

(Pub. L. 93-148, § 8, Nov. 7, 1973, 87 Stat. 558.)

§ 1548. Separability

If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to any other person or circumstance shall not be affected thereby.

(Pub. L. 93-148, § 9, Nov. 7, 1973, 87 Stat. 559.)

CHAPTER 34—NATIONAL EMERGENCIES

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 1706 of this title; title 10 sections 2350j, 2662, 2808; title 19 section 1318; title 30 section 185; title 33 section 2293; title 42 section 1320b-5.

SUBCHAPTER I—TERMINATING EXISTING DECLARED EMERGENCIES

§ 1601. Termination of existing declared emergencies

(a) All powers and authorities possessed by the President, any other officer or employee of the

Federal Government, or any executive agency, as defined in section 105 of title 5, as a result of the existence of any declaration of national emergency in effect on September 14, 1976, are terminated two years from September 14, 1976. Such termination shall not affect—

- (1) any action taken or proceeding pending not finally concluded or determined on such date;
- (2) any action or proceeding based on any act committed prior to such date; or
- (3) any rights or duties that matured or penalties that were incurred prior to such date.

(b) For the purpose of this section, the words “any national emergency in effect” means a general declaration of emergency made by the President.

(Pub. L. 94-412, title I, § 101, Sept. 14, 1976, 90 Stat. 1255.)

SHORT TITLE

Section 1 of Pub. L. 94-412 provided: “That this Act [enacting this chapter, amending section 1481 of Title 8, Aliens and Nationality, and section 2667 of Title 10, Armed Forces, repealing section 249 of Title 12, Banks and Banking, section 831d of Title 16, Conservation, section 1383 of Title 18, Crimes and Criminal Procedure, section 211b of Title 42, The Public Health and Welfare, and section 1742 of the Appendix to this title, and enacting provisions set out below] may be cited as the ‘National Emergencies Act’.”

SAVINGS PROVISION

Section 501(h) of Pub. L. 94-412 provided that: “This section [amending section 1481 of Title 8, Aliens and Nationality and section 2667 of Title 10, Armed Forces, and repealing section 249 of Title 12, Banks and Banking, section 831d of Title 16, Conservation, section 1383 of Title 18, Crimes and Criminal Procedure, and section 211b of Title 42, The Public Health and Welfare] shall not affect—

- “(1) any action taken or proceeding pending not finally concluded or determined at the time of repeal;
- “(2) any action or proceeding based on any act committed prior to repeal; or
- “(3) any rights or duties that matured or penalties that were incurred prior to repeal.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1706 of this title.

SUBCHAPTER II—DECLARATIONS OF FUTURE NATIONAL EMERGENCIES

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 1706 of this title; title 10 sections 123, 527, 12006; title 42 section 8374.

§ 1621. Declaration of national emergency by President; publication in Federal Register; effect on other laws; superseding legislation

(a) With respect to Acts of Congress authorizing the exercise, during the period of a national emergency, of any special or extraordinary power, the President is authorized to declare such national emergency. Such proclamation shall immediately be transmitted to the Congress and published in the Federal Register.

(b) Any provisions of law conferring powers and authorities to be exercised during a national emergency shall be effective and remain in effect (1) only when the President (in accordance