

Public Law 221

CHAPTER 543

AN ACT

To facilitate the establishment of local self-government at the communities of Oak Ridge, Tennessee, and Richland, Washington, and to provide for the disposal of federally owned properties of such communities.

August 4, 1955
[S. 2630]

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 "Atomic Energy Community Act of 1955".

Atomic Energy
Community Act of
1955.
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CHAPTER 1. DECLARATION, FINDINGS, AND PURPOSE

SEC. 11. DECLARATION OF POLICY.—It is hereby declared to be the policy of the United States of America that Government ownership and management of the communities owned by the Atomic Energy Commission shall be terminated in an expeditious manner which is consistent with and will not impede the accomplishment of the purposes and programs established by the Atomic Energy Act of 1954. To that end, it is desired at each community to—

- a. facilitate the establishment of local self-government;
- b. provide for the orderly transfer to local entities of municipal functions, municipal installations, and utilities; and
- c. provide for the orderly sale to private purchasers of property within those communities with a minimum of dislocation.

SEC. 12. FINDINGS.—The Congress of the United States hereby makes the following findings concerning the communities owned by the Atomic Energy Commission:

- a. The continued morale of project-connected persons is essential to the common defense and security of the United States.
- b. In issuing rules and regulations required or permitted under this Act for the disposal of the communities and in disposing of the communities in accordance with the provisions of this Act and in accordance with the rules and regulations required or permitted by this Act, the Commission is acting under authority delegated to it by the Congress.
- c. Funds of the United States may be provided for the disposal of the communities and for assistance in the operation of the communities thereafter under conditions which will provide for the common defense and promote the general welfare.

SEC. 13. PURPOSE.—It is the purpose of this Act to effectuate the policies set forth above by providing for—

- a. the maintenance of conditions which will not impede the recruitment and retention of personnel essential to the atomic energy program;
- b. the obligation of the United States to contribute to the support of municipal functions in a manner commensurate with—
 - (1) the fiscal problems peculiar to the communities by reason of their construction as national defense installations, and
 - (2) the municipal and other burdens imposed on the governmental or other entities at the communities by the United States in its operations at or near the communities;

68 Stat. 919.
42 USC 2011
note.

- c. the opportunity for the residents of the communities to assume the obligations and privileges of local self-government; and
- d. the encouragement of the construction of new homes at the communities.

CHAPTER 2. DEFINITIONS

SEC. 21. DEFINITIONS.—The intent of Congress in the definitions as given in this section should be construed from the words or phrases used in the definitions. As used in this Act—

- a. The term "Commission" means the Atomic Energy Commission.
- b. The term "community" means that area at—
 - (1) Oak Ridge, Tennessee, designated on a map on file at the principal office of the Commission, entitled "Minimum Geographic Area, Oak Ridge, Tennessee", bearing the legend "Boundary Line, Minimum Geographic Area, Oak Ridge, Tennessee" and marked "Approved, 21 April 1955, K. D. Nichols, General Manager"; or
 - (2) Richland, Washington, designated on a map on file at the principal office of the Commission, entitled "Minimum Geographic Area, Richland, Washington", bearing the legend "Boundary Line, Minimum Geographic Area, Richland, Washington" and marked "Approved, 21 April 1955, K. D. Nichols, General Manager."
- c. The term "house" includes the lot on which the house stands.
- d. The term "member of a family" means any person who, on the first offering date, resides in the same dwelling unit with one or more of the following relatives (including those having the same relationship through marriage or legal adoption): spouse, father, mother, grandfather, grandmother, brother, sister, son, daughter, uncle, aunt, nephew, niece, or first cousin.
- e. The term "mortgage" shall include deeds of trust and such other classes of lien as are given to secure advances on, or the unpaid purchase price of real estate under the laws of the State in which the real estate is located.
- f. The term "municipal installation" includes, without limitation, schools, hospitals, police and fire protection systems, sewerage and refuse disposal plants, water supply and distribution installations, streets and roads, libraries, parks, playgrounds and recreational means, municipal government buildings, other properties suitable for municipal or comparable local public service purposes, and any fixtures, equipment, or other property appropriate to the operation, maintenance or repair of the foregoing.
- g. The term "occupant" means a person who, on the date on which the property in question is first offered for sale, is entitled to residential occupancy of the Government-owned house in question, or of a family dwelling unit in such house, in accordance with a lease or license agreement with the Commission or its property-management contractor.
- h. The term "offering date" means the date the property in question is offered for sale.
- i. The term "project area" means that area which on the effective date of this Act constitutes the Federal area at Oak Ridge, Tennessee, or Hanford, Washington.
- j. The term "project-connected person" means any person who, on the first offering date, is regularly employed at the project area in one of the following capacities:
 - (1) An officer or employee of the Commission or any of its contractors or subcontractors, or of the United States or any

