possible, surplus property, and may recommend to the Commission
the repair or construction under the provisions of section 304, at any
time prior to July 1, 1950, of buildings deemed essential to the
rehabilitation of public health and quarantine functions."

Sec. 3. Section 311 of the Philippine Rehabilitation Act of 1946 is
amended by adding thereto a subsection numbered (f) and reading
as follows:

"(f) Any Filipino who has commenced training or instruction prior
to June 30, 1950, as provided in this Act, shall, notwithstanding any
other provisions of this Act, be entitled, insofar as facilities are avail-
able, to receive the full course of training or instruction as prescribed
by the head of the bureau or agency concerned, and funds appropri-
ated under the authority of this Act shall be available for such training
or instruction. The number of trainees to be trained each year, as
prescribed by the several sections of this Act, refers to the number
of trainees who may be designated each year by the President of the
Philippines and not to the total number of trainees receiving training
or instruction in any one year."

Approved July 2, 1948.

[CHAPTER 811]

AN ACT

To promote the common defense by providing for the retention and maintenance
of a national reserve of industrial productive capacity, and for other purposes.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That this Act may be
cited as the "National Industrial Reserve Act of 1948".

DECLARATION OF POLICY

Sec. 2. In enacting this Act, it is the intent of Congress to provide
a comprehensive and continuous program for the future safety and
for the defense of the United States by providing adequate measures
whereby an essential nucleus of Government-owned industrial plants
and a national reserve of machine tools and industrial manufacturing
equipment may be assured for immediate use to supply the needs of the
armed forces in time of national emergency or in anticipation thereof;
it is further the intent of the Congress that such Government-owned
plants and such reserve shall not exceed in number or kind the mini-
mum requirements for immediate use in time of national emergency,
and that any such items which shall become surplus to such require-
ments shall be disposed of as expeditiously as possible.

DEFINITIONS

Sec. 3. (a) The term "national industrial reserve", as used herein,
means that excess industrial property which has been or may here-
after be sold, leased, or otherwise disposed of by the United States,
subject to a national security clause, and that excess industrial property
of the United States which not having been sold, leased, or otherwise
disposed of, subject to a national security clause, shall be transferred
to the Federal Works Agency under section 5 hereof.

(b) The term "excess industrial property," as used herein, means
any machine tool, any industrial manufacturing equipment and any
industrial plant (including structures on land owned by or leased to
the United States, substantially equipped with machinery, tools, and
equipment) which is capable of economic operation as a separate and
independent industrial unit and which is not an integral part of an
installation of a private contractor, which machine tools, industrial
manufacturing equipment, and industrial plants are under the control
of any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation and which are not required for its immediate needs and responsibilities as determined by the head thereof.

(c) The term "national security clause", as used herein, means those terms, conditions, restrictions, and reservations, heretofore formulated or as may be formulated under section 4 (2) hereof for insertion in instruments of sale or lease of property, determined in accordance with section 4 (1) to be a part of the national industrial reserve, which will guarantee the availability of such property for the purposes of national defense at any time when availability thereof for such purposes is deemed necessary by the Secretary of Defense.

Sec. 4. To effectuate the policy set forth in section 2 of this Act the Secretary of Defense is hereby authorized and directed to—

(1) determine which excess industrial properties should become a part of the national industrial reserve under the provisions of this Act;

(2) formulate a national security clause, as defined in section 3 (c) hereof and vary or modify the same from time to time in such manner as best to attain the objectives of this Act, having due regard to securing advantageous terms to the Government in the disposal of excess industrial property;

(3) consent to the relinquishment or waiver of all or any part of any national security clause in specific cases when necessary to permit the disposition of particular excess industrial property when it is determined that the retention of the productive capacity of any such excess industrial property is no longer essential to the national security or that the retention of a lesser interest than that originally required will adequately fulfill the purposes of this Act: Provided, That nothing in this subsection (3) shall require the modification or waiver of any part of any such national security clause when such clause is deemed necessary by the Secretary of Defense to effectuate the purposes of this Act; and

(4) designate what excess industrial property shall be disposed of subject to the provisions of the national security clause.

