

port with respect to such joint resolution within six calendar days after the day on which managers on the part of the Senate and the House have been appointed. Notwithstanding any rule in either House concerning the printing of conference reports or concerning any delay in the consideration of such reports, such report shall be acted on by both Houses not later than six calendar days after the conference report is filed in the House in which such report is filed first. In the event the conferees are unable to agree within forty-eight hours, they shall report back to their respective Houses in disagreement.

(5) Paragraphs (1)–(4) of this subsection, subsection (b) of this section, and section 1651(b) of this title are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of resolutions described by this subsection; and they supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) Automatic termination of national emergency; continuation notice from President to Congress; publication in Federal Register

Any national emergency declared by the President in accordance with this subchapter, and not otherwise previously terminated, shall terminate on the anniversary of the declaration of that emergency if, within the ninety-day period 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 declara-

tion 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.)

DELEGATION OF FUNCTIONS

Delegations of congressional reporting functions of President under subsec. (c) of this section were contained in the following:

Ex. Ord. No. 13441, § 6, Aug. 1, 2007, 72 F.R. 43500.

Ex. Ord. No. 13396, § 6, Feb. 7, 2006, 71 F.R. 7391, listed in a table under section 1701 of this title.

Ex. Ord. No. 13348, § 7, July 22, 2004, 69 F.R. 44887, listed in a table under section 1701 of this title.

Ex. Ord. No. 13338, § 12, May 11, 2004, 69 F.R. 26754, listed in a table under section 1701 of this title.

Ex. Ord. No. 13313, § 1, July 31, 2003, 68 F.R. 46073, set out in a note under section 301 of Title 3, The President.