agency thereof (including members of the Armed Forces), or of a State or political subdivision or agency thereof;

(2) An officer or employee employed at a school or hospital located in the project area;

(3) A person engaged in or employed in the project area by any professional, commercial, or industrial enterprise occupying premises located in the project area; or

(4) An officer or employee of any church or nonprofit organization occupying premises located in the project area.

k. The term "resident" means any person who, on the date on which the property in question is first offered for sale is either—

(1) an occupant in a residential unit designated for sale at the community, or

(2) a project-connected person who is entitled, in accordance with a lease or similar agreement, to residential occupancy of privately owned rental housing in the community.

l. The term "utility" means any electrical distribution system, any public transportation system, or any public communication system, and any fixtures, equipment, or other property appropriate to the operation, maintenance or repair of the foregoing.

CHAPTER 3. LOTS, APPRAISALS, AND PRICES

SEC. 31. LOTS.—The Commission is authorized to plat each community immediately upon passage of this Act, or immediately upon the inclusion of the community within the provisions of this Act. The Commission may establish lot boundaries, and realine, divide, or enlarge existing tracts as it deems appropriate.

SEC. 32. APPRAISALS.—The Commission shall proceed to secure appraisals of all property at the community which is to be sold pursuant to this Act. The appraisals shall be made by the Federal Housing Commissioner or his designee. The Commission shall reimburse the Federal Housing Commissioner for the cost of such appraisals. Appraisals made under this section shall be the appraisals on which the Federal Housing Commissioner may insure any mortgage or loan under the National Housing Act until such time as he finds that the appraisal values generally in the community no longer represent the fair market values of the properties.

SEC. 33. BASIS OF APPRAISAL.—Except for lots sold pursuant to the provisions of section 57a., the appraised value shall be the current fair market value of the Government's interest in the property.

SEC. 34. POSTING.—Lists showing the appraised value of each parcel of property to be offered for sale to priority purchasers shall, prior to the offering of such property for sale, be made available for public inspection, at reasonable times, at the offices of the Commission at the community.

SEC. 35. SALES PRICES.—

a. In the sale to priority purchasers of properties on which are located Government-owned single or duplex houses, the sales price shall be the appraised value less a deduction of 15 per centum of the appraised value and less the deductions provided by section 36.

b. In all other cases the sales price to priority purchasers shall be the appraised value less the deductions provided by section 36, except that sales made under sections 53 b. and c. shall be made at the prices set forth therein.

SEC. 36. IMPROVEMENTS.—

a. In addition to any other deduction which may be permitted from the sales price for residential property, there shall, upon

application by the prospective purchaser, be deducted the amount by which the current fair market value of the Government's interest in the premises is enhanced as a result of improvements to the premises made by, or at the expense of, the prospective purchaser.

b. A junior occupant of a duplex house, which was purchased by the senior occupant, shall, upon application therefor, be entitled to a credit, against the purchase price of any residential property purchased through the exercise of a priority right established under the provisions of section 42, for the amount by which the current fair market value of the Government's interest in the duplex house of which he was an occupant is enhanced as a result of improvements to the premises of such duplex house made by, or at the expense of, the junior occupant.

c. The value of the improvements as specified in subsections 36 a. and b. shall be determined in accordance with the provisions of section 32.

d. Persons purchasing property pursuant to the provisions of section 52, who do not desire to avail themselves of the indemnity provisions contained in sections 63 through 66, shall be entitled to an additional deduction of 10 per centum of the appraised value of the property in addition to any other deduction set forth in this section.