Sec. 5. (a) In the event that any agency charged with the disposal of excess industrial property, after making every practicable effort so to do, is unable to dispose of any excess industrial plant because of the national security clause it shall notify the Secretary of Defense, indicating such modifications in the national security clause, if any, which in its judgment would make possible disposal of the plant. The Secretary of Defense shall consider and agree to any and all such proposed modifications as in his judgment would be consistent with the purposes of this Act. If, however, such clause is not modified or the requirements thereof waived pursuant to section 4 (3), or if modified, such plant cannot then be disposed of under such modified clause, the Secretary of Defense shall direct that such plant be transferred to the Federal Works Agency, and such transfer shall be without reimbursement or transfer of funds.

(b) Notwithstanding any other provisions of law, any agency charged with the disposal of excess machine tools and industrial manufacturing equipment shall transfer custody of such machine tools and equipment as may be designated by the Secretary of Defense pursuant to section 4 hereof to the Federal Works Agency, without reimbursement, for storage and maintenance.

Sec. 6. Subject to provisions of section 7 hereof, the Federal Works Agency is hereby authorized and directed to accept the transfer to it of such excess industrial property as is directed to be transferred to it under section 4 hereof and, as and when directed or authorized by
the Secretary of Defense pursuant to section 7 hereof, to utilize, main-
tain, protect, repair, restore, renovate, lease, or dispose of such prop-
412; U. S. C., title 40, sec. 303 (b)), any lease may provide for the
renovation, maintenance, protection, repair, and restoration by the
lessee, of the property leased, or of the entire unit or installation when
a substantial part thereof is leased, as part or all of the consideration
for the lease of such property.

Sec. 7. The Secretary of Defense, with respect to property in the
national industrial reserve, is authorized when he deems such action
to be in the interest of national security—
(1) to establish general policies for the care, maintenance, utili-
zation, recording, and security of such property transferred to
the Federal Works Agency pursuant to section 5 hereof; and
(2) to direct the transfer without reimbursement by the Federal
Works Agency of any of such property to other Government agen-
cies with the consent of such agencies; and
(3) to direct the leasing by the Federal Works Agency of any
of such property to designated lessees; and
(4) to authorize the disposition by the Federal Works Agency
of any of such property by sale or otherwise when in the opinion
of the Secretary of Defense such property may be disposed of
subject to or free of the national security clause provided for in
section 5 hereof; and
(5) to authorize and regulate the lending of any such property
by the Federal Works Agency to any nonprofit educational insti-
tution or training school when (a) the Secretary shall determine
that the program proposed by such institution or school for the
use of such property will contribute materially to national defense,
and (b) such institution or school shall by agreement make such
provision as the Secretary shall deem satisfactory for the proper
maintenance of such property and for its return to the Federal
Works Agency without expense to the Government.

Sec. 8. As and when directed or authorized by the Secretary of
Defense pursuant to the provisions of section 7 hereof, the Federal
Works Agency shall after the date upon which transfer is directed pur-
suant to section 5 hereof provide for the transportation, handling,
care, storage, protection, maintenance, utilization, repair, restoration,
renovation, leasing, and disposition of excess industrial property.

Sec. 9. Nothing contained in this Act shall be construed as authoriz-
ing the acquisition of any property for the national industrial reserve
except from excess or surplus Government-owned property.

