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Priorities in use of certain facilities, etc.

SEC. 3. Vessels holding warrants issued pursuant to this Act shall be entitled to priority over merchant vessels not holding such warrants, with respect to the use of facilities for loading, discharging, lighterage or storage of cargoes, the procurement of bunker fuel or coal, and the towing, overhauling, drydocking or repair of such vessels. Vessels holding warrants shall have such priority as among themselves, as the United States Maritime Commission shall determine to be necessary and advisable in the interests of national defense, or as may be specified in the warrants. Persons in the United States, including the Philippine Islands and the Canal Zone, furnishing any of the above-mentioned facilities shall be authorized, and under rules and regulations prescribed by the United States Maritime Commission with the approval of the President may be required, to grant such priorities, anything in any contract whether heretofore or hereafter made to the contrary notwithstanding.

Priorities in importation and transportation.

SEC. 4. In the administration of this Act it shall be the policy of the Commission to make fair and reasonable provision for priorities with respect to (1) the importation of substantial quantities of strategic and critical materials, (2) the transportation of substantial quantities of materials when such transportation is requested by any defense agency, and (3) the transportation in the foreign or domestic commerce of the United States of substantial quantities of materials deemed by the Commission to be essential to the defense of the United States: *Provided*, That there shall be no unjust discrimination between ports of the United States. Nothing in this Act shall authorize the exaction of any sum from the holder of a warrant solely for the privilege of carrying cargo on any route. Vessels that on January 1, 1941, were engaged primarily in the coastwise transportation of coal for national defense and domestic consumption shall be granted warrants only so long as they continue in the same service as of said date, except that in case any such vessel ceased, before June 15, 1941, to engage in such transportation of coal and before such date became principally engaged in the transportation of defense materials, the Commission may grant such vessel a warrant for such service as it deems suitable pursuant to section 2.

*Proviso.* No unjust discrimination.

Coastwise transportation of coal.

"Citizen of the United States."

SEC. 5. The term "citizen of the United States" as used in this Act includes corporations, partnerships, and associations existing, authorized, or organized under the laws of the United States or any State, district, Territory, or possession thereof.

Penal provision.

SEC. 6. Whoever willfully violates any rule, regulation, or order issued under the authority conferred herein shall be punished by a fine of not more than $5,000, or by imprisonment for not more than two years or both: *Provided*, That the District Court of the Canal Zone and the several courts of first instance of the Commonwealth of the Philippine Islands shall have jurisdiction over offenses committed against the provisions of this Act within the Canal Zone and the Philippine Islands, respectively.

*Proviso.* Jurisdiction of prosecution.

Approved, July 14, 1941.

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[CHAPTER 298]

July 14, 1941
[H. R. 4839]
[Public Law 174]

## AN ACT

To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

Navy. Public works projects.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy is hereby authorized to establish or develop the following shore establishments by the construction of the following public-works projects, with which shall be included the authority to acquire

the necessary land, at a cost not to exceed the amount stated after each item enumerated:

Naval operating base, Newport, Rhode Island: Fleet operating facilities, including dredging, $2,000,000. — Newport, R. I.

Naval operating base, Norfolk, Virginia: Replacement of marine barracks, $500,000. — Norfolk, Va.

Naval ammunition depot, Hingham, Massachusetts: Extension of facilities, including purchase of land, $3,500,000. — Hingham, Mass.

Naval ordnance plant, South Charleston, West Virginia: Replacement of marine barracks, $125,000. — South Charleston, W. Va.

Naval hospital, Key West, Florida: Construction of hospital facilities, including buildings and accessories and acquisition of land, $1,000,000. — Key West, Fla.

Marine aviation facilities, Neuse River, North Carolina, $14,990,000. — Neuse River, N. C.

Expansion of Marine Corps training facilities, $3,500,000.

Naval training station, Great Lakes, Illinois: Expansion of facilities, $1,265,000. — Great Lakes, Ill.

Naval training station, Newport, Rhode Island: Expansion of facilities, $1,095,000. — Newport, R. I.

Naval training station, Norfolk, Virginia: Expansion of facilities, $1,700,000. — Norfolk, Va.

Naval training station, San Diego, California: Expansion of facilities, $1,440,000. — San Diego, Calif.

The foregoing costs for expansion of facilities at naval training stations may each be varied upward or downward 30 per centum provided the total cost for all four stations is not exceeded. — Variance of costs.

The provisions of section 4 of the Act approved April 25, 1939 (53 Stat. 590–592), as amended, shall be applicable to all public works and public-utilities projects authorized by this Act, regardless of location: *Provided*, That the fixed fee to be paid the contractor as a result of any contract hereafter entered into under the authority of the above-mentioned Act shall not exceed 6 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy. — Cost-plus-a-fixed-fee contracts. *Proviso.*

The provisions of section 8 (a) of the Act approved June 28, 1940 (Public, Numbered 671, Seventy-sixth Congress), shall be applicable to the public-works projects authorized by this Act. — Increase of cost limitation. 54 Stat. 680. 41 U. S. C., prec. § 1 note.

The Secretary of the Navy is hereby requested to investigate and report to the Congress, as soon as practicable, but not later than ten days after the convening of the session on or about January 3, 1942, upon the cost and desirability of establishing underground fuel storage facilities and underground hangars at naval shore establishments. — Underground fuel storage and hangars; report to Congress.

Approved, July 14, 1941.

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[CHAPTER 299]

## AN ACT

July 15, 1941
[S. 215]
[Public Law 175]

To amend the Act entitled "An Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes", approved June 28, 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 6 of the Act entitled "An Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes", approved June 28, 1938, is hereby amended by striking out the words "anything in any other Acts of Congress to the contrary notwithstanding" and inserting in lieu thereof a period and the fol- — Ute Indians. Jurisdictional act, amendment. 52 Stat. 1210.