

118TH CONGRESS  
2D SESSION

# S. 4373

To provide for congressional approval of national emergency declarations.

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IN THE SENATE OF THE UNITED STATES

MAY 21, 2024

Mr. PAUL introduced the following bill; which was read twice and referred to  
the Committee on Homeland Security and Governmental Affairs

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## A BILL

To provide for congressional approval of national emergency  
declarations.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Reforming Emergency Powers to Uphold the Balances  
6 and Limitations Inherent in the Constitution Act” or the  
7 “REPUBLIC Act”.

8 (b) TABLE OF CONTENTS.—The table of contents for  
9 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CONGRESSIONAL REVIEW OF NATIONAL EMERGENCIES

- Sec. 101. Congressional review of national emergencies.  
 Sec. 102. Reporting requirements.  
 Sec. 103. Conforming repeal.  
 Sec. 104. Effective date; applicability.

TITLE II—LIMITATIONS ON EMERGENCY AUTHORITIES

- Sec. 201. Presidential war powers under Communications Act of 1934.  
 Sec. 202. Limitations on International Emergency Economic Powers Act authorities.  
 Sec. 203. Congressional approval requirement for use of Insurrection Act authorities.  
 Sec. 204. Disclosure to Congress of presidential emergency action documents.

1 **TITLE I—CONGRESSIONAL RE-**  
 2 **VIEW OF NATIONAL EMER-**  
 3 **GENCIES**

4 **SEC. 101. CONGRESSIONAL REVIEW OF NATIONAL EMER-**  
 5 **GENCIES.**

6 Title II of the National Emergencies Act (50 U.S.C.  
 7 1621 et seq.) is amended by striking sections 201 and 202  
 8 and inserting the following:

9 **“SEC. 201. DECLARATIONS OF NATIONAL EMERGENCIES.**

10 “(a) **AUTHORITY TO DECLARE NATIONAL EMER-**  
 11 **GENCIES.**—With respect to Acts of Congress authorizing  
 12 the exercise, during the period of a national emergency,  
 13 of any special or extraordinary power, the President is au-  
 14 thorized to declare such a national emergency by procla-  
 15 mation. Such proclamation shall immediately be trans-  
 16 mitted to Congress and published in the Federal Register.

17 “(b) **SPECIFICATION OF PROVISIONS OF LAW TO BE**  
 18 **EXERCISED.**—No powers or authorities made available by  
 19 statute for use during the period of a national emergency

1 shall be exercised unless and until the President specifies  
2 the provisions of law under which the President proposes  
3 that the President or other officers will act in—

4 “(1) a proclamation declaring a national emer-  
5 gency under subsection (a); or

6 “(2) one or more Executive orders relating to  
7 the emergency published in the Federal Register and  
8 transmitted to Congress.

9 “(c) PROHIBITION ON SUBSEQUENT ACTIONS IF  
10 EMERGENCIES NOT APPROVED.—

11 “(1) SUBSEQUENT DECLARATIONS.—If a joint  
12 resolution of approval is not enacted under section  
13 203 with respect to a national emergency before the  
14 expiration of the 30-day period described in section  
15 202(a), or with respect to a national emergency pro-  
16 posed to be renewed under section 202(b), the Presi-  
17 dent may not, during the remainder of the term of  
18 office of that President, declare a subsequent na-  
19 tional emergency under subsection (a) with respect  
20 to the same circumstances.

21 “(2) EXERCISE OF AUTHORITIES.—If a joint  
22 resolution of approval is not enacted under section  
23 203 with respect to a power or authority specified by  
24 the President in a proclamation under subsection (a)  
25 or an Executive order under subsection (b)(2) with

1 respect to a national emergency, the President may  
2 not, during the remainder of the term of office of  
3 that President, exercise that power or authority with  
4 respect to that emergency.

5 “(d) EFFECT OF FUTURE LAWS.—No law enacted  
6 after the date of the enactment of this Act shall supersede  
7 this title unless it does so in specific terms, referring to  
8 this title, and declaring that the new law supersedes the  
9 provisions of this title.