Sec. 10. The Secretary of Defense shall appoint a National Indus-
trial Reserve Review Committee, which shall consist of not exceeding
fifteen persons to be appointed from civilian life who are by training
and experience familiar with various fields of American industry,
including shipbuilding, aircraft manufacture, machine tools, and arms
and armament production. The members of such Committee shall
serve for such term or terms as the Secretary of Defense may specify
and shall meet at such times as may be specified by the Secretary of
Defense to consult with and advise the National Military Establish-
ment. Each member of such Committee shall be entitled to compensa-
tion in the amount of $50 for each day, or part of day, he shall be
in attendance at any regular called meeting of the Committee, together
with reimbursement for all travel expenses incident to such attendance:
Provided, That nothing contained in sections 41, 109, and 113 of the
Criminal Code (U. S. C., title 18, secs. 93, 198, and 203) ; in Revised
Statutes, section 190 (U. S. C., title 5, sec. 99) ; in section 19 (c) of
the Contract Settlement Act of 1944 (Public Law 395, Seventy-eighth
Duties of Committee.

Sec. 10. It shall be the duty of the Committee appointed under section 10 hereof to review not less often than once each year the justification for the retention of property in the national industrial reserve established hereunder and (i) to recommend to the Secretary of Defense the disposal of any such property which in the opinion of the Committee would no longer be of sufficient strategic value to warrant its further retention for the production of war material in the event of a national emergency; (ii) to recommend to the Secretary of Defense standards of maintenance for the property held in the national industrial reserve; (iii) to review and recommend to the Secretary of Defense the disposal of that property which in the opinion of the Committee could and should be devoted to commercial use in the civilian economy; and (iv) to advise the Secretary of Defense with respect to such activities under this Act as he may request.

Sec. 11. It shall be the duty of the Committee appointed under section 10 hereof to report to Congress.

Report to Congress.

Sec. 11. It shall be the duty of the Committee appointed under section 10 hereof to review not less often than once each year the justification for the retention of property in the national industrial reserve established hereunder and (i) to recommend to the Secretary of Defense the disposal of any such property which in the opinion of the Committee would no longer be of sufficient strategic value to warrant its further retention for the production of war material in the event of a national emergency; (ii) to recommend to the Secretary of Defense standards of maintenance for the property held in the national industrial reserve; (iii) to review and recommend to the Secretary of Defense the disposal of that property which in the opinion of the Committee could and should be devoted to commercial use in the civilian economy; and (iv) to advise the Secretary of Defense with respect to such activities under this Act as he may request.

Sec. 12. The Secretary of Defense shall submit to the Congress on April 1 of each year a report detailing the action taken by it hereunder and containing such other pertinent information on the status of the national industrial reserve as will enable the Congress to evaluate its administration and the need for amendments and related legislation.

Sec. 13. Section 5 of the Act approved August 5, 1947 (ch. 493, 61 Stat. 774), is hereby repealed.

Sec. 14. There are hereby authorized to be appropriated to the Office of the Secretary of Defense and to the Federal Works Administration, out of any moneys in the Treasury not otherwise appropriated, such sums as the Congress may, from time to time, determine to be necessary to enable the Secretary of Defense and the Federal Works Agency to carry out their respective functions under the Act.

Approved July 2, 1948.

[CHAPTER 812] AN ACT

Providing for the more expeditious determination of certain claims filed by Ute Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the 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 (52 Stat. 1209), as amended July 16, 1941 (55 Stat. 593), June 22, 1943 (57 Stat. 160), June 11, 1946 (60 Stat. 255), and August 13, 1946 (60 Stat. 1049), is hereby amended by adding to section 3 thereof the following: "The court shall, upon a determination of the material issues or upon consent of the parties, enter a separate final judgment for any value of the surface and a subsequent separate final judgment for any value of the subsurface of the land which the court may determine to be the subject matter of case numbered 45585 in the United States Court of Claims entitled, Confederated Bands of Ute Indians versus United States of America. Each of the judgments shall be subject to review in accordance with the provisions of section 3 of the Act of February 13, 1929 (ch. 229, 43 Stat. 939), as amended by the Act approved May 22, 1939 (ch. 140, 53 Stat. 752; 28 U. S. C. 288). Any value subse-