

ing section 1 of Title 28, Judiciary and Judicial Procedure.

§ 42. Transferred

CODIFICATION

Section, act June 15, 1917, ch. 30, title XIII, § 4, 40 Stat. 231, related to savings provisions and is set out as a Separability note under section 191 of this title.

Section was formerly classified to section 536 of Title 18 prior to the general revision and enactment of Title 18, Crimes and Criminal Procedure, by act June 25, 1948, ch. 645, 62 Stat. 683.

CHAPTER 4A—PHOTOGRAPHING, SKETCHING, MAPPING, ETC., DEFENSIVE INSTALLATIONS

§§ 45 to 45d. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862

Section 45, act Jan. 12, 1938, ch. 2, § 1, 52 Stat. 3, related to photographing of defensive installations. See sections 795 to 797 of Title 18, Crimes and Criminal Procedure.

Section 45a, act Jan. 12, 1938, ch. 2, § 2, 52 Stat. 3, related to photographing, etc., from aircraft. See section 796 of Title 18.

Section 45b, act Jan. 12, 1938, ch. 2, § 3, 52 Stat. 3, related to reproducing, publishing, selling uncensored copies. See section 797 of Title 18.

Section 45c, act Jan. 12, 1938, ch. 2, § 4, 52 Stat. 4, related to definitions of “aircraft”, “post”, “camp”, and “station”. See sections 795 and 796 of Title 18.

Section 45d, act Jan. 12, 1938, ch. 2, § 5, 52 Stat. 4, related to geographical application of law.

EFFECTIVE DATE OF REPEAL

Repeal of sections 45 to 45d effective Sept. 1, 1948, see section 38 of act June 25, 1948, set out as an Effective Date note preceding section 1 of Title 28, Judiciary and Judicial Procedure.

CHAPTER 4B—DISCLOSURE OF CLASSIFIED INFORMATION

§§ 46 to 46b. Repealed. Oct. 31, 1951, ch. 655, § 56(c), 65 Stat. 729

Section 46, act May 13, 1950, ch. 185, § 2, 64 Stat. 159, related to unlawful disclosure of classified information. See section 798 of Title 18, Crimes and Criminal Procedure.

Section 46a, act May 13, 1950, ch. 185, § 1, 64 Stat. 159, defined terms for use in this chapter.

Section 46b, act May 13, 1950, ch. 185, § 3, 64 Stat. 160, related to penalties for improper disclosure.

SAVINGS PROVISION

Section 56(l) of act Oct. 31, 1951, provided that the repeal of sections 46 to 46b shall not affect any rights or liabilities existing hereunder on Oct. 31, 1951.

CHAPTER 4C—ATOMIC WEAPONS AND SPECIAL NUCLEAR MATERIALS INFORMATION REWARDS

Sec.

- 47a. Information concerning illegal introduction, manufacture, acquisition or export of special nuclear material or atomic weapons or conspiracies relating thereto; reward.
- 47b. Determination by Attorney General of entitlement and amount of reward; consultation; Presidential approval.
- 47c. Aliens; waiver of admission requirements.
- 47d. Hearings; rules and regulations; conclusiveness of determinations of Attorney General.
- 47e. Certification of award; approval; payment.
- 47f. Definitions.

§ 47a. Information concerning illegal introduction, manufacture, acquisition or export of special nuclear material or atomic weapons or conspiracies relating thereto; reward

Any person who furnishes original information to the United States—

(a) leading to the finding or other acquisition by the United States of special nuclear material or an atomic weapon which has been introduced into the United States or manufactured or acquired therein contrary to the laws of the United States, or

(b) with respect to the introduction or attempted introduction into the United States or the manufacture or acquisition or attempted manufacture or acquisition of, or a conspiracy to introduce into the United States or to manufacture or acquire, special nuclear material or an atomic weapon contrary to the laws of the United States, or

(c) with respect to the export or attempted export, or a conspiracy to export, special nuclear material or an atomic weapon from the United States contrary to the laws of the United States,

shall be rewarded by the payment of an amount not to exceed \$500,000.

(July 15, 1955, ch. 372, § 2, 69 Stat. 365; Pub. L. 93-377, § 1(b), Aug. 17, 1974, 88 Stat. 472.)

AMENDMENTS

1974—Pub. L. 93-377 in par. (a) made minor changes in phraseology, in par. (b) included information relating to the actual introduction, manufacture and acquisition, or conspiring to introduce into the United States or to manufacture or acquire special nuclear material or an atomic weapon as within the information for which a reward would be given, and added par. (c).

SHORT TITLE

Act July 15, 1955, ch. 372, § 1, 69 Stat. 365, as amended by Pub. L. 93-377, § 1(a), Aug. 17, 1974, 88 Stat. 472, provided: “That this Act [enacting this chapter] may be cited as the ‘Atomic Weapons and Special Nuclear Materials Rewards Act’.”