10 **“SEC. 202. EFFECTIVE PERIODS OF NATIONAL EMER-**  
11 **GENCIES.**

12 “(a) TEMPORARY EFFECTIVE PERIODS.—

13 “(1) IN GENERAL.—A declaration of a national  
14 emergency shall remain in effect for 30 days from  
15 the issuance of the proclamation under section  
16 201(a) (not counting the day on which the proclama-  
17 tion was issued) and shall terminate when that 30-  
18 day period expires unless there is enacted into law  
19 a joint resolution of approval under section 203 with  
20 respect to the proclamation.

21 “(2) EXERCISE OF POWERS AND AUTHORI-  
22 TIES.—Any emergency power or authority made  
23 available under a provision of law specified pursuant  
24 to section 201(b) may be exercised pursuant to a  
25 declaration of a national emergency for 30 days

1 from the issuance of the proclamation or Executive  
2 order (not counting the day on which such proclama-  
3 tion or Executive order was issued). That power or  
4 authority may not be exercised after that 30-day pe-  
5 riod expires unless there is enacted into law a joint  
6 resolution of approval under section 203 approv-  
7 ing—

8 “(A) the proclamation of the national  
9 emergency or the Executive order; and

10 “(B) the exercise of the power or authority  
11 specified by the President in such proclamation  
12 or Executive order.

13 “(3) EXCEPTION IF CONGRESS IS UNABLE TO  
14 CONVENE.—If Congress is physically unable to con-  
15 vene as a result of an armed attack upon the United  
16 States or another national emergency, the 30-day  
17 periods described in paragraphs (1) and (2) shall  
18 begin on the first day Congress convenes for the  
19 first time after the attack or other emergency.

20 “(b) RENEWAL OF NATIONAL EMERGENCIES.—A na-  
21 tional emergency declared by the President under section  
22 201(a) or previously renewed under this subsection, and  
23 not already terminated pursuant to subsection (a) or (c),  
24 shall terminate on the date that is 90 days after the Presi-  
25 dent transmitted to Congress the proclamation declaring

1 the emergency or Congress approved a previous renewal  
2 pursuant to this subsection, unless—

3 “(1) the President publishes in the Federal  
4 Register and transmits to Congress an Executive  
5 order renewing the emergency; and

6 “(2) there is enacted into law a joint resolution  
7 of approval renewing the emergency pursuant to sec-  
8 tion 203 before the termination of the emergency or  
9 previous renewal of the emergency.

10 “(c) TERMINATION OF NATIONAL EMERGENCIES.—

11 “(1) TERMINATION DATE.—

12 “(A) IN GENERAL.—Any national emer-  
13 gency declared by the President under section  
14 201(a) shall terminate on the earliest of—

15 “(i) the date provided for in sub-  
16 section (a);

17 “(ii) the date provided for in sub-  
18 section (b);

19 “(iii) the date specified in an Act of  
20 Congress terminating the emergency; or

21 “(iv) the date specified in a proclama-  
22 tion of the President terminating the emer-  
23 gency.

1           “(B) 5-YEAR LIMITATION.—Under no cir-  
2           cumstances may a national emergency declared  
3           by the President under section 201(a)—

4                   “(i) continue on or after the date that  
5                   is 5 years after the date on which the na-  
6                   tional emergency was first declared; or

7                   “(ii) in the case of a national emer-  
8                   gency declared before the date of the en-  
9                   actment of the Reforming Emergency Pow-  
10                  ers to Uphold the Balances and Limita-  
11                  tions Inherent in the Constitution Act,  
12                  continue on or after the date that is 5  
13                  years after such date of enactment.

14           “(2) EFFECT OF TERMINATION.—

15                   “(A) IN GENERAL.—Effective on the date  
16                   of the termination of a national emergency  
17                   under paragraph (1)—

18                           “(i) except as provided by subpara-  
19                           graph (B), any powers or authorities exer-  
20                           cised by reason of the emergency shall  
21                           cease to be exercised;

22                           “(ii) any amounts reprogrammed or  
23                           transferred under any provision of law  
24                           with respect to the emergency that remain  
25                           unobligated on that date shall be returned

1 and made available for the purpose for  
2 which such amounts were appropriated;  
3 and

4 “(iii) any contracts entered into under  
5 any provision of law relating to the emer-  
6 gency shall be terminated.

