

cial place of business outside the United States.

(Pub. L. 96-72, §11C, as added and amended Pub. L. 102-182, title III, §§305(a), 309(b)(1), Dec. 4, 1991, 105 Stat. 1247, 1258.)

### Editorial Notes

#### REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(1), was in the original “this Act”, meaning Pub. L. 96-72, Sept. 29, 1979, 93 Stat. 503, known as the Export Administration Act of 1979, which was classified principally to this chapter, 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).

Section 4605(j) of this title, referred to in subsec. (a)(2)(B), was repealed by Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232. For similar provisions, see section 4813(c) of this title, as enacted by Pub. L. 115-232.

#### CODIFICATION

Section was formerly classified to section 2410c of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

#### PRIOR PROVISIONS

A prior section 11C of Pub. L. 96-72, as added Pub. L. 102-138, title V, §505(a), Oct. 28, 1991, 105 Stat. 724, contained provisions substantially identical to those added by section 305(a) of Pub. L. 102-182, prior to repeal by Pub. L. 102-182, §309(a).

#### AMENDMENTS

1991—Subsec. (a)(1), Pub. L. 102-182, §309(b)(1), substituted “October 28, 1991” for “December 4, 1991”.

### Statutory Notes and Related Subsidiaries

#### DEPARTMENT OF DEFENSE REVIEW OF EXPORT LICENSES FOR CERTAIN BIOLOGICAL PATHOGENS

Pub. L. 104-106, div. A, title XIII, §1323, Feb. 10, 1996, 110 Stat. 480, provided that:

“(a) DEPARTMENT OF DEFENSE REVIEW.—Any application to the Secretary of Commerce for a license for the export of a class 2, class 3, or class 4 biological pathogen to a country identified to the Secretary under subsection (c) as a country that is known or suspected to have a biological weapons program shall be referred to the Secretary of Defense for review. The Secretary of Defense shall notify the Secretary of Commerce within 15 days after receipt of an application under the preceding sentence whether the export of such biological pathogen pursuant to the license would be contrary to the national security interests of the United States.

“(b) DENIAL OF LICENSE IF CONTRARY TO NATIONAL SECURITY INTEREST.—A license described in subsection (a) shall be denied by the Secretary of Commerce if it is determined that the export of such biological pathogen to that country would be contrary to the national security interests of the United States.

“(c) IDENTIFICATION OF COUNTRIES KNOWN OR SUSPECTED TO HAVE A PROGRAM TO DEVELOP OFFENSIVE BIOLOGICAL WEAPONS.—(1) The Secretary of Defense shall determine, for the purposes of this section, those countries that are known or suspected to have a program to develop offensive biological weapons. Upon making such determination, the Secretary shall provide to the Secretary of Commerce a list of those countries.

“(2) The Secretary of Defense shall update the list under paragraph (1) on a regular basis. Whenever a country is added to or deleted from such list, the Secretary shall notify the Secretary of Commerce.

“(3) Determination under this subsection of countries that are known or suspected to have a program to de-

velop offensive biological weapons shall be made in consultation with the Secretary of State and the intelligence community.

“(d) DEFINITION.—For purposes of this section, the term ‘class 2, class 3, or class 4 biological pathogen’ means any biological pathogen that is characterized by the Centers for Disease Control as a class 2, class 3, or class 4 biological pathogen.”

### Executive Documents

#### DELEGATION OF FUNCTIONS

Functions of President under this section delegated to Secretary of State, with certain exceptions, by section 1(a) of Ex. Ord. No. 12851, June 11, 1993, 58 F.R. 33181, set out as a note under section 2797 of Title 22, Foreign Relations and Intercourse.

### §§ 4614 to 4621. Repealed. Pub. L. 115-232, div. A, title XVII, § 1766(a), Aug. 13, 2018, 132 Stat. 2232

Section 4614, Pub. L. 96-72, §12, Sept. 29, 1979, 93 Stat. 530; Pub. L. 97-145, §§3, 5, Dec. 29, 1981, 95 Stat. 1727, 1728; Pub. L. 99-64, title I, §113, July 12, 1985, 99 Stat. 148; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100-418, title II, §2427, Aug. 23, 1988, 102 Stat. 1361; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 114-125, title VIII, §802(d)(2), Feb. 24, 2016, 130 Stat. 210, related to enforcement authority under this chapter. See section 4820 of this title.

Section 4615, Pub. L. 96-72, §13, Sept. 29, 1979, 93 Stat. 531; Pub. L. 99-64, title I, §114, July 12, 1985, 99 Stat. 150; Pub. L. 100-418, title II, §2428, Aug. 23, 1988, 102 Stat. 1361, related to administrative procedure and judicial review. See section 4821 of this title.

Section 4616, Pub. L. 96-72, §14, Sept. 29, 1979, 93 Stat. 532; Pub. L. 99-64, title I, §115, July 12, 1985, 99 Stat. 152; Pub. L. 100-418, title II, §§2418(c), 2445, Aug. 23, 1988, 102 Stat. 1357, 1369, related to annual report on the administration of this chapter. See section 4824 of this title.

