

[CHAPTER 445]

AN ACT

To authorize the President of the United States to requisition property required for the defense of the United States.

October 16, 1941
[S. 1579]
[Public Law 274]

Requisitioning of
property for national
defense.
6 F. R. 2617.
Conditions.

Determination of
amount of compen-
sation.

Settlement of differ-
ences.

28 U. S. C. §§ 41 (20),
250.

Limitations.

Repurchase of prop-
erty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the President, during the national emergency declared by the President on May 27, 1941, but not later than June 30, 1943, determines that (1) the use of any military or naval equipment, supplies, or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions is needed for the defense of the United States; (2) such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and (3) all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted, he is authorized to requisition such property for the defense of the United States upon the payment of fair and just compensation for such property to be determined as hereinafter provided, and to dispose of such property in such manner as he may determine is necessary for the defense of the United States. The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this Act and the fair value of any property returned under section 2 of this Act, but each such determination shall be made on the basis of the fair market value of the property at the time it is requisitioned or returned, as the case may be. If, upon any such requisition of property, the person entitled to receive the amount so determined by the President as the fair and just compensation for the property is unwilling to accept the same as full and complete compensation for such property he shall be paid 50 per centum of such amount and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided by sections 24 (20) and 145 of the Judicial Code (U. S. C., 1934 ed., title 28, secs. 41 (20) and 250) for an additional amount which, when added to the amount so paid to him, he considers to be fair and just compensation for such property. Such courts shall also have power to determine in an appropriate proceeding any questions that may arise with respect to the amount of the fair value to be paid upon the return of any property under section 2 of this Act, regardless of the amount in controversy in any such proceeding.

Nothing contained in this Act shall be construed—

(1) to authorize the requisitioning or require the registration of any firearms possessed by any individual for his personal protection or sport (and the possession of which is not prohibited or the registration of which is not required by existing law),

(2) to impair or infringe in any manner the right of any individual to keep and bear arms, or

(3) to authorize the requisitioning of any machinery or equipment which is in actual use in connection with any operating factory or business and which is necessary to the operation of such factory or business.

SEC. 2. Wherever the President determines that property acquired under this Act and retained is no longer needed for the defense of the United States, he shall, if the original owner desires the property and pays the fair value thereof, return such property to the owner; but, in any event, property so acquired and retained shall, if the owner desires the property and pays the fair value thereof, be returned to the owner not later than December 31, 1943.

SEC. 3. The President from time to time, but not less frequently than once every six months, shall transmit to the Congress a report of operations under this Act.

SEC. 4. The President may issue such rules and regulations and require such information as may be necessary and proper to carry out the provisions of this Act, and he may exercise any power or authority conferred on him by this Act through such department, agency, board, or officer as he shall direct or appoint.

Approved, October 16, 1941.

[CHAPTER 446]

AN ACT

To amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter IV of the Nationality Act of 1940, section 409, is amended to read as follows:

"SEC. 409. Nationality shall not be lost under the provisions of section 404 or 407 of this Act until the expiration of two years following the date of the approval of this Act: *Provided, however,* That a naturalized person who shall have become subject to the presumption that he has ceased to be an American citizen as provided for in the second paragraph of section 2 of the Act of March 2, 1907 (34 Stat. 1228), and who shall not have overcome it under the rules in effect immediately preceding the date of the approval of this Act, shall continue to be subject to such presumption for the period of two years following the date of the approval of this Act unless it is overcome during such period."

Approved, October 16, 1941.

[CHAPTER 452]

AN ACT

To repeal sections 512; 513; 514; 515, as amended, of the Revised Statutes; sections 1 and 3 of the Act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 512; 513; 514; 515, as amended, of the Revised Statutes; sections 1 and 3 of the Act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes (41 U. S. C., secs. 1, 2, 3, 4, 4a, 16, 17, 18, and 19) are hereby repealed.

Approved, October 21, 1941.

[CHAPTER 453]

AN ACT

To amend the Act reorganizing the administration of Federal prisons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled "An Act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisons; to establish Federal jails, and for other purposes", approved May 14, 1930 (46 Stat. 326, U. S. C., title 18, sec. 753f), be, and it hereby is, amended by adding thereto the following sentence: "The authority conferred upon the Attorney General

Reports to Congress.

Rules and regulations.

Delegation of authority.

October 16, 1941

[H. R. 5511]

[Public Law 275]

Nationality Act of 1940, amendment.
54 Stat. 1171.
8 U. S. C. § 809.

Time restriction on loss of nationality.
54 Stat. 1170.
8 U. S. C. §§ 804, 807.
Proviso.

8 U. S. C. § 17.

October 21, 1941

[S. 377]

[Public Law 276]

Public contracts.
Repeal of designated sections.

October 21, 1941

[S. 1695]

[Public Law 277]

National Training School for Boys, D. C. Authority of Attorney General.
Ante, p. 252.