7 “(B) SAVINGS PROVISION.—The termi-  
8 nation of a national emergency shall not af-  
9 fect—

10 “(i) any legal action taken or pending  
11 legal proceeding not finally concluded or  
12 determined on the date of the termination  
13 under paragraph (1);

14 “(ii) any legal action or legal pro-  
15 ceeding based on any act committed prior  
16 to that date; or

17 “(iii) any rights or duties that ma-  
18 tured or penalties that were incurred prior  
19 to that date.

20 **“SEC. 203. REVIEW BY CONGRESS OF NATIONAL EMER-**  
21 **GENCIES.**

22 “(a) JOINT RESOLUTION OF APPROVAL DEFINED.—  
23 In this section, the term ‘joint resolution of approval’  
24 means a joint resolution that contains only the following  
25 provisions after its resolving clause:



1 “(1) A provision approving—

2 “(A) a proclamation of a national emer-  
3 gency made under section 201(a);

4 “(B) an Executive order issued under sec-  
5 tion 201(b)(2); or

6 “(C) an Executive order issued under sec-  
7 tion 202(b).

8 “(2) A provision approving a list of all or a por-  
9 tion of the provisions of law specified by the Presi-  
10 dent under section 201(b) in the proclamation or  
11 Executive order that is the subject of the joint reso-  
12 lution.

13 “(b) PROCEDURES FOR CONSIDERATION OF JOINT  
14 RESOLUTIONS OF APPROVAL.—

15 “(1) INTRODUCTION.—After the President  
16 transmits to Congress a proclamation declaring a  
17 national emergency under section 201(a), or an Ex-  
18 ecutive order specifying emergency powers or au-  
19 thorities under section 201(b)(2) or renewing a na-  
20 tional emergency under section 202(b), a joint reso-  
21 lution of approval may be introduced in either House  
22 of Congress by any member of that House.

23 “(2) REQUESTS TO CONVENE CONGRESS DUR-  
24 ING RECESSES.—If, when the President transmits to  
25 Congress a proclamation declaring a national emer-

1       gency under section 201(a), or an Executive order  
2       specifying emergency powers or authorities under  
3       section 201(b)(2) or renewing a national emergency  
4       under section 202(b), Congress has adjourned sine  
5       die or has adjourned for any period in excess of 3  
6       calendar days, the majority leader of the Senate and  
7       the Speaker of the House of Representatives, or  
8       their respective designees, acting jointly after con-  
9       sultation with and with the concurrence of the mi-  
10      nority leader of the Senate and the minority leader  
11      of the House, shall notify the Members of the Senate  
12      and House, respectively, to reassemble at such place  
13      and time as they may designate if, in their opinion,  
14      the public interest shall warrant it.

15           “(3) COMMITTEE REFERRAL.—A joint resolu-  
16      tion of approval shall be referred in each House of  
17      Congress to the committee or committees having ju-  
18      risdiction over the emergency authorities invoked by  
19      the proclamation or Executive order that is the sub-  
20      ject of the joint resolution.

21           “(4) CONSIDERATION IN SENATE.—In the Sen-  
22      ate, the following shall apply:

23           “(A) REPORTING AND DISCHARGE.—If the  
24      committee to which a joint resolution of ap-  
25      proval has been referred has not reported it at

1 the end of 10 calendar days after its introduc-  
2 tion, that committee shall be automatically dis-  
3 charged from further consideration of the reso-  
4 lution and it shall be placed on the calendar.

5 “(B) PROCEEDING TO CONSIDERATION.—  
6 Notwithstanding Rule XXII of the Standing  
7 Rules of the Senate, when the committee to  
8 which a joint resolution of approval is referred  
9 has reported the resolution, or when that com-  
10 mittee is discharged under subparagraph (A)  
11 from further consideration of the resolution, it  
12 is at any time thereafter in order (even though  
13 a previous motion to the same effect has been  
14 disagreed to) for a motion to proceed to the  
15 consideration of the joint resolution, and all  
16 points of order against the joint resolution (and  
17 against consideration of the joint resolution)  
18 are waived. The motion to proceed is subject to  
19 4 hours of debate divided equally between those  
20 favoring and those opposing the joint resolution  
21 of approval. The motion is not subject to  
22 amendment, or to a motion to postpone, or to  
23 a motion to proceed to the consideration of  
24 other business.

