

115-232, set out as a Short Title note under section 4801 of this title and Tables.

Section 4817 of this title, referred to in subsec. (a)(8), was in the original “section 1759”, and was translated as meaning section 1758 of Pub. L. 115-232, which relates to requirements to identify and control the export of emerging and foundational technologies and is classified to section 4817 of this title, to reflect the probable intent of Congress.

§ 4825. Effect on other acts

(a) In general

Except as otherwise provided in this subchapter, nothing contained in this subchapter shall be construed to modify, repeal, supersede, or otherwise affect the provisions of any other laws authorizing control over the export or reexport of any item.

(b) Coordination of controls

(1) In general

The authority granted to the President under this subchapter shall be exercised in such manner so as to achieve effective coordination with the authority exercised under section 38 of the Arms Export Control Act (22 U.S.C. 2778) and all other export control and sanctions authorities exercised by Federal departments and agencies, particularly the Department of State, the Department of the Treasury, and the Department of Energy.

(2) Sense of Congress

It is the sense of Congress that in order to achieve effective coordination described in paragraph (1), such Federal departments and agencies—

(A) should continuously work to create enforceable regulations with respect to the export, reexport, and in-country transfer by United States and foreign persons of commodities, software, technology, and services to various end uses and end users for foreign policy and national security reasons;

(B) should regularly work to reduce complexity in the system, including complexity caused merely by the existence of structural, definitional, and other non-policy based differences between and among different export control and sanctions systems; and

(C) should coordinate controls on items exported, reexported, or in-country transferred in connection with a foreign military sale under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) or a commercial sale under section 38 of the Arms Export Control Act [22 U.S.C. 2778] to reduce as much unnecessary administrative burden as possible that is a result of differences between the exercise of those two authorities.

(c) Nonproliferation controls

Nothing in this subchapter shall be construed to supersede the procedures published by the President pursuant to section 2139a(c) of title 42. (Pub. L. 115-232, div. A, title XVII, §1767, Aug. 13, 2018, 132 Stat. 2233.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this part”, meaning part I (§§1751-1768) of subtitle

B of title XVII of div. A of Pub. L. 115-232, known as the Export Controls Act of 2018, which is classified principally to this subchapter. For complete classification of part I to the Code, see section 1751 of Pub. L. 115-232, set out as a Short Title note under section 4801 of this title and Tables.

The Arms Export Control Act, referred to in subsec. (b)(2)(C), is Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1320. Chapter 2 of the Act is classified generally to subchapter II (§2761 et seq.) of chapter 39 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of Title 22 and Tables.

§ 4826. Transition provisions

(a) In general

All delegations, rules, regulations, orders, determinations, licenses, or other forms of administrative action that have been made, issued, conducted, or allowed to become effective under the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) (as in effect on the day before August 13, 2018, and as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), or the Export Administration Regulations, and are in effect as of August 13, 2018, shall continue in effect according to their terms until modified, superseded, set aside, or revoked under the authority of this subchapter.

(b) Administrative and judicial proceedings

This subchapter shall not affect any administrative or judicial proceedings commenced, or any applications for licenses made, under the Export Administration Act of 1979 (as in effect on the day before August 13, 2018, and as continued in effect pursuant to the International Emergency Economic Powers Act [50 U.S.C. 1701 et seq.]), or the Export Administration Regulations.

(c) Certain determinations and references

(1) State sponsors of terrorism

Any determination that was made under section 6(j) of the Export Administration Act of 1979 (as in effect on the day before August 13, 2018, and as continued in effect pursuant to the International Emergency Economic Powers Act [50 U.S.C. 1701 et seq.]) shall continue in effect as if the determination had been made under section 4813(c) of this title.

(2) Reference

Any reference in any other provision of law to a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (as in effect on the day before August 13, 2018, and as continued in effect pursuant to the International Emergency Economic Powers Act [50 U.S.C. 1701 et seq.]), is a government that has repeatedly provided support for acts of international terrorism shall be deemed to refer to a country the government of which the Secretary of State has determined, for purposes of section 4813(c) of this title, is a government that has repeatedly provided support for acts of international terrorism.

(Pub. L. 115-232, div. A, title XVII, §1768, Aug. 13, 2018, 132 Stat. 2233.)