

(c) Supplemental savings provisions; supersedure of inconsistent provisions

(1) The provisions of this section are supplemental to the savings provisions of paragraphs (1), (2), and (3) of section 101(a) [50 U.S.C. 1601(a)(1), (2), (3)] and of paragraphs (A), (B), and (C) of section 202(a) [50 U.S.C. 1622(a)(A), (B), and (C)] of the National Emergencies Act.

(2) The provisions of this section supersede the termination provisions of section 101(a) [50 U.S.C. 1601(a)] and of title II [50 U.S.C. 1621 et seq.] of the National Emergencies Act to the extent that the provisions of this section are inconsistent with these provisions.

(d) Periodic reports to Congress

If the President uses the authority of this section to continue prohibitions on transactions involving foreign property interests, he shall report to the Congress every six months on the use of such authority.

(Pub. L. 95-223, title II, §207, Dec. 28, 1977, 91 Stat. 1628.)

REFERENCES IN TEXT

The National Emergencies Act, referred to in subsecs. (a)(1) and (c)(2), is Pub. L. 94-412, Sept. 14, 1976, 90 Stat. 1255, as amended, which is classified principally to chapter 34 (§1601 et seq.) of this title. Title II of the National Emergencies Act is classified generally to subchapter II (§1621 et seq.) of chapter 34 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of this title and Tables.

Section 101(b) of this Act, referred to in subsec. (a)(2), is section 101(b) of Pub. L. 95-223, which is set out as a note under section 5 of the Appendix to this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which a report required under subsec. (d) of this section is listed as the 11th item on page 27), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

§ 1707. Multinational economic embargoes against governments in armed conflict with the United States

(a) Policy on the establishment of embargoes

It is the policy of the United States, that upon the use of the Armed Forces of the United States to engage in hostilities against any foreign country, the President shall, as appropriate—

- (1) seek the establishment of a multinational economic embargo against such country; and
- (2) seek the seizure of its foreign financial assets.

(b) Reports to Congress

Not later than 20 days after the first day of the engagement of the United States in hostilities described in subsection (a) of this section, the President shall, if the armed conflict has continued for 14 days, submit to Congress a report setting forth—

- (1) the specific steps the United States has taken and will continue to take to establish a

multinational economic embargo and to initiate financial asset seizure pursuant to subsection (a) of this section; and

- (2) any foreign sources of trade or revenue that directly or indirectly support the ability of the adversarial government to sustain a military conflict against the United States.

(Pub. L. 106-65, div. A, title XII, §1231, Oct. 5, 1999, 113 Stat. 788.)

CODIFICATION

This section enacted as part of the National Defense Authorization Act for Fiscal Year 2000, and not as part of the International Emergency Economic Powers Act which comprises this chapter.

CHAPTER 36—FOREIGN INTELLIGENCE SURVEILLANCE

SUBCHAPTER I—ELECTRONIC SURVEILLANCE

- | | |
|-------|--|
| Sec. | |
| 1801. | Definitions. |
| 1802. | Electronic surveillance authorization without court order; certification by Attorney General; reports to Congressional committees; transmittal under seal; duties and compensation of communication common carrier; applications; jurisdiction of court. |
| 1803. | Designation of judges. <ol style="list-style-type: none"> (a) Court to hear applications and grant orders; record of denial; transmittal to court of review. (b) Court of review; record, transmittal to Supreme Court. (c) Expeditious conduct of proceedings; security measures for maintenance of records. (d) Tenure. |
| 1804. | Applications for court orders. <ol style="list-style-type: none"> (a) Submission by Federal officer; approval of Attorney General; contents. (b) Exclusion of certain information respecting foreign power targets. (c) Additional affidavits or certifications. (d) Additional information. (e) Personal review by Attorney General. |
| 1805. | Issuance or order. <ol style="list-style-type: none"> (a) Necessary findings. (b) Determination of probable cause. (c) Specifications and directions of orders. (d) Exclusion of certain information respecting foreign power targets. (e) Duration of order; extensions; review of circumstances under which information was acquired, retained or disseminated. (f) Emergency orders. (g) Testing of electronic equipment; discovering unauthorized electronic surveillance; training of intelligence personnel. (h) Retention of certifications, applications and orders. <ol style="list-style-type: none"> (i) Bar to legal action. |
| 1806. | Use of information. <ol style="list-style-type: none"> (a) Compliance with minimization procedures; privileged communications; lawful purposes. (b) Statement for disclosure. (c) Notification by United States. (d) Notification by States or political subdivisions. (e) Motion to suppress. (f) In camera and ex parte review by district court. |

