

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.

The Immigration and Nationality Act, referred to in subsec. (d), 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.

CHAPTER 5—ARSENALS, ARMORIES, ARMS, AND WAR MATERIAL GENERALLY

SUBCHAPTER I—ARSENALS, ARMORIES, ARMS, AND WAR MATERIALS

Sec.

51 to 81. Repealed or Transferred.

82. Procurement of ships and material during war.

83 to 88. Repealed or Omitted.

SUBCHAPTER II—EDUCATION AND EXPERIMENTATION IN DEVELOPMENT OF MUNITIONS AND MATERIALS FOR NATIONAL DEFENSE

91 to 96. Repealed or Omitted.

SUBCHAPTER III—ACQUISITION AND DEVELOPMENT OF STRATEGIC RAW MATERIALS

98. Short title.

98a. Congressional findings and declaration of purpose.

98b. National Defense Stockpile.

98c. Materials constituting the National Defense Stockpile.

98d. Authority for stockpile operations.

98e. Stockpile management.

98e-1. Transferred.

98f. Special Presidential disposal authority.

98g. Materials development and research.

98h. National Defense Stockpile Transaction Fund.

98h-1. Advisory committees.

98h-2. Reports to Congress.

98h-3. Definitions.

98h-4. Importation of strategic and critical materials.

98h-5. Biennial report on stockpile requirements.

98h-6. Development of domestic sources.

98h-7. National Defense Stockpile Manager.

98i, 99. Repealed or Transferred.

Sec.	
100.	Nitrate plants.
100a.	Omitted.

SUBCHAPTER I—ARSENALS, ARMORIES,
ARMS, AND WAR MATERIALS

§§ 51 to 57. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 51, act Aug. 5, 1882, ch. 395, 22 Stat. 299, related to pay of master armorer at Springfield Armory.

Section 52, act June 23, 1874, ch. 486, 18 Stat. 282, related to pay of clerks at Springfield Armory.

Section 53, R.S. §1665, required an annual account of expenses of national armories, together with an account of arms made and repaired thereon.

Section 54, acts Aug. 18, 1890, ch. 797, §2, 26 Stat. 320; Aug. 7, 1946, ch. 770, §1(52), 60 Stat. 870, related to accounts of cost of type and experimental manufacture of guns and other articles.

Section 55, R.S. §1666, authorized Secretary of War to abolish useless or unnecessary arsenals.

Section 56, R.S. §1669, provided for forfeitures by reason of misconduct of workmen in armories.

Section 57, R.S. §1671, exempted from jury duty all artificers and workmen employed in armories and arsenals, of the United States.

§ 58. Repealed. Sept. 1, 1954, ch. 1208, title III, § 305(d), 68 Stat. 1114

Section, act July 17, 1912, ch. 236, 37 Stat. 193, related to awards. See section 4501 et seq. of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF REPEAL

Repeal effective 90 days after Sept. 1, 1954, see section 307 of act Sept. 1, 1954.

§§ 59 to 66. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 59, act July 26, 1886, ch. 781, §1, 24 Stat. 151, related to testing of rifled cannon for Navy.

Section 60, act July 8, 1918, ch. 137, 40 Stat. 817, authorized transfer of naval ordnance and ordnance material from Navy Department to Department of War.

Section 61, acts Mar. 3, 1879, ch. 183, 20 Stat. 412; Apr. 14, 1937, ch. 79, 50 Stat. 63, authorized issuance of arms and ammunition to protect public property, provided for reimbursement. See section 4655 of Title 10, Armed Forces.

Section 62, acts Feb. 10, 1920, ch. 64, 41 Stat. 403; June 5, 1920, ch. 240, 41 Stat. 976; May 26, 1952, ch. 334, 66 Stat. 94, authorized loan of rifles to organizations of honorably discharged soldiers. See section 4683 of Title 10.

Section 62a, act June 30, 1906, ch. 3938, 34 Stat. 817, authorized loan of ordnance to schools and State homes for veterans' orphans. See sections 4685 and 9685 of Title 10.

Section 62b, act Dec. 15, 1926, ch. 10, 44 Stat. 922, authorized Secretary of War to relieve posts or camps or organizations composed of honorably discharged soldiers, sailors, or marines, and sureties on bonds, from liability on account of loss or destruction of rifles, slings, and cartridge belts loaned to such organizations. See section 4683 of Title 10.

Section 62c, acts May 29, 1934, ch. 369, 48 Stat. 815; Aug. 30, 1935, ch. 826, 49 Stat. 1013, authorized Secretary of War to donate Army equipment loaned under authority of section 62 of this title.

