

riod prior to each anniversary date, the President does not publish in the Federal Register and transmit to the Congress a notice stating that such emergency is to continue in effect after such anniversary.

(Pub. L. 94-412, title II, §202, Sept. 14, 1976, 90 Stat. 1255; Pub. L. 99-93, title VIII, §801, Aug. 16, 1985, 99 Stat. 448.)

AMENDMENTS

1985—Subsecs. (a) to (c). Pub. L. 99-93 substituted “there is enacted into law a joint resolution terminating the emergency” for “Congress terminates the emergency by concurrent resolution” in par. (1) of subsec. (a), and substituted “joint resolution” for “concurrent resolution” wherever appearing in second sentence of subsec. (a), subsec. (b), and pars. (1) to (4) of subsec. (c).

SUBCHAPTER III—EXERCISE OF EMERGENCY POWERS AND AUTHORITIES

§ 1631. Declaration of national emergency by Executive order; authority; publication in Federal Register; transmittal to Congress

When the President declares a national emergency, no powers or authorities made available by statute for use in the event of an emergency shall be exercised unless and until the President specifies the provisions of law under which he proposes that he, or other officers will act. Such specification may be made either in the declaration of a national emergency, or by one or more contemporaneous or subsequent Executive orders published in the Federal Register and transmitted to the Congress.

(Pub. L. 94-412, title III, §301, Sept. 14, 1976, 90 Stat. 1257.)

RELEASE OF AMERICAN HOSTAGES IN IRAN

For provisions relating to the release of the American hostages in Iran, see Ex. Ord. Nos. 12276 to 12285, Jan. 19, 1981, 46 F.R. 7913 to 7932, listed in a table under section 1701 of this title.

SUBCHAPTER IV—ACCOUNTABILITY AND REPORTING REQUIREMENTS OF PRESIDENT

§ 1641. Accountability and reporting requirements of President

(a) Maintenance of file and index of Presidential orders, rules and regulations during national emergency

When the President declares a national emergency, or Congress declares war, the President shall be responsible for maintaining a file and index of all significant orders of the President, including Executive orders and proclamations, and each Executive agency shall maintain a file and index of all rules and regulations, issued during such emergency or war issued pursuant to such declarations.

(b) Presidential orders, rules and regulations; transmittal to Congress

All such significant orders of the President, including Executive orders, and such rules and regulations shall be transmitted to the Congress promptly under means to assure confidentiality where appropriate.

(c) Expenditures during national emergency; Presidential reports to Congress

When the President declares a national emergency or Congress declares war, the President shall transmit to Congress, within ninety days after the end of each six-month period after such declaration, a report on the total expenditures incurred by the United States Government during such six-month period which are directly attributable to the exercise of powers and authorities conferred by such declaration. Not later than ninety days after the termination of each such emergency or war, the President shall transmit a final report on all such expenditures.

(Pub. L. 94-412, title IV, §401, Sept. 14, 1976, 90 Stat. 1257.)

SUBCHAPTER V—APPLICATION TO POWERS AND AUTHORITIES OF OTHER PROVISIONS OF LAW AND ACTIONS TAKEN THEREUNDER

§ 1651. Other laws, powers and authorities conferred thereby, and actions taken thereunder; Congressional studies

(a) The provisions of this chapter shall not apply to the following provisions of law, the powers and authorities conferred thereby, and actions taken thereunder:

- (1) Chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41;
- (2) Section 3727(a)–(e)(1) of title 31;
- (3) Section 6305 of title 41;
- (4) Public Law 85-804 (Act of Aug. 28, 1958, 72 Stat. 972; 50 U.S.C. 1431 et seq.);
- (5) Section 2304(a)(1)¹ of title 10;²

(b) Each committee of the House of Representatives and the Senate having jurisdiction with respect to any provision of law referred to in subsection (a) of this section shall make a complete study and investigation concerning that provision of law and make a report, including any recommendations and proposed revisions such committee may have, to its respective House of Congress within two hundred and seventy days after September 14, 1976.

(Pub. L. 94-412, title V, §502, Sept. 14, 1976, 90 Stat. 1258; Pub. L. 95-223, title I, §101(d), Dec. 28, 1977, 91 Stat. 1625; Pub. L. 96-513, title V, §507(b), Dec. 12, 1980, 94 Stat. 2919; Pub. L. 105-362, title IX, §901(r)(2), Nov. 10, 1998, 112 Stat. 3291; Pub. L. 107-314, div. A, title X, §1062(o)(1), Dec. 2, 2002, 116 Stat. 2652.)

REFERENCES IN TEXT

Public Law 85-804, referred to in subsec. (a)(4), is Pub. L. 85-804, Aug. 28, 1958, 72 Stat. 972, as amended, which is classified generally to chapter 29 (§1431 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

Section 2304(a)(1) of title 10, referred to in subsec. (a)(5), originally authorized purchases or contracts without formal advertising when necessary in the public interest during a national emergency declared by Congress or the President, and as amended generally by Pub. L. 98-369 now sets forth the competition requirements for procurement of property or services.

¹ See References in Text note below.

² So in original. The semicolon probably should be a period.

