

articles or merchandise actually illegally exported out, the carrier used to effectuate the exportation, provided for applicability of laws relating to seizure, summary and judicial forfeiture and condemnation, and provided for the disposition of seized materials.

1930—Act June 17, 1930, substituted “comptrollers of customs” for “Naval officers of customs”.

EX. ORD. NO. 10863. AUTHORIZATION OF ATTORNEY GENERAL TO SEIZE ARMS AND MUNITIONS OF WAR, AND OTHER ARTICLES

Ex. Ord. No. 10863, Feb. 18, 1960, 25 F.R. 1507, provided: By virtue of the authority vested in me by section 1 of Title VI of the act of June 15, 1917, 40 Stat. 223, as amended by section 1 of the act of August 13, 1953, 67 Stat. 577 (22 U.S.C. 401), it is ordered as follows:

SECTION 1. The Attorney General is hereby designated under section 1 of Title VI of the act of June 15, 1917, as amended by section 1 of the act of August 13, 1953 [this section], as a person duly authorized to seize and detain arms or munitions of war or other articles, and to seize and detain any vessel, vehicle, or aircraft containing such items or which has been, or is being, used in exporting or attempting to export such arms or munitions of war or other articles, whenever an attempt is made to export or ship from or take out of the United States such arms or munitions of war or other articles in violation of law, or whenever it is known, or there is probable cause to believe, that such arms or munitions of war or other articles are intended to be, or are being or have been, exported or removed from the United States in violation of law.

SEC. 2. The authority conferred upon the Attorney General by section 1 of this order may be exercised by any officer of the Department of Justice designated for such purpose by the Attorney General.

DWIGHT D. EISENHOWER.

§§ 402 to 405. Repealed. Aug. 13, 1953, ch. 434, § 2, 67 Stat. 577

Section 402, act June 15, 1917, ch. 30, title VI, § 2, 40 Stat. 224, related to issuance of warrant for detention of seized property.

Section 403, act June 15, 1917, ch. 30, title VI, § 3, 40 Stat. 224, related to filing petition for restoration of seized property.

Section 404, acts June 15, 1917, ch. 30, title VI, § 4, 40 Stat. 224; Mar. 1, 1929, ch. 420, 45 Stat. 1423, related to institution of libel proceedings and sale of seized property.

Section 405, act June 15, 1917, ch. 30, title VI, § 5, 40 Stat. 224, related to method of trial and bond for redelivery.

For subject matter of sections 402 to 405 of this title, see section 401 of this title.

§ 406. Interference with foreign trade

Except in those cases in which the exportation of arms and munitions of war or other articles is forbidden by proclamation or otherwise by the President, as provided in section 401 of this title, nothing herein contained shall be construed to extend to, or interfere with any trade in such commodities, conducted with any foreign port or place wheresoever, or with any other trade which might have been lawfully carried on before June 15, 1917, under the law of nations, or under the treaties or conventions entered into by the United States, or under the laws thereof.

(June 15, 1917, ch. 30, title VI, § 6, 40 Stat. 225.)

REFERENCES IN TEXT

Herein, referred to in text, means act June 15, 1917, ch. 30, title VI, 40 Stat. 223, as amended, which enacted sections 31 to 39, 98, 130 to 133, 288, 343 to 346, 381, 502,

535, 536, 574, and 611 to 633 of former Title 18, Criminal Code and Criminal Procedure, sections 213, 231 to 233, 235, 401 to 408a, 462, and 465 of this title, and sections 30 to 42, 191, and 192 to 195 of Title 50, War and National Defense, and amended sections 25, 27, and 349 of former Title 18. For complete classification of this Act to the Code, see Tables.

§ 407. Repealed. Aug. 13, 1953, ch. 434, § 2, 67 Stat. 577

Section, act June 15, 1917, ch. 30, title VI, § 7, 40 Stat. 225, related to President's discretion to release seized property. See section 401 of this title.

§ 408. Use of land and naval forces to prevent exportation

The President may employ such part of the land or naval forces of the United States as he may deem necessary to carry out the purposes of sections 401 to 408 of this title.

(June 15, 1917, ch. 30, title VI, § 8, 40 Stat. 225.)

AIR FORCE

For transfer of certain functions insofar as they pertain to the Air Force, and to the extent that they were not previously transferred to the Secretary of the Air Force from the Secretary of the Army, see Secretary of Defense Transfer Order No. 40 [App. A(1)], July 22, 1949.

§ 408a. “United States” defined

The term “United States” as used in this Act includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States.

(June 15, 1917, ch. 30, title XIII, § 1, 40 Stat. 231.)

REFERENCES IN TEXT

This Act, referred to in text, means act June 15, 1917, ch. 30, 40 Stat. 217, as amended, which enacted sections 31 to 39, 98, 130 to 133, 288, 343 to 346, 381, 502, 535, 536, 574, and 611 to 633 of former Title 18, Criminal Code and Criminal Procedure, sections 213, 231 to 233, 235, 401 to 408a, 462, and 465 of this title, and sections 30 to 42, 191, and 192 to 195 of Title 50, War and National Defense, and amended sections 25, 27, and 349 of former Title 18. For complete classification of this Act to the Code, see Tables.

For definition of Canal Zone, referred to in text, see section 3602(b) of this title.

§§ 409, 410. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

Section 409, act Jan. 31, 1922, ch. 44, § 1, 42 Stat. 361, related to prohibition against exportation of arms to American countries or countries under American jurisdiction in a state of domestic violence. See section 1934 of this title.

Section 410, act Jan. 31, 1922, ch. 44, § 2, 42 Stat. 361, related to penalties. See section 1934 of this title.

§§ 411 to 419. Omitted

CODIFICATION

Sections 411, 412, and 413 to 419, popularly known as the Lend-Lease Act, terminated not later than June 30, 1946, pursuant to section 412 of this title.

Section 411, act Mar. 11, 1941, ch. 11, § 2, 55 Stat. 31, defined “defense article” and “defense information” for purpose of lease, loan, etc., of war materials in interest of United States defense.

Section 412, acts Mar. 11, 1941, ch. 11, § 3, 55 Stat. 31; Mar. 11, 1943, ch. 15, 57 Stat. 20; May 17, 1944, ch. 198, §§ 1, 2, 58 Stat. 222, 223; Apr. 16, 1945, ch. 61, §§ 1, 2, 59 Stat. 52, provided for procurement for and transfer of defense