- | | |
|--|--|
| <p>Sec.</p> <p>(g) Suppression of evidence; denial of motion.</p> <p>(h) Finality of orders.</p> <p>(i) Destruction of unintentionally acquired information.</p> <p>(j) Notification of emergency employment of electronic surveillance; contents; postponement, suspension or elimination.</p> <p>(k) Coordination with law enforcement on national security matters.</p> <p>1807. Report to Administrative Office of the United States Court and to Congress.</p> <p>1808. Report of Attorney General to Congressional committees; limitation on authority or responsibility of information gathering activities of Congressional committees; report of Congressional committees to Congress.</p> <p>1809. Criminal sanctions.</p> <p>(a) Prohibited activities.</p> <p>(b) Defense.</p> <p>(c) Penalties.</p> <p>(d) Federal jurisdiction.</p> <p>1810. Civil liability.</p> <p>1811. Authorization during time of war.</p> <p style="text-align: center;">SUBCHAPTER II—PHYSICAL SEARCHES</p> <p>1821. Definitions.</p> <p>1822. Authorization of physical searches for foreign intelligence purposes.</p> <p>(a) Presidential authorization.</p> <p>(b) Application for order; authorization.</p> <p>(c) Jurisdiction of Foreign Intelligence Surveillance Court.</p> <p>(d) Court of review; record; transmittal to Supreme Court.</p> <p>(e) Expeditious conduct of proceedings; security measures for maintenance of records.</p> <p>1823. Application for order.</p> <p>(a) Submission by Federal officer; approval of Attorney General; contents.</p> <p>(b) Additional affidavits or certifications.</p> <p>(c) Additional information.</p> <p>(d) Personal review by Attorney General.</p> <p>1824. Issuance of order.</p> <p>(a) Necessary findings.</p> <p>(b) Determination of probable cause.</p> <p>(c) Specifications and directions of orders.</p> <p>(d) Duration of order; extensions; assessment of compliance.</p> <p>(e) Emergency orders.</p> <p>(f) Retention of applications and orders.</p> <p>1825. Use of information.</p> <p>(a) Compliance with minimization procedures; lawful purposes.</p> <p>(b) Notice of search and identification of property seized, altered, or reproduced.</p> <p>(c) Statement for disclosure.</p> <p>(d) Notification by United States.</p> <p>(e) Notification by States or political subdivisions.</p> <p>(f) Motion to suppress.</p> <p>(g) In camera and ex parte review by district court.</p> <p>(h) Suppression of evidence; denial of motion.</p> <p>(i) Finality of orders.</p> <p>(j) Notification of emergency execution of physical search; contents; postponement, suspension, or elimination.</p> <p>(k) Coordination with law enforcement on national security matters.</p> <p>1826. Congressional oversight.</p> | <p>Sec.</p> <p>1827. Penalties.</p> <p>(a) Prohibited activities.</p> <p>(b) Defense.</p> <p>(c) Fine or imprisonment.</p> <p>(d) Federal jurisdiction.</p> <p>1828. Civil liability.</p> <p>1829. Authorization during time of war.</p> <p style="text-align: center;">SUBCHAPTER III—PEN REGISTERS AND TRAP AND TRACE DEVICES FOR FOREIGN INTELLIGENCE PURPOSES</p> <p>1841. Definitions.</p> <p>1842. Pen registers and trap and trace devices for foreign intelligence and international terrorism investigations.</p> <p>(a) Application for authorization or approval.</p> <p>(b) Form of application; recipient.</p> <p>(c) Executive approval; contents of application.</p> <p>(d) Ex parte judicial order of approval.</p> <p>(e) Time limitation.</p> <p>(f) Cause of action barred.</p> <p>(g) Furnishing of results.</p> <p>1843. Authorization during emergencies.</p> <p>(a) Requirements for authorization.</p> <p>(b) Determination of emergency and factual basis.</p> <p>(c) Effect of absence of order.</p> <p>1844. Authorization during time of war.</p> <p>1845. Use of information.</p> <p>(a) In general.</p> <p>(b) Disclosure for law enforcement purposes.</p> <p>(c) Notification of intended disclosure by United States.</p> <p>(d) Notification of intended disclosure by State or political subdivision.</p> <p>(e) Motion to suppress.</p> <p>(f) In camera and ex parte review.</p> <p>(g) Effect of determination of lawfulness.</p> <p>(h) Binding final orders.</p> <p>1846. Congressional oversight.</p> <p style="text-align: center;">SUBCHAPTER IV—ACCESS TO CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE PURPOSES</p> <p>1861. Access to certain business records for foreign intelligence and international terrorism investigations.</p> <p>(a) Application for order; conduct of investigation generally.</p> <p>(b) Recipient and contents of application.</p> <p>(c) Ex parte judicial order of approval.</p> <p>(d) Nondisclosure.</p> <p>(e) Liability for good faith disclosure; waiver.</p> <p>1862. Congressional oversight.</p> <p>1863. Repealed.</p> <p style="text-align: center;">SUBCHAPTER V—REPORTING REQUIREMENT</p> <p>1871. Semiannual report of the Attorney General.</p> <p>(a) Report.</p> <p>(b) Frequency.</p> <p style="text-align: center;">SUBCHAPTER I—ELECTRONIC SURVEILLANCE</p> <p>§ 1801. Definitions</p> <p>As used in this subchapter:</p> <p>(a) “Foreign power” means—</p> <p>(1) a foreign government or any component thereof, whether or not recognized by the United States;</p> <p>(2) a faction of a foreign nation or nations, not substantially composed of United States persons;</p> |
|--|--|