§ 47b. Determination by Attorney General of entitlement and amount of reward; consultation; Presidential approval

The Attorney General shall determine whether a person furnishing information to the United States is entitled to a reward and the amount to be paid pursuant to section 47a of this title. Before making a reward under this section the Attorney General shall advise and consult with the Atomic Energy Commission. A reward of \$50,000 or more may not be made without the approval of the President.

(July 15, 1955, ch. 372, § 3, 69 Stat. 365; Pub. L. 93-377, § 1(b), Aug. 17, 1974, 88 Stat. 473.)

AMENDMENTS

1974—Pub. L. 93-377 substituted provisions authorizing the Attorney General, with the advice of the Atomic Energy Commission, to determine entitlement and the amount of reward for a person furnishing information to the United States, for provisions authorizing an Awards Board to determine entitlement and amount of such reward, setting forth the composition of the Board and criteria for reward.

TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The Public Health and Welfare. See also Transfer of Functions notes set out under those sections.

§ 47c. Aliens; waiver of admission requirements

If the information leading to an award under section 47b of this title is furnished by an alien, the Secretary of State, the Attorney General, and the Director of Central Intelligence, acting jointly, may determine that the admission of such alien into the United States is in the public interest and, in that event, such alien and the members of his immediate family may receive immigrant visas and may be admitted to the United States for permanent residence, notwithstanding the requirements of the Immigration and Nationality Act [8 U.S.C. 1101 et seq.].

(July 15, 1955, ch. 372, § 4, 69 Stat. 366; Pub. L. 104-208, div. C, title III, § 308(f)(7), Sept. 30, 1996, 110 Stat. 3009-622.)

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in text, is act June 27, 1952, ch. 477, 66 Stat. 163, as amended, which is classified principally to chapter 12 (§ 1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

AMENDMENTS

1996—Pub. L. 104-208 substituted “admission” for “entry”.

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of this title.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-208 effective, with certain transitional provisions, on the first day of the first month beginning more than 180 days after Sept. 30, 1996, see section 309 of Pub. L. 104-208, set out as a note under section 1101 of Title 8, Aliens and Nationality.

§ 47d. Hearings; rules and regulations; conclusiveness of determinations of Attorney General

(a) The Attorney General is authorized to hold such hearings and make, promulgate, issue, rescind, and amend such rules and regulations as may be necessary to carry out the purposes of this chapter.

(b) A determination made by the Attorney General under section 47b of this title shall be final and conclusive and no court shall have power or jurisdiction to review it.

(July 15, 1955, ch. 372, § 5, 69 Stat. 366; Pub. L. 93-377, § 1(b), Aug. 17, 1974, 88 Stat. 473.)

AMENDMENTS

1974—Pub. L. 93-377 designated existing provisions as subsec. (a), substituted “Attorney General” for “Board as administering agent”, and added subsec. (b).

§ 47e. Certification of award; approval; payment

Any awards granted under section 47b of this title shall be certified by the Attorney General and, together with the approval of the President in those cases where such approval is required, transmitted to the Director of Central Intelligence for payment out of funds appropriated or available for the administration of the National Security Act of 1947, as amended.

(July 15, 1955, ch. 372, § 6, 69 Stat. 366; Pub. L. 93-377, § 1(c), Aug. 17, 1974, 88 Stat. 473.)

REFERENCES IN TEXT

The National Security Act of 1947, as amended, referred to in text, is act July 26, 1947, ch. 343, 61 Stat. 495, which is classified principally to chapter 44 (§ 3001 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1974—Pub. L. 93-377 substituted “Attorney General” for “Awards Board”.

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of this title.

§ 47f. Definitions

As used in this chapter—

(a) The term “atomic energy” means all forms of energy released in the course of nuclear fission or nuclear transformation.

(b) The term “atomic weapon” means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(c) The term “special nuclear material” means plutonium, or uranium enriched in the isotope 233 or in the isotope 235, or any other material which is found to be special nuclear material pursuant to the provisions of the Atomic Energy Act of 1954 [42 U.S.C. 2011 et seq.].

(d) The term “United States,” when used in a geographical sense, includes Puerto Rico, all Territories and possessions of the United States and the Canal Zone; except that in section 47c of this title, the term “United States” when so used shall have the meaning given to it in the Immigration and Nationality Act [8 U.S.C. 1101 et seq.].

(July 15, 1955, ch. 372, § 7, 69 Stat. 366.)

REFERENCES IN TEXT

The Atomic Energy Act of 1954, referred to in subsec. (c), is act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 919, which is classified principally to chapter 23 (§ 2011 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of Title 42 and Tables.