

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.

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.

¹ See References in Text note below.

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

Sec.	
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 declaration 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."

HIZBALLAH INTERNATIONAL FINANCING PREVENTION

Pub. L. 114-102, Dec. 18, 2015, 129 Stat. 2205, provided that:

"SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

"(a) SHORT TITLE.—This Act may be cited as the 'Hizballah International Financing Prevention Act of 2015'.

"(b) TABLE OF CONTENTS.—[Omitted.]

"SEC. 2. STATEMENT OF POLICY.

"It shall be the policy of the United States to—

"(1) prevent Hizballah's global logistics and financial network from operating in order to curtail funding of its domestic and international activities; and

"(2) utilize all available diplomatic, legislative, and executive avenues to combat the global criminal activities of Hizballah as a means to block that organization's ability to fund its global terrorist activities.

"TITLE I—PREVENTION OF ACCESS BY HIZBALLAH TO INTERNATIONAL FINANCIAL AND OTHER INSTITUTIONS

"SEC. 101. REPORT ON IMPOSITION OF SANCTIONS ON CERTAIN SATELLITE PROVIDERS THAT CARRY AL-MANAR TV.

"(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act [Dec. 18, 2015], the President shall submit to the appropriate congressional committees and leadership a report on the following:

"(1) The activities of all satellite, broadcast, Internet, or other providers that have knowingly entered into a contractual relationship with al-Manar TV, and any affiliates or successors thereof.

"(2) With respect to all providers described in paragraph (1)—

"(A) an identification of those providers that have been sanctioned pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism) [listed in a table below]; and

"(B) an identification of those providers that have not been sanctioned pursuant to Executive Order 13224 and, with respect to each such provider, any information indicating that the provider has knowingly entered into a contractual relationship with al-Manar TV, and any affiliates or successors of al-Manar TV.

"(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.

"(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term 'appropriate congressional committees and leadership' means—

"(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

"(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.

"SEC. 102. SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT ENGAGE IN CERTAIN TRANSACTIONS.

"(a) PROHIBITIONS AND CONDITIONS WITH RESPECT TO CERTAIN ACCOUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.—

"(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act [Dec. 18, 2015], the President shall prescribe regulations to prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account