

the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bill referred to in subsection (a) of this section [enacting into law S. 3140 of the 106th Congress, as introduced on Sept. 28, 2000].”

Pub. L. 106-429, §101(b), Nov. 6, 2000, 114 Stat. 1900, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section [enacting into law H.R. 5526 of the 106th Congress, as introduced on Oct. 24, 2000].”

Pub. L. 106-398, §2, Oct. 30, 2000, 114 Stat. 1654, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the text of the bill referred to in section 1 [enacting into law H.R. 5408 of the 106th Congress, as introduced on Oct. 6, 2000].”

Pub. L. 106-387, §1(b), Oct. 28, 2000, 114 Stat. 1549, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section [enacting into law H.R. 5426 of the 106th Congress, as introduced on Oct. 6, 2000].”

Pub. L. 106-377, §1(b), Oct. 27, 2000, 114 Stat. 1441, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section [enacting into law H.R. 5482 and 5483 of the 106th Congress, as introduced on Oct. 18, 2000].”

Pub. L. 106-346, §101(b), Oct. 23, 2000, 114 Stat. 1356, provided that: “In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section [enacting into law H.R. 5394 of the 106th Congress, as introduced on Oct. 5, 2000].”

Pub. L. 106-113, div. B, §1000(b), Nov. 29, 1999, 113 Stat. 1536, provided that: “In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section [enacting into law H.R. 3421, H.R. 3422, H.R. 3423, H.R. 3424, H.R. 3425, H.R. 3426, H.R. 3427 (as amended), H.R. 3428, and S. 1948 of the 106th Congress, as introduced on Nov. 17, 1999].”

EFFECT OF REPEAL OF SECTION 73 OF ACT JAN. 12, 1895

This section and section 112a of this title as not affected by the repeal of section 73 of act Jan. 12, 1895, ch. 23, 28 Stat. 615, which related to the same subject matter, see section 56(i) of act Oct. 31, 1951, ch. 655, 65 Stat. 729.

§ 112a. United States Treaties and Other International Agreements; contents; admissibility in evidence

(a) The Secretary of State shall cause to be compiled, edited, indexed, and published, begin-

ning as of January 1, 1950, a compilation entitled “United States Treaties and Other International Agreements,” which shall contain all treaties to which the United States is a party that have been proclaimed during each calendar year, and all international agreements other than treaties to which the United States is a party that have been signed, proclaimed, or with reference to which any other final formality has been executed, during each calendar year. The said United States Treaties and Other International Agreements shall be legal evidence of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and agreements, therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

(b) Copies of international agreements and qualifying non-binding instruments in the possession of the Department of State, but not published, other than the agreements described in section 112b(b)(3)(A), shall be made available by the Department of State upon request.

(Added Sept. 23, 1950, ch. 1001, §2, 64 Stat. 980; amended Pub. L. 103-236, title I, §138, Apr. 30, 1994, 108 Stat. 397; Pub. L. 108-458, title VII, §7121(a), Dec. 17, 2004, 118 Stat. 3807; Pub. L. 117-263, div. E, title LIX, §5947(b), Dec. 23, 2022, 136 Stat. 3482.)

Editorial Notes

AMENDMENTS

2022—Subsecs. (b) to (d), Pub. L. 117-263 added subsec. (b) and struck out former subsecs. (b) to (d) which related to determination that publication of certain categories of agreements is not required, publication of such determination in the Federal Register, and timely availability of certain treaties and international agreements on the Department of State website.

2004—Subsec. (d), Pub. L. 108-458 added subsec. (d).

1994—Pub. L. 103-236 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Pub. L. 117-263, div. E, title LIX, §5947(c), Dec. 23, 2022, 136 Stat. 3482, provided that: “The amendments made by this section [amending this section, section 112b of this title, and section 195c of Title 6, Domestic Security] shall take effect on the date that is 270 days after the date of the enactment of this Act [Dec. 23, 2022].”

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-458, title VII, §7122, Dec. 17, 2004, 118 Stat. 3808, provided that: “Notwithstanding any other provision of this Act [see Tables for classification], this subtitle [subtitle A (§§7101-7122) of title VII of Pub. L. 108-458, enacting sections 2228, 2732, 3922b, 4029, 7536a, and 7555 of Title 22, Foreign Relations and Intercourse, amending this section, section 112b of this title, section 1189 of Title 8, Aliens and Nationality, sections 2651a, 2656f, 4003, 7513, 7514, 7518, 7536, 7537, 7538, and 7554 of Title 22, and section 4605 of Title 50, War and National Defense, repealing section 2374 of Title 22, enacting provisions set out as notes under section 1189 of Title 8, sections 1431, 2451, 2452, 2651a, 2656f, 7501, 7511, 7513, 7514, and 7536 of Title 22, and section 4605 of Title 50, and amending provisions set out as a note under section 112b of this title] shall take effect on the date of enactment of this Act [Dec. 17, 2004].”

