(A) by striking “Export Administration Act of 1979” the first place it appears and inserting “Export Administration Act of 2001”; and
(B) by striking “Act of 1979” and inserting “Act of 2001”.

(3) Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2566f(a)) is amended—
(A) in paragraph (1)(a), by inserting “or section 310 of the Export Administration Act of 2001” after “Act of 1979”; and
(B) in paragraph (2), by inserting “or section 310 of the Export Administration Act of 2001” after “(3) of the Export Administration Act of 1979”.

(4) Section 40(e)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2712(e)(1)) is amended by striking “section 6(j)(1) of the Export Administration Act of 1979” and inserting “section 310 of the Export Administration Act of 2001”.

(5) Section 205(d)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 305(d)(1)) is amended by striking “section 6(j) of the Export Administration Act of 1979” and inserting “section 310 of the Export Administration Act of 2001”.


(7) Section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)) is amended by striking “section 310 of the Export Administration Act of 1979, or under section 6 of such Act to the extent that such controls promote the nonproliferation of nuclear materials or the policies of the United States” and inserting “the Export Administration Act of 2001”.


(9) Section 2332(d)(a) of title 18, United States Code, is amended by striking “section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j))” and inserting “section 310 of the Export Administration Act of 2001”.


(12) Section 1956(c)(7)(D) of title 18, United States Code, is amended by striking “section 11 (relating to violations) of the Export Administration Act of 1979” and inserting “section 583 (relating to penalties) of the Export Administration Act of 2001”.


(14) Section 902(i)(2) of title 18, United States Code (as added by Public Law 106–185) is amended—
(A) by striking the “or” at the end of subparagraph (D); and
(B) by striking the period at the end of subparagraph (E) and inserting “; or”;

(C) by inserting the following new subparagraph:
(1) the Export Administration Act of 2001.”;
(j) CIVIL AIRCRAFT EQUIPMENT.—Notwithstanding any other provision of law, any product that is standard equipment, certified by the Federal Aviation Administration, in civil aircraft, and is an integral part of such aircraft, shall be subject to export control only under this Act. Any such product shall not be subject to controls under section 38(b)(2) of the Arms Export Control Act (22 U.S.C. 2778(b)).
(k) CIVIL AIRCRAFT SAFETY.—Notwithstanding any other provision of law, the Secretary may authorize, on a case-by-case basis, exports and reexports of civil aircraft, equipment and technology that are necessary for compliance with flight safety requirements for commercial passenger aircraft. Flight safety requirements are defined as airworthiness directives issued by the Federal Aviation Administration (FAA) or equipment manufacturers’ maintenance instructions or bulletins approved or accepted by the FAA for the purpose of ensuring the airworthiness of the manufacturers’ products.


SEC. 704. SAVINGS PROVISIONS.

(a) IN GENERAL.—All delegations, rules, regulations, orders, determinations, licenses, or other forms of administrative action which have been made, issued, conducted, or allowed to become effective under—

(1) the Export Control Act of 1949, the Export Administration Act of 1969, the Export Administration Act of 1979, or the International Emergency Economic Powers Act when invoked to maintain and continue the Export Administration regulations, or

(2) those provisions of the Arms Export Control Act which are amended by section 702,

and are in effect on the date of enactment of this Act, shall continue in effect according to their terms until modified, superseded, set aside, or revoked under this Act or the Arms Export Control Act.

(b) ADMINISTRATIVE AND JUDICIAL PROCEEDINGS.—

(1) EXPORT ADMINISTRATION ACT.—This Act shall not affect any administrative or judicial proceedings commenced or any application for a license made, under the Export Administration Act of 1979 or pursuant to Executive Order 12924, which is pending at the time this Act takes effect. Any such proceeding, and any action on such application, shall continue under the Export Administration Act of 1979 as if that Act had not been repealed.

(2) OTHER PROVISIONS OF LAW.—This Act shall not affect any administrative or judicial proceeding commenced or any application for a license made, under the Export Administration Act of 1979 or pursuant to Executive Order 12924, which is pending at the time this Act takes effect. Any such proceeding, and any action on such application, shall continue under those provisions as if those provisions had not been amended by section 702.

(g) TREATMENT OF CERTAIN DETERMINATIONS.—Any determination with respect to the government of a foreign country under section 6(j) of the Export Administration Powers Act of 1979, or Executive Order 12924, that is in effect on the day before the date of enactment of this Act, shall, for purposes of this title or any other provision of law, be deemed to be made under section 310 of this Act until superseded by a determination under such section 310.

(d) LAWFUL INTELLIGENCE ACTIVITIES.—The prohibitions otherwise applicable under this Act do not apply with respect to any transaction subject to the reporting requirements of title V of the National Security Act of 1947. Notwithstanding any other provision of this Act, nothing shall affect the responsibilities and authorities of the Director of Central Intelligence under section 103 of the National Security Act of 1947.

(e) IMPLEMENTATION.—The Secretary shall make any revisions to the Export Administration regulations required by this Act no later than 180 days after the date of enactment of this Act.

Mr. SARBANES. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICIAL. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICIAL. Without objection, it is so ordered.

MORNING BUSINESS

Mr. SARBANES. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICIAL. Without objection, it is so ordered.

The Senator from Wyoming.

EXPORT ADMINISTRATION ACT

MR. ENZI. Mr. President, what I would like to do is take some time, because I did not have an opportunity just before the vote, to thank all the people who worked on and participated in this bill that we have just completed, and that includes the people who are both for the bill and against the bill. Everybody made a contribution on this one.

As I mentioned before, all 100 Senators are interested in national security—deeply interested, deadly interested in national security. That has been demonstrated by the work that has been put in on this bill. They are interested in the well-being of the economy of the country advance. We just passed a bill that will allow both of those things to happen, and happen safely.

We have been without the kind of a bill that we have needed for many, many years. We just passed one that is considerably better than what we had in place, and is even better than the
1979 act when it was extended. So we are in a position now where we can go, with some real credibility, to the House side to ask them to move the bill forward and join with the White House in getting this passed quickly, as the White House asked. And, of course, we will be asking for all the people who have an interest in this bill to also help work on the House side. We know that by quick action on this that we will get this huge problem to the United States solved.

I would like to particularly thank those people who have worked closely on the bill. I will start with Senator Gramm, who allowed me to be the subcommittee chairman and get this assignment.

I have to tell you, when I first got the assignment, I thought, this has failed about 12 times so I assume this is one of those tasks that freshman Senators get. I didn't expect much to happen on it, but we began the process of learning about it, and the Cox commission report came out. Of course, it was just a draft, but first, but it got publicity that brought to the attention of the American people the problem of secrets being stolen from the United States.

That raised the level of this bill so that I and Senator Johnson of South Dakota could work through our subcommittee to really find out what was happening with it, to see how those things in the Cox commission and other reports, as they came out, fit into this bill. We put them into that bill, worked together to find solutions, met—"interminably" might not be the right word, but it feels like the right word sometimes—with a number of groups, who was involved in the bill and worked hard to heighten the interest of those people in the bill. Fortunately, Senator Johnson and I got to work under the direction of Senator Gramm and Senator Sasser, two very personal colleagues, who was involved in the bill and worked hard to heighten the interest of those people in the bill. Fortunately, Senator Johnson and I got to work under the direction of Senator Gramm and Senator Sasser, two very personal colleagues, who was involved in the bill and worked hard to heighten the interest of those people in the bill.

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