CHAPTER 4. CLASSIFICATION OF PROPERTY AND PRIORITIES

SEC. 41. CLASSIFICATION OF PROPERTY.—

a. Immediately upon passage of this Act, the Commission shall classify all real property (including such improvements and such fixtures, equipment and other personal property incident thereto as it may deem appropriate) within each community in accordance with such classifications as shall insure reasonably similar treatment for reasonably similar property. The Classification shall be made by such procedures, consistent with this chapter, as it shall determine.

b. The commission may, but shall not be required to, classify any other real property at or in the vicinity of the community, whether within or outside of that community.

SEC. 42. PRIORITIES.—The Commission shall establish, by rule or regulation, a detailed system of reasonable and fair priority rights applicable to the sale of Government-owned property to private purchasers at each community. The priorities shall—

a. be uniform in each class or subclass of property;

b. give such preference to occupants and project-connected persons and to incoming employees of the Commission, of a contractor, or of a licensee as the Commission finds necessary or desirable, giving due consideration to the following factors:

(1) The retention and recruitment of personnel essential to the atomic energy program;

(2) The minimization of dislocations within the community;

(3) The expeditious accomplishment of the disposal program; and

(4) The desirability of encouraging private firms to locate or remain in the community;

c. give the occupant of a Government-owned single family house, and the senior occupant of a duplex house, at least ninety days in which to exercise the first right of priority;

d. permit persons who have formerly been occupants, project-connected persons, or inhabitants of the community, upon application therefor, to have such priority as the Commission finds to be fair and equitable; and

e. not impair any rights, including purchase rights, conferred by existing leases and covenants;

SEC. 43. TRANSFERABILITY.—No priority shall be transferable, except—

a. a husband and wife may exercise a priority in their joint names;

b. a religious organization may exercise the priority which would otherwise belong to its priest, minister, or rabbi, regardless of whether that position happens to be filled at the time of the exercise of the priority;

c. two or more priority holders having a common interest in a building or location may assign their interests to a single assignee; and

d. the Commission may permit such other transfers as it finds to be fair and equitable.

CHAPTER 5. SALES OF PROPERTY FOR PRIVATE USE

SEC. 51. APPLICATION.—The provisions of this chapter shall be made applicable at each community as soon as the Commission makes a finding in writing that there is a reasonable possibility that the Government-owned real property at such community can be disposed of in accordance with the provisions of this chapter.

SEC. 52. DISPOSAL OF PROPERTY.—

a. The Commission shall offer for disposal all real property (including such improvements thereon and such fixtures, equipment, and other personal property incident thereto as it may deem appropriate) within the community which is presently under lease or license agreement with the Commission or its community management contractor for residential, commercial or industrial, agricultural, church or other nonprofit use, or which, in the opinion of the Commission, is appropriate for such use, other than—

(1) structures which in the opinion of the Commission should be removed from the community because of their unsatisfactory type of construction, condition, or location; or

(2) property which in the opinion of the Commission should be transferred pursuant to chapter 7 or chapter 8.

b. The Commission may, but shall not be required to, dispose of any other real property at the community, whether within or outside of that community.

c. Such property shall be disposed of on such terms and conditions, consistent with this chapter, as the Commission shall prescribe in the national interest, and without regard to any preferences or priorities whatever except those provided for pursuant to this Act. Transfers by the Commission of such property shall not impair rights under existing leases and covenants, including any purchase rights therein conferred.

