

(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- (1) Repealed. Pub. L. 95-223, title I, § 101(d), Dec. 28, 1977, 91 Stat. 1625.
- (2) Act of April 28, 1942 (40 U.S.C. 278b);<sup>1</sup>
- (3) Act of June 30, 1949 (41 U.S.C. 252);
- (4) Section 3727(a)–(e)(1) of title 31;
- (5) Section 3737 of the Revised Statutes, as amended (41 U.S.C. 15);
- (6) Public Law 85-804 (Act of Aug. 28, 1958, 72 Stat. 972; 50 U.S.C. 1431 et seq.);
- (7) Section 2304(a)(1)<sup>1</sup> of title 10;<sup>2</sup>

(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.)

**REFERENCES IN TEXT**

Act of April 28, 1942, referred to in subsec. (a)(2), is act Apr. 28, 1942, ch. 249, 56 Stat. 247, which was classified to section 278b of Title 40, Public Buildings, Property, and Works, and was omitted from the Code.

Act of June 30, 1949 (41 U.S.C. 252), referred to in subsec. (a)(3), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended, known as the Federal Property and Administrative Services Act of 1949. For complete classification of this Act to the Code, see Short Title note set out under section 471 of Title 40 and Tables.

Section 2304(a)(1) of title 10, referred to in subsec. (a)(7), 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)(4), “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.

**AMENDMENTS**

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

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. The semicolon probably should be a period.

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.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 1622 of this title.

**CHAPTER 35—INTERNATIONAL EMERGENCY ECONOMIC POWERS**

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| Sec.  |                                                                                                                                                                                                                                                                                                                                                                               |
| 1701. | Unusual and extraordinary threat; declaration of national emergency; exercise of Presidential authorities.                                                                                                                                                                                                                                                                    |
| 1702. | Presidential authorities.                                                                                                                                                                                                                                                                                                                                                     |
| 1703. | Consultation and reports. <ol style="list-style-type: none"> <li>(a) Consultation with Congress.</li> <li>(b) Report to Congress upon exercise of Presidential authorities.</li> <li>(c) Periodic follow-up reports.</li> <li>(d) Supplemental requirements.</li> </ol>                                                                                                       |
| 1704. | Authority to issue regulations.                                                                                                                                                                                                                                                                                                                                               |
| 1705. | Penalties.                                                                                                                                                                                                                                                                                                                                                                    |
| 1706. | Savings provisions. <ol style="list-style-type: none"> <li>(a) Termination of national emergencies pursuant to National Emergencies Act.</li> <li>(b) Congressional termination of national emergencies by concurrent resolution.</li> <li>(c) Supplemental savings provisions; supersedure of inconsistent provisions.</li> <li>(d) Periodic reports to Congress.</li> </ol> |
| 1707. | Multinational economic embargoes against governments in armed conflict with the United States. <ol style="list-style-type: none"> <li>(a) Policy on the establishment of embargoes.</li> <li>(b) Reports to Congress.</li> </ol>                                                                                                                                              |

**CHAPTER REFERRED TO IN OTHER SECTIONS**

This chapter is referred to in section 2332 of this title; sections 2170, 2405, 2410 of the Appendix to this title; title 12 sections 3409, 3413, 4407; title 19 sections 1675, 2581; title 21 section 1901; title 22 section 6004; title 26 section 911; title 30 section 185.

**§ 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-