EFFECT OF REPEAL OF SECTION 73 OF ACT JAN. 12, 1895

This section and section 112 of this title as not affected by the repeal of section 73 of act Jan. 12, 1895, ch. 23, 28 Stat. 615, which related to the same subject matter, see section 56(i) of act Oct. 31, 1951, ch. 655, 65 Stat. 729.

WRITTEN REQUESTS FOR DOCUMENTS

Copies of United States Treaties and Other International Agreements not available to Senators or Representatives unless specifically requested by them, in writing, see Pub. L. 94-59, title VIII, §801, July 25, 1975, 89 Stat. 296, set out as a note under section 1317 of Title 44, Public Printing and Documents.

§ 112b. United States international agreements and non-binding instruments; transparency provisions

(a)(1) Not less frequently than once each month, the Secretary shall provide in writing to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees the following:

(A)(i) A list of all international agreements and qualifying non-binding instruments signed, concluded, or otherwise finalized during the prior month.

(ii) The text of all international agreements and qualifying non-binding instruments described in clause (i).

(iii) A detailed description of the legal authority that, in the view of the Secretary, provides authorization for each international agreement and that, in the view of the appropriate department or agency, provides authorization for each qualifying non-binding instrument provided under clause (ii) to become operative. If multiple authorities are relied upon in relation to an international agreement, the Secretary shall cite all such authorities, and if multiple authorities are relied upon in relation to a qualifying non-binding instrument, the appropriate department or agency shall cite all such authorities. All citations to the Constitution of the United States, a treaty, or a statute shall include the specific article or section and subsection reference whenever available and, if not available, shall be as specific as possible. If the authority relied upon is or includes article II of the Constitution of the United States, the Secretary or appropriate department or agency shall explain the basis for that reliance.

(B)(i) A list of all international agreements that entered into force and qualifying non-binding instruments that became operative for the United States or an agency of the United States during the prior month.

(ii) The text of all international agreements and qualifying non-binding instruments described in clause (i) if such text differs from the text of the agreement or instrument previously provided pursuant to subparagraph (A)(ii).

(iii) A statement describing any new or amended statutory or regulatory authority anticipated to be required to fully implement each proposed international agreement and qualifying non-binding instrument included in the list described in clause (i).

(2) The information and text required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b)(1) Not later than 120 days after the date on which an international agreement enters into force, the Secretary shall make the text of the agreement, and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to the agreement, available to the public on the website of the Department of State.

(2) Not less frequently than once every 120 days, the Secretary shall make the text of each qualifying non-binding instrument that became operative during the preceding 120 days, and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to each such instrument, available to the public on the website of the Department of State.

(3) The requirements under paragraphs (1) and (2) shall not apply to the following categories of international agreements or qualifying non-binding instruments, or to information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to such agreements or qualifying non-binding instruments:

(A) International agreements and qualifying non-binding instruments that contain information that has been given a national security classification pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) or any predecessor or successor order, or that contain any information that is otherwise exempt from public disclosure pursuant to United States law.

(B) International agreements and qualifying non-binding instruments that address military operations, military exercises, acquisition and cross servicing, logistics support, military personnel exchange or education programs, or the provision of health care to military personnel on a reciprocal basis.

(C) International agreements and qualifying non-binding instruments that establish the terms of grant or other similar assistance, including in-kind assistance, financed with foreign assistance funds pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or the Food for Peace Act (7 U.S.C. 1691 et seq.).

(D) International agreements and qualifying non-binding instruments, such as project annexes and other similar instruments, for which the principal function is to establish technical details for the implementation of a specific project undertaken pursuant to another agreement or qualifying non-binding instrument that has been published in accordance with paragraph (1) or (2).

(E) International agreements and qualifying non-binding instruments that have been separately published by a depositary or other similar administrative body, except that the Secretary shall make the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1), relating to such agreements or qualifying non-binding instruments, available to the public on the website of the Department of State within the timeframes required by paragraph (1) or (2).

(c) For any international agreement or qualifying non-binding instrument for which an im-