 2403 of the former Appendix to this title, Pub. L. 91-184, § 4, Dec. 30, 1969, 83 Stat. 842; Pub. L. 92-412, title I, § 104(a), (b)(1), Aug. 29, 1972, 86 Stat. 644, 645; Pub. L. 93-500, §§ 3(a), 5(a), 7, 9, 10, 12, Oct. 29, 1974, 88 Stat. 1552-1557; Pub. L. 95-52, title I, §§ 103(a), (b)(1)-(3), (c), 104-110, 113(b), title II, § 201(b), June 22, 1977, 91 Stat. 235-239, 241, 246; Pub. L. 95-223, title III, § 301(a), (b)(1), Dec. 28, 1977, 91 Stat. 1629; Pub. L. 95-384, § 6(d)(2), Sept. 26, 1978, 92 Stat. 731; Pub. L. 95-435, § 5(d), Oct. 10, 1978, 92 Stat. 1052; Pub. L. 96-67, § 2, Sept. 21, 1979, 93 Stat. 415, set forth provisions relating to authorities to effectuate policies and limitations on exercise of authorities, prior to the expiration of Pub. L. 91-184 on Sept. 30, 1979.

Executive Documents

EX. ORD. NO. 12002. ADMINISTRATION OF EXPORT ADMINISTRATION ACT

Ex. Ord. No. 12002, July 7, 1977, 42 F.R. 35623, as amended by Ex. Ord. No. 12755, Mar. 12, 1991, 56 F.R.

11057; Ex. Ord. No. 13286, § 54, Feb. 28, 2003, 68 F.R. 10629, provided:

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including the Export Administration Act of 1969, as amended ([former] 50 U.S.C. App. 2401, et seq.), and as President of the United States of America, it is hereby ordered as follows:

SECTION 1. Except as provided in Section 2, the power, authority, and discretion conferred upon the President by the provisions of the Export Administration Act of 1969, as amended ([former] 50 U.S.C. App. 2401, et seq.), hereinafter referred to as the Act, are delegated to the Secretary of Commerce, with the power of successive redelegation.

SEC. 2. (a) The power, authority and discretion conferred upon the President in Sections 4(h) and 4(l) of the Act [former 50 U.S.C. App. 2403(h), (l)] are retained by the President.

(b) The power, authority and discretion conferred upon the President in Section 3(8) of the Act [former 50 U.S.C. App. 2402(8)], which directs that every reasonable effort be made to secure the removal or reduction of assistance by foreign countries to international terrorists through cooperation and agreement, are delegated to the Secretary of State, with the power of successive redelegation.

SEC. 3. The Export Administration Review Board, hereinafter referred to as the Board, which was established by Executive Order No. 11533 of June 4, 1970, as amended, is hereby continued. The Board shall continue to have as its members, the Secretary of Commerce, who shall be Chairman of the Board, the Secretary of State, and the Secretary of Defense. The Secretary of Energy, the Secretary of Homeland Security, and the Director of the United States Arms Control and Disarmament Agency shall be members of the Board, and shall participate in meetings that consider issues involving nonproliferation of armaments and other issues within their respective statutory and policy-making authorities. The Chairman of the Joint Chiefs of Staff and the Director of Central Intelligence shall be non-voting members of the Board. No alternate Board members shall be designated, but the acting head or deputy head of any department or agency may serve in lieu of the head of the concerned department or agency. The Board may invite the heads of other United States Government departments or agencies, other than the agencies represented by the Board members, to participate in the activities of the Board when matters of interest to such departments or agencies are under consideration.

SEC. 4. The Secretary of Commerce may from time to time refer to the Board such particular export license matters, involving questions of national security or other major policy issues, as the Secretary shall select. The Secretary of Commerce shall also refer to the Board any other such export license matter, upon the request of any other member of the Board or of the head of any other United States Government department or agency having any interest in such matter. The Board shall consider the matters so referred to it, giving due consideration to the foreign policy of the United States, the national security, concerns about the nonproliferation of armaments, and the domestic economy, and shall make recommendation thereon to the Secretary of Commerce.

SEC. 5. The President may at any time (a) prescribe rules and regulations applicable to the power, authority, and discretion referred to in this Order, and (b) communicate to the Secretary of Commerce such specific directives applicable thereto as the President shall determine. The Secretary of Commerce shall from time to time report to the President upon the administration of the Act and, as the Secretary deems necessary, may refer to the President recommendations made by the Board under Section 4 of this Order. Neither the provisions of this section nor those of Section 4 shall be construed as limiting the provisions of Section 1 of this Order.