25 “(C) AMENDMENTS.—

1           “(i) IN GENERAL.—Except as pro-  
2           vided in clause (ii), no amendments shall  
3           be in order with respect to a joint resolu-  
4           tion of approval.

5           “(ii) AMENDMENTS TO STRIKE OR  
6           ADD SPECIFIED PROVISIONS OF LAW.—  
7           Clause (i) shall not apply with respect to  
8           any amendment—

9                   “(I) to strike a provision or pro-  
10                  visions of law from the list required  
11                  by subsection (a)(2); or

12                   “(II) to add to that list a provi-  
13                  sion or provisions of law specified by  
14                  the President under section 201(b) in  
15                  the proclamation or Executive order  
16                  that is the subject of the joint resolu-  
17                  tion of approval.

18           “(D) MOTION TO RECONSIDER FINAL  
19           VOTE.—A motion to reconsider a vote on pas-  
20           sage of a joint resolution of approval shall not  
21           be in order.

22           “(E) APPEALS.—Points of order, including  
23           questions of relevancy, and appeals from the de-  
24           cision of the Presiding Officer, shall be decided  
25           without debate.

1           “(5) CONSIDERATION IN HOUSE OF REP-  
2           REPRESENTATIVES.—In the House of Representatives,  
3           the following shall apply:

4                   “(A) REPORTING AND DISCHARGE.—If any  
5                   committee to which a joint resolution of ap-  
6                   proval has been referred has not reported it to  
7                   the House within 10 calendar days after the  
8                   date of referral, such committee shall be dis-  
9                   charged from further consideration of the joint  
10                  resolution.

11                  “(B) PROCEEDING TO CONSIDERATION.—

12                          “(i) IN GENERAL.—Beginning on the  
13                          third legislative day after each committee  
14                          to which a joint resolution of approval has  
15                          been referred reports it to the House or  
16                          has been discharged from further consider-  
17                          ation, and except as provided in clause (ii),  
18                          it shall be in order to move to proceed to  
19                          consider the joint resolution in the House.  
20                          The previous question shall be considered  
21                          as ordered on the motion to its adoption  
22                          without intervening motion. The motion  
23                          shall not be debatable. A motion to recon-  
24                          sider the vote by which the motion is dis-  
25                          posed of shall not be in order.

1           “(ii) SUBSEQUENT MOTIONS TO PRO-  
2           CEED TO JOINT RESOLUTION OF AP-  
3           PROVAL.—A motion to proceed to consider  
4           a joint resolution of approval shall not be  
5           in order after the House has disposed of  
6           another motion to proceed on that resolu-  
7           tion.

8           “(C) FLOOR CONSIDERATION.—Upon  
9           adoption of the motion to proceed in accordance  
10          with subparagraph (B)(i), the joint resolution  
11          of approval shall be considered as read. The  
12          previous question shall be considered as ordered  
13          on the joint resolution to final passage without  
14          intervening motion except two hours of debate,  
15          which shall include debate on any amendments,  
16          equally divided and controlled by the sponsor of  
17          the joint resolution (or a designee) and an op-  
18          ponent. A motion to reconsider the vote on pas-  
19          sage of the joint resolution shall not be in  
20          order.

21          “(D) AMENDMENTS.—

22                 “(i) IN GENERAL.—Except as pro-  
23                 vided in clause (ii), no amendments shall  
24                 be in order with respect to a joint resolu-  
25                 tion of approval.