SEC. 53. SALES.—

a. Where rights of priority have been granted pursuant to the provisions of this Act to Government-owned property, it shall be offered for sale to priority purchaser by giving notice to those eligible for such priority. Such notice shall (1) be in such manner as the Commission shall prescribe, (2) identify the property to be sold, and (3) state the terms and conditions of sale and the date of the offer which, in the case of occupants of single

family or duplex houses, shall expire not less than ninety days after the date of the offer.

b. Any property (other than church property) classified for sale under section 41 and offered for sale under section 52, as to which no priority right has been conferred, or as to which all priority rights have expired, shall be advertised for sale to the highest bidder, subject to the right of the Commission to reject any or all bids, and also subject to the right of an occupant of a Government-owned single family or duplex house to buy such house by paying an amount equal to the highest bid. No bid shall be accepted which is below the appraised value or, in the case of Government-owned single and duplex houses is below 85 per centum of the appraised value.

c. As to any property which has not been sold under subsection 53 b. within one year after the first advertisement for sale under subsection 53 b. the Commission may make such disposition, on such terms and conditions, as it may deem appropriate, but the Commission shall give an occupant of a Government-owned single family or duplex house such further opportunity to purchase such house as shall be fair and equitable.

d. Property for use of churches, in respect of which all priority rights have expired, may be disposed of by advertising and competitive bid, or by negotiated sale or other transfer at such prices, terms, and conditions as the Commission shall determine to be fair and equitable.

SEC. 54. CASH SALES.—All sales shall be for cash, and the buyer shall arrange for the necessary financing, except as provided in chapter 6 of this Act.

SEC. 55. FORM AND PROVISIONS OF INSTRUMENTS.—Deeds executed in connection with the disposal of property pursuant to the provisions of this Act—

a. shall be as simple as the Commission shall find to be appropriate, and may contain such warranties or covenants of title and other provisions (including any indemnity) as the Commission may deem appropriate;

b. with respect to any dormitories or apartment houses and any property used or to be used for construction of housing developments for rental purposes, may retain or acquire such rights to the Commission to designate the future occupants of part or all of such properties as it may deem appropriate to insure the availability of housing for employees of the Commission and its contractors;

c. may require that the transferee, his heirs, successors, and assigns shall compensate the Commission for any municipal services provided by the Commission at rates which will not be in excess of the average tax for such services in the immediate vicinity of the community; and any amounts due and unpaid for such compensation (together with interest and costs thereon) shall, as of the date on which such amounts become delinquent, be a lien in favor of the United States upon the premises sold by the Commission, though not valid as against any mortgagee, pledgee, purchaser, or judgment creditor until notice thereof has been filed in accordance with the laws of the State in which the property is situated or in the office of the clerk of the United States district court for the judicial district in which the property subject to the lien is situated, if such State has not by law provided for the filing of such notice;

d. in transferring any property pursuant to sections 31 and 52, may impose such restrictions and requirements relating to the

use of the premises and to public health and safety, as the Commission may deem appropriate, which restrictions and requirements shall not be valid beyond one year after the incorporation of the city at the community; and

e. may require that any payments in lieu of property taxes or assessments for local improvements made by the Commission with respect to the property shall be equitably prorated.

SEC. 56. OCCUPANCY BY EXISTING TENANTS.—Upon application by any occupant of a single or duplex house made within the period of the first priority when such house is first offered for sale under this Act, the Commission shall execute a lease to such occupant for a period not to exceed one year from the date on which such property is first offered for sale, or for such period as he remains a project-connected person, whichever is shorter. In selling any house with respect to which a lease executed under this section is in effect, the Commission may provide that the purchaser shall assume any or all obligations of the lessor, but the Commission shall guarantee the lessee's performance under the terms of the lease.

SEC. 57. LOTS.—

a. Notwithstanding any other provision of this Act, the Commission is authorized, immediately upon passage of this Act, or immediately upon the inclusion of the community within the provisions of this Act, to offer for sale to the lessees single residential lots, which were leased by competitive bid and which do not have a Government-owned building thereon, at a price equal to the initial valuation of the lot as stated in the lease.

b. The Commission is authorized to offer for sale, as soon as possible, other lots, to individual owners, upon which single family or duplex houses may be erected, taking into consideration the zoning restrictions the new city is likely to enact with respect to those lots.