Section 4617, Pub. L. 96-72, §15, Sept. 29, 1979, 93 Stat. 533; Pub. L. 99-64, title I, §116(a), July 12, 1985, 99 Stat. 152; Pub. L. 100-418, title II, §§2420(b), 2429, Aug. 23, 1988, 102 Stat. 1358, 1362, related to appointment of Under Secretary of Commerce for Export Administration and issuance of regulations.

Section 4618, Pub. L. 96-72, §16, Sept. 29, 1979, 93 Stat. 533; Pub. L. 99-64, title I, §117, July 12, 1985, 99 Stat. 153, defined terms as used in this chapter. See section 4801 of this title.

Section 4619, Pub. L. 96-72, §17, Sept. 29, 1979, 93 Stat. 534; Pub. L. 99-64, title I, §118, July 12, 1985, 99 Stat. 154, related to effect of this chapter on other laws authorizing control over exports. See section 4825 of this title.

Section 4620, Pub. L. 96-72, §18, Sept. 29, 1979, 93 Stat. 534; Pub. L. 97-145, §2(a), Dec. 29, 1981, 95 Stat. 1727; Pub. L. 99-64, title I, §119, July 12, 1985, 99 Stat. 154; Pub. L. 99-633, §1, Nov. 7, 1986, 100 Stat. 3522; Pub. L. 100-418, title II, §2430, Aug. 23, 1988, 102 Stat. 1362; Pub. L. 103-10, §1, Mar. 27, 1993, 107 Stat. 40, related to authorization of appropriations.

Section 4621, Pub. L. 96-72, §19(a), Sept. 29, 1979, 93 Stat. 535, set forth the effective date of this chapter.

Former sections 4614 to 4621 were formerly classified to sections 2411 to 2418 of the former Appendix to this title, respectively, prior to editorial reclassification and renumbering.

Prior sections 2411 to 2413 of the former Appendix to this title expired with the expiration of Pub. L. 91-184 on Sept. 30, 1979.

Section 2411, Pub. L. 91-184, §12, Dec. 30, 1969, 83 Stat. 846, related to the effect of other acts on provisions of the Export Administration Act of 1969.

Section 2412, Pub. L. 91-184, §14, formerly §13, Dec. 30, 1969, 83 Stat. 847; renumbered §14, Pub. L. 95-52, title I, §102, June 22, 1977, 91 Stat. 235, set forth the effective date of the Export Administration Act of 1969.

Section 2413, Pub. L. 91-184, §15, formerly §14, Dec. 30, 1969, 83 Stat. 847; Pub. L. 92-37, June 30, 1971, 85 Stat. 89;

Pub. L. 92-150, Oct. 30, 1971, 85 Stat. 416; Pub. L. 92-284, Apr. 29, 1972, 86 Stat. 133; Pub. L. 92-412, title I, §106, Aug. 29, 1972, 86 Stat. 646; Pub. L. 93-327, June 30, 1974, 88 Stat. 287; Pub. L. 93-372, Aug. 14, 1974, 88 Stat. 444; Pub. L. 93-500, §13, Oct. 29, 1974, 88 Stat. 1557; renumbered §15 and amended Pub. L. 95-52, title I, §§101, 102, June 22, 1977, 91 Stat. 235, provided for the termination of authority granted by the Export Administration Act of 1969.

#### Statutory Notes and Related Subsidiaries

##### APPLICATION OF CERTAIN PROVISIONS OF EXPORT ADMINISTRATION ACT OF 1979

Pub. L. 113-276, title II, §209, Dec. 18, 2014, 128 Stat. 2994, provided that:

“(a) PROTECTION OF INFORMATION.—Section 12(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2411(c)) [former 50 U.S.C. 4614(c)] has been in effect from August 20, 2001, and continues in effect on and after the date of the enactment of this Act [Dec. 18, 2014], pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and notwithstanding section 20 of the Export Administration Act of 1979 (50 U.S.C. App. 2419) [former 50 U.S.C. 4622]. Section 12(c)(1) of the Export Administration Act of 1979 is a statute covered by section 552(b)(3) of title 5, United States Code.

“(b) TERMINATION DATE.—Subsection (a) terminates at the end of the 4-year period beginning on the date of the enactment of this Act [Dec. 18, 2014].”

#### §§ 4622, 4623. Repealed. Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232

Section 4622, Pub. L. 96-72, §20, Sept. 29, 1979, 93 Stat. 535; Pub. L. 98-108, §1, Oct. 1, 1983, 97 Stat. 744; Pub. L. 98-207, Dec. 5, 1983, 97 Stat. 1391; Pub. L. 98-222, Feb. 29, 1984, 98 Stat. 36; Pub. L. 99-64, title I, §120, July 12, 1985, 99 Stat. 155; Pub. L. 100-418, title II, §2431, Aug. 23, 1988, 102 Stat. 1362; Pub. L. 103-10, §2, Mar. 27, 1993, 107 Stat. 40; Pub. L. 103-277, July 5, 1994, 108 Stat. 1407; Pub. L. 106-508, Nov. 13, 2000, 114 Stat. 2360, set forth the termination date of this chapter.