1                   “(ii) AMENDMENTS TO STRIKE OR  
2                   ADD SPECIFIED PROVISIONS OF LAW.—  
3                   Clause (i) shall not apply with respect to  
4                   any amendment—

5                   “(I) to strike a provision or pro-  
6                   visions of law from the list required  
7                   by subsection (a)(2); or

8                   “(II) to add to that list a provi-  
9                   sion or provisions of law specified by  
10                  the President under section 201(b) in  
11                  the proclamation or Executive order  
12                  that is the subject of the joint resolu-  
13                  tion.

14                  “(6) RECEIPT OF RESOLUTION FROM OTHER  
15                  HOUSE.—If, before passing a joint resolution of ap-  
16                  proval, one House receives from the other a joint  
17                  resolution of approval from the other House, then—

18                  “(A) the joint resolution of the other  
19                  House shall not be referred to a committee and  
20                  shall be deemed to have been discharged from  
21                  committee on the day it is received; and

22                  “(B) the procedures set forth in para-  
23                  graphs (3), (4), and (5), as applicable, shall  
24                  apply in the receiving House to the joint resolu-  
25                  tion received from the other House to the same

1 extent as such procedures apply to a joint reso-  
2 lution of the receiving House.

3 “(c) RULE OF CONSTRUCTION.—The enactment of a  
4 joint resolution of approval under this section shall not  
5 be interpreted to serve as a grant or modification by Con-  
6 gress of statutory authority for the emergency powers of  
7 the President.

8 “(d) RULES OF THE HOUSE AND SENATE.—This sec-  
9 tion is enacted by Congress—

10 “(1) as an exercise of the rulemaking power of  
11 the Senate and the House of Representatives, re-  
12 spectively, and as such is deemed a part of the rules  
13 of each House, respectively, but applicable only with  
14 respect to the procedure to be followed in the House  
15 in the case of joint resolutions described in this sec-  
16 tion, and supersedes other rules only to the extent  
17 that it is inconsistent with such other rules; and

18 “(2) with full recognition of the constitutional  
19 right of either House to change the rules (so far as  
20 relating to the procedure of that House) at any time,  
21 in the same manner, and to the same extent as in  
22 the case of any other rule of that House.”.



1 **SEC. 102. REPORTING REQUIREMENTS.**

2 Section 401 of the National Emergencies Act (50  
3 U.S.C. 1641) is amended by adding at the end the fol-  
4 lowing:

5 “(d) REPORT ON EMERGENCIES.—The President  
6 shall transmit to Congress, with any proclamation declar-  
7 ing a national emergency under section 201(a) or any Ex-  
8 ecutive order specifying emergency powers or authorities  
9 under section 201(b)(2) or renewing a national emergency  
10 under section 202(b), a report, in writing, that includes  
11 the following:

12 “(1) A description of the circumstances necessi-  
13 tating the declaration of a national emergency, the  
14 renewal of such an emergency, or the use of a new  
15 emergency authority specified in the Executive  
16 order, as the case may be.

17 “(2) The estimated duration of the national  
18 emergency, or a statement that the duration of the  
19 national emergency cannot reasonably be estimated  
20 at the time of transmission of the report.

21 “(3) A summary of the actions the President or  
22 other officers intend to take, including any re-  
23 programming or transfer of funds, and the statutory  
24 authorities the President and such officers expect to  
25 rely on in addressing the national emergency.

1           “(4) In the case of a renewal of a national  
2 emergency, a summary of the actions the President  
3 or other officers have taken in the preceding 90-day  
4 period, including any reprogramming or transfer of  
5 funds, to address the emergency.

6           “(e) PROVISION OF INFORMATION TO CONGRESS.—  
7 The President shall provide to Congress such other infor-  
8 mation as Congress may request in connection with any  
9 national emergency in effect under title II.

10          “(f) PERIODIC REPORTS ON STATUS OF EMER-  
11 GENCIES.—If the President declares a national emergency  
12 under section 201(a), the President shall, not less fre-  
13 quently than every 6 months for the duration of the emer-  
14 gency, report to Congress on the status of the emergency  
15 and the actions the President or other officers have taken  
16 and authorities the President and such officers have relied  
17 on in addressing the emergency.”.

