

uation, report to the Congress periodically on the status of such hostilities or situation as well as on the scope and duration of such hostilities or situation, but in no event shall he report to the Congress less often than once every six months.

(Pub. L. 93-148, §4, Nov. 7, 1973, 87 Stat. 555.)

§ 1543a. Report on hostilities involving United States Armed Forces

(a) In general

Not later than 48 hours after any incident in which the United States Armed Forces are involved in an attack or hostilities, whether in an offensive or defensive capacity, the President shall transmit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the incident, unless the President—

- (1) otherwise reports the incident within 48 hours pursuant to section 1543 of this title; or
- (2) has determined prior to the incident, and so reported pursuant to section 1549 of this title, that the United States Armed Forces involved in the incident would be operating under specific statutory authorization within the meaning of section 1544(b) of this title.

(b) Matters to be included

Each report required by subsection (a) shall include—

- (1) the authority or authorities under which the United States Armed Forces were operating when the incident occurred;
- (2) the date, location, and duration of the incident and the other parties involved;
- (3) a description of the United States Armed Forces involved in the incident and the mission of such Armed Forces;
- (4) the numbers of any combatant casualties and civilian casualties that occurred as a result of the incident; and
- (5) any other information the President determines appropriate.

(Pub. L. 118-31, div. A, title XII, §1230, Dec. 22, 2023, 137 Stat. 457.)

Editorial Notes

CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 2024, and not as part of the War Powers Resolution which comprises this chapter.

Statutory Notes and Related Subsidiaries

“CONGRESSIONAL DEFENSE COMMITTEES” DEFINED

Congressional defense committees means the Committees on Armed Services and Appropriations of the Senate and the House of Representatives, see section 3 of Pub. L. 118-31, 137 Stat. 164. See note under section 101 of Title 10, Armed Forces.

Executive Documents

DELEGATION OF AUTHORITY UNDER SECTION 1230 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024

Memorandum of President of the United States, Feb. 16, 2024, 89 F.R. 13261, provided:

Memorandum for the Secretary of State[,] the Secretary of Defense[, and] the Attorney General

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of Defense, in consultation with the Secretary of State and, as appropriate, the Attorney General, the authority to transmit to certain congressional committees the report required by section 1230 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118-31) [50 U.S.C. 1543a].

The delegation in this memorandum shall apply to any provision of any future public law that is the same or substantially the same as the provision referenced in this memorandum.

The Secretary of Defense is authorized and directed to publish this memorandum in the Federal Register.

J.R. BIDEN, JR.

§ 1544. Congressional action

(a) Transmittal of report and referral to Congressional committees; joint request for convening Congress

Each report submitted pursuant to section 1543(a)(1) of this title shall be transmitted to the Speaker of the House of Representatives and to the President pro tempore of the Senate on the same calendar day. Each report so transmitted shall be referred to the Committee on Foreign Affairs of the House of Representatives and to the Committee on Foreign Relations of the Senate for appropriate action. If, when the report is transmitted, the Congress has adjourned sine die or has adjourned for any period in excess of three calendar days, the Speaker of the House of Representatives and the President pro tempore of the Senate, if they deem it advisable (or if petitioned by at least 30 percent of the membership of their respective Houses) shall jointly request the President to convene Congress in order that it may consider the report and take appropriate action pursuant to this section.

(b) Termination of use of United States Armed Forces; exceptions; extension period

Within sixty calendar days after a report is submitted or is required to be submitted pursuant to section 1543(a)(1) of this title, whichever is earlier, the President shall terminate any use of United States Armed Forces with respect to which such report was submitted (or required to be submitted), unless the Congress (1) has declared war or has enacted a specific authorization for such use of United States Armed Forces, (2) has extended by law such sixty-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States. Such sixty-day period shall be extended for not more than an additional thirty days if the President determines and certifies to the Congress in writing that unavoidable military necessity respecting the safety of United States Armed Forces requires the continued use of such armed forces in the course of bringing about a prompt removal of such forces.

(c) Concurrent resolution for removal by President of United States Armed Forces

Notwithstanding subsection (b), at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a