Section 4623, Pub. L. 96-72, §21, Sept. 29, 1979, 93 Stat. 535, set forth savings provisions relating to the Export Control Act of 1949 and the Export Administration Act of 1969.

Former sections 4622 and 4623 were formerly classified to sections 2419 to 2420 of the former Appendix to this title, respectively, prior to editorial reclassification and renumbering.

#### Executive Documents

##### CONTINUATION OF EXPORT CONTROL REGULATIONS

Provisions relating to continued effectiveness of the Export Administration Act of 1979, 50 U.S.C. 4601 et seq., and to issuance and continued effectiveness of rules, regulations, orders, licenses, and other forms of administrative action and delegations of authority relating to administration of that Act, were contained in the following:

Ex. Ord. No. 13222, Aug. 17, 2001, 66 F.R. 44025, and notices of continuation, listed in a table under section 1701 of this title.

Ex. Ord. No. 13206, Apr. 4, 2001, 66 F.R. 18397, listed in a table under section 1701 of this title.

Ex. Ord. No. 12924, Aug. 19, 1994, 59 F.R. 43437, revoked by Ex. Ord. No. 13206, §1, Apr. 4, 2001, 66 F.R. 18397, and notices of continuation, listed in a table under section 1701 of this title.

Ex. Ord. No. 12923, June 30, 1994, 59 F.R. 34551, revoked by Ex. Ord. No. 12924, §4, Aug. 19, 1994, 59 F.R. 43438, listed in a table under section 1701 of this title.

Ex. Ord. No. 12867, Sept. 30, 1993, 58 F.R. 51747, listed in a table under section 1701 of this title.

Ex. Ord. No. 12730, Sept. 30, 1990, 55 F.R. 40373, revoked by Ex. Ord. No. 12867, Sept. 30, 1993, 58 F.R. 51747, and

notices of continuation, listed in a table under section 1701 of this title.

Ex. Ord. No. 12525, July 12, 1985, 50 F.R. 28757, listed in a table under section 1701 of this title.

Ex. Ord. No. 12470, Mar. 30, 1984, 49 F.R. 13099, revoked by Ex. Ord. No. 12525, July 12, 1985, 50 F.R. 28757, and notice of continuation, listed in a table under section 1701 of this title.

Ex. Ord. No. 12451, Dec. 20, 1983, 48 F.R. 56563, listed in a table under section 1701 of this title.

Ex. Ord. No. 12444, Oct. 14, 1983, 48 F.R. 48215, revoked by Ex. Ord. No. 12451, Dec. 20, 1983, 48 F.R. 56563, listed in a table under section 1701 of this title.

#### CHAPTER 57—CLAIMS UNDER THE CLARIFICATION ACT

Sec.

4701. Rights of American seamen on privately owned and operated American vessels extended to seamen employed through the War Shipping Administration; exceptions; definitions.
4702. Insurance awards by War Shipping Administrators; findings and actions as conclusive.
4703. Payment of compensation; insurance.
4704. United States as entitled to all benefits of exemption and limitation of liability accorded to owners of vessels.
4705. Termination of section 4701(a); authority of United States Maritime Commission vested in Administrator of War Shipping Administration.

#### Editorial Notes

##### CODIFICATION

Act Mar. 24, 1943, ch. 26, 57 Stat. 45, comprising this chapter, was formerly set out in the Appendix to this title, prior to the elimination of the Appendix to this title and the editorial reclassification of the Act as this chapter. For disposition of sections of the former Appendix to this title, see Table II, set out preceding section 1 of this title.

#### § 4701. Rights of American seamen on privately owned and operated American vessels extended to seamen employed through the War Shipping Administration; exceptions; definitions

(a) Officers and members of crews (hereinafter referred to as “seamen”) employed on United States or foreign flag vessels as employees of the United States through the War Shipping Administration<sup>1</sup> shall, with respect to (1) laws administered by the Public Health Service and the Social Security Act [42 U.S.C. 301 et seq.], as amended by subsection (b)(2) and (3) of this section; (2) death, injuries, illness, maintenance and cure, loss of effects, detention, or repatriation, or claims arising therefrom not covered by the foregoing clause (1); and (3) collection of wages and bonuses and making of allotments, have all of the rights, benefits, exemptions, privileges, and liabilities, under law applicable to citizens of the United States employed as seamen on privately owned and operated American vessels. Such seamen, because of the temporary wartime character of their employment by the War Shipping Administration, shall not be considered as officers or employees of the United States for the purposes of the United States Employees Compensation Act, as amended [5 U.S.C.

<sup>1</sup> See Transfer of Functions note below.