18 **SEC. 103. CONFORMING REPEAL.**

19          Title III of the National Emergencies Act (50 U.S.C.  
20 1631) is repealed.

21 **SEC. 104. EFFECTIVE DATE; APPLICABILITY.**

22          (a) IN GENERAL.—This title and the amendments  
23 made by this title shall—

24               (1) take effect on the date of the enactment of  
25 this Act; and

1           (2) except as provided in subsection (b), apply  
2           with respect to national emergencies declared under  
3           section 201 of the National Emergencies Act on or  
4           after that date.

5           (b) **APPLICABILITY TO RENEWALS OF EXISTING**  
6 **EMERGENCIES.**—When a national emergency declared  
7 under section 201 of the National Emergencies Act before  
8 the date of the enactment of this Act would expire or be  
9 renewed under section 202(d) of that Act (as in effect on  
10 the day before such date of enactment), that national  
11 emergency shall be subject to the requirements for renewal  
12 under section 202(b) of that Act, as amended by section  
13 101.

## 14           **TITLE II—LIMITATIONS ON** 15           **EMERGENCY AUTHORITIES**

### 16           **SEC. 201. PRESIDENTIAL WAR POWERS UNDER COMMU-** 17           **NICATIONS ACT OF 1934.**

18           (a) **IN GENERAL.**—Section 706 of the Communica-  
19 tions Act of 1934 (47 U.S.C. 606) is amended—

20                   (1) by striking subsections (c) through (g); and

21                   (2) by redesignating subsection (h) as sub-  
22           section (c).

23           (b) **TECHNICAL AND CONFORMING AMENDMENT.**—  
24 Section 309(h) of the Communications Act of 1934 (47  
25 U.S.C. 309(h)) is amended—

- 1 (1) by inserting “and” before “(2)”; and  
2 (2) by striking “Act;” and all that follows and  
3 inserting “Act.”.

4 **SEC. 202. LIMITATIONS ON INTERNATIONAL EMERGENCY**  
5 **ECONOMIC POWERS ACT AUTHORITIES.**

6 (a) PROHIBITION AGAINST USE OF AUTHORITIES  
7 WITH RESPECT TO UNITED STATES PERSONS.—Section  
8 202 of the International Emergency Economic Powers Act  
9 (50 U.S.C. 1701) is amended by adding at the end the  
10 following:

11 “(c)(1) The authorities granted to the President by  
12 section 203 may not be exercised with respect to a United  
13 States person.

14 “(2) In this section, the term ‘United States person’  
15 means—

16 “(A) a United States citizen or an alien lawfully  
17 admitted for permanent residence to the United  
18 States;

19 “(B) an entity—

20 “(i) organized under the laws of the  
21 United States or any jurisdiction within the  
22 United States; or

23 “(ii) in which more than 50 percent of the  
24 controlling interest is owned by a person de-  
25 scribed in subparagraph (A), (B)(i), or (C); or

1           “(C) any person in the United States.”.

2           (b) EXCLUSION OF IMPOSITION OF DUTIES AND IM-  
3 PORT QUOTAS.—Section 203 of the International Emer-  
4 gency Economic Powers Act (50 U.S.C. 1702) is amend-  
5 ed—

6           (1) by redesignating subsection (c) as sub-  
7 section (d); and

8           (2) by inserting after subsection (b) the fol-  
9 lowing:

10          “(c)(1) The authority granted to the President by  
11 this section does not include the authority to impose duties  
12 or tariff-rate quotas or (subject to paragraph (2)) other  
13 quotas on articles entering the United States.

14          “(2) The limitation under paragraph (1) does not  
15 prohibit the President from excluding all articles, or all  
16 of a certain type of article, imported from a country from  
17 entering the United States.”.

18 **SEC. 203. CONGRESSIONAL APPROVAL REQUIREMENT FOR**

19 **USE OF INSURRECTION ACT AUTHORITIES.**

20          (a) IN GENERAL.—Chapter 13 of title 10, United  
21 States Code, is amended by adding at the end the fol-  
22 lowing new section:

1 **“§ 256. Congressional approval requirement**

2 “The President may not use authorities described in  
3 section 251, 252, or 253 unless Congress first enacts legis-  
4 lation approving such use of authority.”.