CHAPTER 6. FINANCING

SEC. 61. CONTRACT PURCHASE.—The Commission may, in the sale of any single-family or duplex house to a priority purchaser, enter into a contract to purchase which provides that the purchaser shall conclude his purchase within not more than three years after the date the contract is entered into. Such contracts to purchase shall provide for such periodic payments, including payments on account of principal, interest, or tax equivalents, as the Commission shall prescribe.

SEC. 62. COMMISSION FINANCING.—

a. In the event that the Commission finds that financing on reasonable terms is not available from other sources, the Commission may, in order to facilitate the sale of residential property under chapter 5 of this Act, accept, in partial payment of the purchase price of any house, apartment building, or dormitory notes secured by first mortgages on such terms and conditions as the Commission shall deem appropriate. In the case of houses and apartment buildings, the maturity and percentage of appraised value in connection with such notes and mortgages shall not exceed those prescribed under section 223 (a) of the National Housing Act, as amended, and the interest rate shall equal the interest rate plus the premium being charged (and any periodic service charge being authorized by the Federal Housing Commissioner for properties of similar character) under section 223 (a) of the National Housing Act, as amended, at the effective date of such notes and mortgages.

b. The Commission may sell any such notes and mortgages on terms set by the Commission.

SEC. 63. COMMISSION INDEMNITY.—For a period of not more than fifteen years after the date of enactment of this Act, the Commission shall indemnify the purchaser (except a purchaser taking advantage of the provisions of subsection 36 (d)), and any successor in title, of any such single family or duplex house as set forth in this chapter. This indemnity shall be deemed to be incorporated in the deeds given on the sale of Government-owned houses. One person may not invoke the indemnity in respect of more than one house.

SEC. 64. COMMUNITY EMPLOYMENT AND POPULATION.—The indemnity obligation specified in section 63 shall arise only if, for the six months just preceding the date on which it is invoked—

(a) the total number of operating, maintenance, and administrative employees in the project area, as determined by the Commission, has been less than fourteen thousand three hundred and thirty-seven in the case of Oak Ridge or seven thousand six hundred and twenty-two in the case of Richland; and

(b) the population in the community has been less than twenty-nine thousand two hundred and fifty in the case of Oak Ridge or twenty-five thousand two hundred in the case of Richland.

For purposes of this section employment shall be determined on the basis of the pay period or periods ending nearest the 15th of each month.

SEC. 65. AMOUNT OF INDEMNITY.—The indemnity obligation of the Commission specified in section 63 shall be for such amount, less the sales price of the property, as would have remained unpaid under a loan entered into on the date of the execution of the original deed by the Commission—

(1) which was in the amount of the purchase price from the Commission and provided for equal monthly payments of principal and interest over a period of twenty years computed on the basis of the average interest and other charges recorded for property of the same class at the community; and

(2) on which all payments due to the date when notice was received by the Commission had been made.

SEC. 66. CONDITIONS OF INDEMNITY.—The Commission shall make the indemnity payment specified by section 65 only if the Commission receives a notice from the then owner of the property that he is about to sell the property for a sum less than the unpaid balance of the real or hypothetical loan calculated pursuant to section 65. Such payment shall be made only if—

a. notice is given to the Commission at a time when the conditions of section 64 are satisfied;

b. the sale is made within such time as the Commission may prescribe and in a manner which the Commission determined to afford adequate assurance of a fair price without excessive costs; and

c. the Commission is given such prior notice of the sale and such opportunity to become a purchaser as it shall prescribe.

In such circumstances the Commission is hereby authorized to purchase the property. Sales pursuant to this section and payment by the Commission of such amount, if any, as is owing pursuant to sections 63 through 66 shall end the obligation of the Commission under sections 63 through 66 with respect to that property.

CHAPTER 7. UTILITIES

SEC. 71. AUTHORIZATION TO TRANSFER UTILITIES.—The Commission is authorized to transfer to one or more of the entities specified in this chapter such utilities as in the judgment of the Commission will be appropriate to enable the transferee to meet the needs of the residents of the community for adequate utility services of the kind to be transferred.

