

**§ 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1940, ch. 508, § 6, 54 Stat. 714, was transferred to section 701 of the former Appendix to this title and subsequently repealed by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.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 houses, and other plants and equipment or other means than water power as in his judgment is the best and cheapest, necessary or convenient for the generation of electrical or other power and for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers and other useful products.

**(b) Lease, purchase, or acquisition of lands and rights of way; purchase or acquisition of materials, minerals, and processes**

The President is authorized to lease, buy, or acquire, by condemnation, gift, grant, or devise, such lands and rights of way as may be necessary for the construction and operation of such plants and to take from any lands of the United States, or to buy or acquire by condemnation materials, minerals, and processes, patented or otherwise, necessary for the construction and operation of such plants and for the manufacture of such products.

**(c) Use of products of plants; disposal of surplus**

The products of such plants shall be used by the President for military and naval purposes to the extent that he may deem necessary, and any surplus which he shall determine is not required shall be sold and disposed of by him under such regulations as he may prescribe.

**(d) Employment of officers, agents, or agencies**

The President is authorized to employ such officers, agents, or agencies as may in his discretion be necessary to enable him to carry out the purposes herein specified, and to authorize and require such officers, agents, or agencies to perform any and all of the duties imposed upon him by the provisions hereof.

**(e) Government construction and operation**

The plant or plants provided for under this section shall be constructed and operated solely

by the Government and not in conjunction with any other industry or enterprise carried on by private capital.

(Aug. 10, 1956, ch. 1041, § 37, 70A Stat. 634.)

## CODIFICATION

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

**§ 100a. Omitted**

## CODIFICATION

Section, which was from the Department of Defense Appropriation Act, 1983, Pub. L. 97-377, title I, § 101(c) [title VII, § 712], Dec. 21, 1982, 96 Stat. 1833, 1851, prohibited use of funds available to Department of Defense agencies for acquisition, construction, or operation of certain scrap-processing facilities, and was not repealed in subsequent appropriation acts. Similar provisions were contained in the following prior appropriation acts:

- Dec. 29, 1981, Pub. L. 97-114, title VII, § 712, 95 Stat. 1580.
- Dec. 15, 1980, Pub. L. 96-527, title VII, § 713, 94 Stat. 3082.
- Dec. 21, 1979, Pub. L. 96-154, title VII, § 713, 93 Stat. 1154.
- Oct. 13, 1978, Pub. L. 95-457, title VIII, § 813, 92 Stat. 1246.
- Sept. 21, 1977, Pub. L. 95-111, title VIII, § 812, 91 Stat. 901.
- Sept. 22, 1976, Pub. L. 94-419, title VII, § 712, 90 Stat. 1293.
- Feb. 9, 1976, Pub. L. 94-212, title VII, § 712, 90 Stat. 170.
- Oct. 8, 1974, Pub. L. 93-437, title VIII, § 812, 88 Stat. 1226.
- Jan. 2, 1974, Pub. L. 93-238, title VII, § 712, 87 Stat. 1040.
- Oct. 26, 1972, Pub. L. 92-570, title VII, § 712, 86 Stat. 1198.
- Dec. 18, 1971, Pub. L. 92-204, title VII, § 712, 85 Stat. 729.
- Jan. 11, 1971, Pub. L. 91-668, title VIII, § 812, 84 Stat. 2032.
- Dec. 29, 1969, Pub. L. 91-171, title VI, § 612, 83 Stat. 481.
- Oct. 17, 1968, Pub. L. 90-580, title V, § 511, 82 Stat. 1131.
- Sept. 29, 1967, Pub. L. 90-96, title VI, § 611, 81 Stat. 244.
- Oct. 15, 1966, Pub. L. 89-687, title VI, § 611, 80 Stat. 992.
- Sept. 29, 1965, Pub. L. 89-213, title VI, § 611, 79 Stat. 875.
- Aug. 19, 1964, Pub. L. 88-446, title V, § 511, 78 Stat. 476.
- Oct. 17, 1963, Pub. L. 88-149, title V, § 511, 77 Stat. 265.
- Aug. 9, 1962, Pub. L. 87-577, title V, § 511, 76 Stat. 329.
- Aug. 17, 1961, Pub. L. 87-144, title VI, § 611, 75 Stat. 377.
- July 7, 1960, Pub. L. 86-601, title V, § 511, 74 Stat. 351.
- Aug. 18, 1959, Pub. L. 86-166, title V, § 611, 73 Stat. 380.
- Aug. 22, 1958, Pub. L. 85-724, title VI, § 611, 72 Stat. 725.
- Aug. 2, 1957, Pub. L. 85-117, title VI, § 612, 71 Stat. 325.
- July 2, 1956, ch. 488, title VI, § 612, 70 Stat. 469.
- July 13, 1955, ch. 358, title VI, § 615, 69 Stat. 317.
- June 30, 1954, ch. 432, title VII, § 715, 68 Stat. 352.

**CHAPTER 6—WILLFUL DESTRUCTION, ETC., OF WAR OR NATIONAL-DEFENSE MATERIAL****§§ 101 to 106. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862**

Section 101, acts Apr. 20, 1918, ch. 59, § 1, 40 Stat. 533; Nov. 30, 1940, ch. 926, 54 Stat. 1220; Dec. 24, 1942, ch. 824, 56 Stat. 1087; 1946 Proc. No. 2695, eff. July 4, 1946, 11 F.R. 7517, 60 Stat. 1352, related to definition of war terms. See section 2151 of Title 18, Crimes and Criminal Procedure.

Section 102, act Apr. 20, 1918, ch. 59, § 2, 40 Stat. 534, related to destruction or injury of war material in time of war. See section 2153 of Title 18.