5 (b) CLERICAL AMENDMENT.—The table of sections  
6 at the beginning of chapter 13 of title 10, United States  
7 Code, is amended by inserting after the item relating to  
8 section 255 the following new item:

“256. Congressional approval requirement.”.

9 **SEC. 204. DISCLOSURE TO CONGRESS OF PRESIDENTIAL**  
10 **EMERGENCY ACTION DOCUMENTS.**

11 (a) IN GENERAL.—Not later than 3 days after the  
12 conclusion of the process for approval, adoption, or revi-  
13 sion of any presidential emergency action document, the  
14 President shall submit that document to the appropriate  
15 congressional committees.

16 (b) DOCUMENTS IN EXISTENCE BEFORE DATE OF  
17 ENACTMENT.—Not later than 15 days after the date of  
18 the enactment of this Act, the President shall submit to  
19 the appropriate congressional committees all presidential  
20 emergency action documents in existence before such date  
21 of enactment.

22 (c) OVERSIGHT.—

23 (1) SENATE.—The Committee on Homeland  
24 Security and Governmental Affairs of the Senate  
25 shall have—

1 (A) continuing legislative oversight juris-  
2 diction in the Senate with respect to the pro-  
3 posal, creation, implementation, and execution  
4 of presidential emergency action documents;  
5 and

6 (B) access to any and all presidential  
7 emergency action documents.

8 (2) HOUSE OF REPRESENTATIVES.—The Com-  
9 mittee on Oversight and Accountability of the House  
10 of Representatives shall have—

11 (A) continuing legislative oversight juris-  
12 diction in the House of Representatives with re-  
13 spect to the proposal, creation, implementation,  
14 and execution of presidential emergency action  
15 documents; and

16 (B) access to any and all presidential  
17 emergency action documents.

18 (3) DUTY TO COOPERATE.—All officers and em-  
19 ployees of any Federal agency shall have the duty to  
20 cooperate with the exercise of oversight jurisdiction  
21 described in this subsection.

22 (4) SECURITY CLEARANCES.—The chairpersons  
23 and ranking members of the appropriate congres-  
24 sional committees, and designated staff of those  
25 committees, shall be granted all security clearances

1 required to access, and granted access to, presi-  
2 dential emergency action documents, including under  
3 relevant Presidential or agency special access and  
4 compartmented access programs.

5 (d) DEFINITIONS.—In this section:

6 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
7 TEES.—The term “appropriate congressional com-  
8 mittees” means—

9 (A) the Committee on Homeland Security  
10 and Governmental Affairs of the Senate; and

11 (B) the Committee on Oversight and Ac-  
12 countability of the House of Representatives.

13 (2) FEDERAL AGENCY.—The term “Federal  
14 agency”—

15 (A) has the meaning given the term “agen-  
16 cy” in section 552(f) of title 5, United States  
17 Code; and

18 (B) includes the Executive Office of the  
19 President, the Executive Office of the Vice  
20 President, the Office of Management and Budg-  
21 et, and the National Security Council.

22 (3) PRESIDENTIAL EMERGENCY ACTION DOCU-  
23 MENT.—The term “presidential emergency action  
24 document” refers to any document created by any



1 Federal agency before, on, or after the date of the  
2 enactment of this Act, that is—

3 (A) designated as a presidential emergency  
4 action document or presidential emergency ac-  
5 tion directive;

6 (B) designed to implement a presidential  
7 decision or transmit a presidential request when  
8 an emergency disrupts normal executive, legisla-  
9 tive, judicial, or other Federal governmental  
10 processes;

11 (C) a Presidential Policy Directive, regard-  
12 less of whether the directive is available to the  
13 public, that triggers any change in policies, pro-  
14 cedures, or operations of the Federal Govern-  
15 ment upon the declaration by the President of  
16 an emergency; or

17 (D) any other document, briefing, or plan,  
18 regardless of whether the document, briefing, or  
19 plan exists in any tangible or written form, that  
20 triggers any change in operations of the Fed-  
21 eral Government upon the declaration by the  
22 President of an emergency.

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