

Pub. L. 114-328, div. A, title XIV, §1412(b), Dec. 23, 2016, 130 Stat. 2570.)

#### AMENDMENTS

2016—Subsec. (a)(3), (4). Pub. L. 114-328 added pars. (3) and (4).

2013—Subsec. (a). Pub. L. 113-66 inserted “and appropriate conservation” after “development” in introductory provisions.

### § 98h-7. National Defense Stockpile Manager

#### (a) Appointment

The President shall designate a single Federal office to have responsibility for performing the functions of the President under this subchapter, other than under sections 98f(a)(1) and 98h-4 of this title. The office designated shall be one to which appointment is made by the President, by and with the advice and consent of the Senate.

#### (b) Title of designated officer

The individual holding the office designated by the President under subsection (a) shall be known for purposes of functions under this subchapter as the “National Defense Stockpile Manager”.

#### (c) Delegation of functions

The President may delegate functions of the President under this subchapter (other than under sections 98f(a)(1) and 98h-4 of this title) only to the National Defense Stockpile Manager. Any such delegation made by the President shall remain in effect until specifically revoked by law or Executive order. The President may not delegate functions of the President under sections 98f(a)(1) and 98h-4 of this title.

(June 7, 1939, ch. 190, § 16, formerly § 6A, as added Pub. L. 99-661, div. C, title II, §3202(a), Nov. 14, 1986, 100 Stat. 4067; amended Pub. L. 100-180, div. C, title II, §3203(a), Dec. 4, 1987, 101 Stat. 1246; renumbered §16 and amended Pub. L. 101-189, div. C, title XXXIII, §3313, Nov. 29, 1989, 103 Stat. 1688; Pub. L. 102-190, div. C, title XXXIII, §3314, Dec. 5, 1991, 105 Stat. 1585; Pub. L. 112-239, div. A, title XIV, §1413(b), Jan. 2, 2013, 126 Stat. 2049.)

#### CODIFICATION

Section was classified to section 98e-1 of this title prior to its renumbering by Pub. L. 101-189.

#### AMENDMENTS

2013—Pub. L. 112-239 substituted “sections 98f(a)(1) and 98h-4” for “sections 98f and 98h-4” wherever appearing.

1991—Subsec. (d). Pub. L. 102-190 struck out subsec. (d) which read as follows: “During any period during which there is no officer appointed by the President, by and with the advice and consent of the Senate, serving in the position designated by the President under subsection (a) or during which the authority of the President under this subchapter (other than under sections 98f and 98h-4 of this title) has not been delegated to that position, no action may be taken under section 98e(a)(6) of this title.”

1989—Subsec. (a). Pub. L. 101-189, §3313(b)(1), substituted “sections 98f and 98h-4” for “sections 98f, 98g, and 98h-4”.

Subsec. (c). Pub. L. 101-189, §3313(b)(1), (2), substituted “sections 98f and 98h-4” for “sections 98f, 98g, and 98h-4” and inserted at end “The President may not delegate functions of the President under sections 98f and 98h-4 of this title.” after “Executive order.”

Subsec. (d). Pub. L. 101-189, §3313(b)(1), (3), substituted “sections 98f and 98h-4” for “sections 98f, 98g, and 98h-4” and “section 98e(a)(6)” for “section 98e(b) or 98e(d)”.

1987—Pub. L. 100-180 amended section generally, revising and restating provisions of subssecs. (a) and (b) and adding subssecs. (c) and (d).

#### SAVINGS PROVISION

Pub. L. 100-180, div. C, title II, §3203(c), Dec. 4, 1987, 101 Stat. 1247, provided that: “Unless otherwise directed by the President under section 6A [renumbered §16] of the Strategic and Critical Materials Stock Piling Act [this section], as amended by subsection (a), the designation of a National Defense Stockpile Manager in effect on the day before the date of the enactment of this Act [Dec. 4, 1987] shall remain in effect until the individual so designated ceases to hold the office held by the individual at the time of the designation.”

#### DESIGNATION OF NATIONAL DEFENSE STOCKPILE MANAGER; DELEGATION OF FUNCTIONS

The Secretary of Defense was designated National Defense Stockpile Manager and functions of the President under this section were delegated to the Secretary of Defense by section 1 of Ex. Ord. No. 12636, Feb. 25, 1988, 53 F.R. 6114, set out under section 98 of this title.

#### DEADLINE FOR DESIGNATION OF MANAGER

Pub. L. 99-661, div. C, title II, §3202(b), Nov. 14, 1986, 100 Stat. 4067, directed President, not later than Feb. 15, 1987, to designate an official as National Defense Stockpile Manager, as required by this section.

### § 98i. Repealed. Pub. L. 85-861, §36A, Sept. 2, 1958, 72 Stat. 1570

Section, act Aug. 3, 1956, ch. 939, title IV, §416, 70 Stat. 1018, related to contracts for storage, handling, and distribution of liquid fuels. See section 2922 of Title 10, Armed Forces.

Section was not enacted as part of the Strategic and Critical Materials Stock Piling Act which comprises this subchapter.

### § 99. Transferred

#### CODIFICATION

Section, act July 2, 1940, ch. 508, §6, 54 Stat. 714, was transferred to section 701 of the former Appendix to this title and subsequently repealed by act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641.

### § 100. Nitrate plants

#### (a) Investigations; designation of sites; construction and operation of dams, locks, improvements to navigation, etc.

The President of the United States may make, or cause to be made, such investigation as in his judgment is necessary to determine the best, cheapest, and most available means for the production of nitrates and other products for munitions of war and useful in the manufacture of fertilizers and other useful products by water power or any other power as in his judgment is the best and cheapest to use; and is also authorized to designate for the exclusive use of the United States, if in his judgment such means is best and cheapest, such site or sites, upon any navigable or nonnavigable river or rivers or upon the public lands, as in his opinion will be necessary for national defense; and is further authorized to construct, maintain, and operate, at or on any site or sites so designated, dams, locks, improvements to navigation, power