Section 63, act May 11, 1908, ch. 163, 35 Stat. 125, authorized sales of ordnance property to schools and State homes for veterans' orphans. See sections 4625 and 9625 of Title 10, Armed Forces.

Section 64, acts May 28, 1908, ch. 215, §14, 35 Stat. 443; June 28, 1950, ch. 383, title IV, §402(g), 64 Stat. 273; Oct. 31, 1951, ch. 654, §2(26), 65 Stat. 707, authorized sale of obsolete small arms to patriotic organizations. See sections 4684 and 9684 of Title 10.

Section 64a, act Mar. 3, 1875, ch. 130, 18 Stat. 388, provided for sale of useless ordnance materials, appropriated an amount equal to net proceeds of sale for purpose of procuring a supply of material, and limited expenditures to not more than \$75,000 in any one year.

Section 65, acts Apr. 23, 1904, ch. 1485, 33 Stat. 276; Aug. 1, 1953, ch. 305, title VI, §645, 67 Stat. 357, authorized sale of serviceable ordnance and ordnance stores to American designers.

Section 66, acts Feb. 8, 1889, ch. 116, 25 Stat. 657; Mar. 3, 1899, ch. 423, 30 Stat. 1073; May 26, 1900, ch. 586, 31 Stat. 216; June 28, 1950, ch. 383, title IV, §402(e), 64 Stat. 273; Oct. 31, 1951, ch. 654, §2(27), 65 Stat. 707, authorized issuance of condemned ordnance to State homes for soldiers and sailors. See sections 4686 and 9686 of Title 10.

§ 67. Transferred

CODIFICATION

Section, acts May 22, 1896, ch. 231, 29 Stat. 133; May 26, 1928, ch. 785, 45 Stat. 773; Feb. 28, 1933, ch. 137, 47 Stat. 1369; June 19, 1940, ch. 398, §1, 54 Stat. 491; July 31, 1947, ch. 421, 61 Stat. 707; Feb. 27, 1948, ch. 76, §1, 62 Stat. 37; Oct. 31, 1951, ch. 654, §2(2), 65 Stat. 706, which authorized loans or gifts of condemned or obsolete equipment, was transferred to section 150p of former Title 5, Executive Departments and Government Officers and Employees, and subsequently repealed and reenacted as section 2572 of Title 10, Armed Forces, by act Aug. 10, 1956, ch. 1041, §1, 53, 70A Stat. 143, 641.

§§ 68 to 71. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 68, acts Mar. 4, 1909, ch. 319, §47, 35 Stat. 1075; June 28, 1950, ch. 383, title IV, §402(i), 64 Stat. 273; Oct. 31, 1951, ch. 654, §2(28), 65 Stat. 708, authorized sale of obsolete ordnance for public parks, public buildings and soldiers' monuments purposes. See sections 4684 and 9684 of Title 10, Armed Forces.

Section 69, act Mar. 2, 1905, ch. 1307, 33 Stat. 841, authorized sale of individual pieces of armament. See section 2574 of Title 10.

Section 70, acts Mar. 3, 1909, ch. 252, 35 Stat. 751; June 28, 1950, ch. 383, title IV, §402(h), 64 Stat. 273, authorized sale of ordnance property to officers of the Navy and Marine Corps. See section 4625 and 9625 of Title 10.

Section 71, act Mar. 3, 1909, ch. 252, 35 Stat. 750, authorized sale of ordnance stores to civilian employees of Army and to American National Red Cross. See sections 4625 and 9625 of Title 10.

§ 72. Repealed. May 1, 1937, ch. 146, § 5(i), 50 Stat. 126

Section, act Aug. 29, 1916, ch. 418, §1, 39 Stat. 643, related to sale of ordnance and stores to Cuba.

§ 73. Repealed. Aug. 1, 1953, ch. 305, title VI, § 645, 67 Stat. 357

Section, act Apr. 23, 1904, ch. 1485, 33 Stat. 276, related to disposition of proceeds from sales of serviceable ordnance and stores. See sections 2208 and 2210 of Title 10, Armed Forces.

§§ 74 to 81. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 74, act Jan. 22, 1923, ch. 28, 42 Stat. 1142, provided that net proceeds of sales of useless ordnance material by Navy Department should be covered into Treasury as "Miscellaneous receipts". See section 7543 of Title 10, Armed Forces.

Section 75, act Aug. 24, 1912, ch. 391, §1, 37 Stat. 589, related to payment for transfers of ordnance or stores to bureaus or departments.

Section 76, act June 20, 1878, ch. 359, §1, 20 Stat. 223, authorized private use of a machine for testing iron and steel.