CODIFICATION

In subsec. (a)(1), “Chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “Act of June 30, 1949 (41 U.S.C. 252)” on authority of Pub. L. 107–217, §5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111–350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

In subsec. (a)(2), “Section 3727(a)–(e)(1) of title 31” substituted for “Section 3477 of the Revised Statutes, as amended (31 U.S.C. 203)” on authority of Pub. L. 97–258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

In subsec. (a)(3), “Section 6305 of title 41” substituted for “Section 3737 of the Revised Statutes, as amended (41 U.S.C. 15)” on authority of Pub. L. 111–350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107–314 struck out par. (2), which read “Act of April 28, 1942 (40 U.S.C. 278b);”, and redesignated pars. (3) to (7) as (1) to (5), respectively.

1998—Subsec. (a)(6). Pub. L. 105–362 substituted “1431 et seq.” for “1431–1435”.

1980—Subsec. (a)(8). Pub. L. 96–513 struck out par. (8) which made reference to sections 3313, 6386(c), and 8313 of title 10.

1977—Subsec. (a)(1). Pub. L. 95–223 struck out par. (1) which read as follows: “Section 5(b) of the Act of October 6, 1917, as amended (12 U.S.C. 95a; 50 U.S.C. App. 5(b));”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–513 effective Sept. 15, 1981, see section 701 of Pub. L. 96–513, set out as a note under section 101 of Title 10, Armed Forces.

CHAPTER 35—INTERNATIONAL EMERGENCY ECONOMIC POWERS

Sec.	
1701.	Unusual and extraordinary threat; declaration of national emergency; exercise of Presidential authorities.
1702.	Presidential authorities.
1703.	Consultation and reports.
1704.	Authority to issue regulations.
1705.	Penalties.
1706.	Savings provisions.
1707.	Multinational economic embargoes against governments in armed conflict with the United States.
1708.	Actions to address economic or industrial espionage in cyberspace.

§ 1701. Unusual and extraordinary threat; declaration of national emergency; exercise of Presidential authorities

(a) Any authority granted to the President by section 1702 of this title may be exercised to deal with any unusual and extraordinary threat, which has its source in whole or substantial part outside the United States, to the national security, foreign policy, or economy of the United States, if the President declares a national emergency with respect to such threat.

(b) The authorities granted to the President by section 1702 of this title may only be exercised to deal with an unusual and extraordinary threat with respect to which a national emergency has been declared for purposes of this chapter and may not be exercised for any other purpose. Any exercise of such authorities to deal with any new threat shall be based on a new de-

claration of national emergency which must be with respect to such threat.

(Pub. L. 95–223, title II, §202, Dec. 28, 1977, 91 Stat. 1626.)

SHORT TITLE OF 2007 AMENDMENT

Pub. L. 110–96, §1, Oct. 16, 2007, 121 Stat. 1011, provided that: “This Act [amending section 1705 of this title and enacting provisions set out as a note under section 1705 of this title] may be cited as the ‘International Emergency Economic Powers Enhancement Act’.”

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109–353, §1, Oct. 13, 2006, 120 Stat. 2015, provided that: “This Act [amending provisions set out as a note below] may be cited as the ‘North Korea Nonproliferation Act of 2006’.”

Pub. L. 109–293, §1, Sept. 30, 2006, 120 Stat. 1344, provided that: “This Act [amending section 5318A of Title 31, Money and Finance, enacting provisions set out as notes under this section and section 2151 of Title 22, Foreign Relations and Intercourse, and amending provisions set out as a note under this section] may be cited as the ‘Iran Freedom Support Act’.”

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109–112, §1, Nov. 22, 2005, 119 Stat. 2366, provided that: “This Act [enacting provisions set out as a note under this section and amending provisions set out as notes under this section and section 2797b of Title 22, Foreign Relations and Intercourse] may be cited as the ‘Iran Nonproliferation Amendments Act of 2005’.”

SHORT TITLE OF 2001 AMENDMENT

Pub. L. 107–24, §1, Aug. 3, 2001, 115 Stat. 199, provided that: “This Act [enacting and amending provisions set out as notes below] may be cited as the ‘ILSA Extension Act of 2001’.”

SHORT TITLE

Pub. L. 95–223, title II, §201, Dec. 28, 1977, 91 Stat. 1626, provided that: “This title [enacting this chapter] may be cited as the ‘International Emergency Economic Powers Act’.”

SEPARABILITY

Pub. L. 95–223, title II, §208, Dec. 28, 1977, 91 Stat. 1629, provided that: “If any provision of this Act [enacting this chapter] is held invalid, the remainder of the Act shall not be affected thereby.”

VENEZUELA DEFENSE OF HUMAN RIGHTS AND CIVIL SOCIETY

Pub. L. 113–278, Dec. 18, 2014, 128 Stat. 3011, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Venezuela Defense of Human Rights and Civil Society Act of 2014’.

“SEC. 2. FINDINGS.

“Congress makes the following findings:

“(1) The Central Bank of Venezuela and the National Statistical Institute of Venezuela stated that the annual inflation rate in Venezuela in 2013 was 56.30, the highest level of inflation in the Western Hemisphere and the third highest level of inflation in the world behind South Sudan and Syria.

“(2) The Central Bank of Venezuela and the Government of Venezuela have imposed a series of currency controls that has exacerbated economic problems and, according to the World Economic Forum, has become the most problematic factor for doing business in Venezuela.

“(3) The Central Bank of Venezuela declared that the scarcity index of Venezuela reached 29.4 percent in March 2014, which signifies that fewer than one in