SEC. 72. DATE OF TRANSFER.—Transfers of utilities shall be made as soon as possible, but in any event, not later than five years after the date of enactment of this Act.

SEC. 73. ENTITY RECEIVING TRANSFER.—

a. Transfer may be made to one or more of the following, if the transferee has the legal authority to receive and operate the utility.

- (1) the city at the community;
- (2) the State in which the community is located;
- (3) any political subdivision or agency of that State; or
- (4) any person, firm, corporation, or other legal entity.

b. In determining the transferee for any utility, the Commission may consider the following:

- (1) the pattern of ownership of the comparable utilities in the State in which the community is located;
- (2) the ability of the transferee to operate the utility;
- (3) the probable price of the sale of the utility, the ability of the transferee to pay that price, and any probable expense;
- (4) the desires of the eligible voters of the community as directly expressed in any vote in any officially recognized procedure or in any procedure established by the Commission; and
- (5) the benefit to the United States in reducing possible requirements for local assistance as authorized in chapters 8 and 9 of this Act.

SEC. 74. UTILITIES TRANSFERABLE.—All utilities are authorized to be transferred under this chapter, but shall not include property which the Commission determines to be needed for its own use.

SEC. 75. CHARGES FOR UTILITIES TRANSFERRED.—The Commission may give the utility to the city incorporated at the community; and must charge in selling the utility to any other transferee. The charges and terms for the transfer of any utility may be established by advertising and competitive bid, or by negotiated sale or other transfer at such prices, terms, and conditions as the Commission shall determine to be fair and equitable.

CHAPTER 8. MUNICIPALITIES

SEC. 81. ASSISTANCE IN ORGANIZATION.—The Commission is authorized, for a period not to extend beyond five years after the date of enactment of this Act to cooperate with and assist the residents of the community in preparation for and establishment of local self-government and in the transfer of municipal installations and responsibilities to local entities. Such assistance may include payment of any amounts reasonably necessary to meet expenses incident to the establishment and organization of a city government and other local entities at the community, until such time as the municipal installations are transferred in accordance with the provisions of this chapter.

SEC. 82. AUTHORIZATION TO TRANSFER MUNICIPAL INSTALLATIONS.—The Commission is authorized to transfer to one or more of the entities specified in this chapter such municipal installations as in the judg-

ment of the Commission, will be appropriate to enable the transferees to meet the needs of the residents of the community for adequate school, hospital, and other municipal services.

SEC. 83. DATE OF TRANSFER.—Transfers of municipal installations may be made at any time, not later than five years after the date of enactment of this Act.

SEC. 84. ENTITY RECEIVING TRANSFER.—

a. Transfers may be made to one or more of the following, if the entity has the legal authority to receive the installation: (1) the city at the community; (2) the State in which the community is located; (3) any political subdivision or agency of that State; or (4) a private nonprofit organization in the case of the hospital installation or cemetery at the community.

b. In determining the entity to which school, hospital, and other municipal installations, respectively, shall be transferred, the Commission shall be governed, in order, by

(1) the results of a vote in which the eligible voters in the community expressed themselves directly on the transfer in the vote on the incorporation of the city;

(2) the results of a vote in which the eligible voters have directly expressed themselves on the proposed transfer in a referendum or other officially recognized procedure;

(3) there being only one entity which is legally authorized to receive the municipal installation; or

(4) in the absence of the other alternatives, the Commission has conducted a vote of the eligible voters of the community on the proposed transfer under such procedures as it may establish.

SEC. 85. INSTALLATIONS TRANSFERABLE.—All municipal installations are authorized to be transferred under this chapter, but shall not include property which the Commission determines to be needed for its own use.

SEC. 86. CHARGES FOR MUNICIPAL INSTALLATIONS TRANSFERRED.—The transfer of any municipal installation authorized to be made under the provisions of this chapter may be made without charge to the entity receiving the installation.

CHAPTER 9. LOCAL ASSISTANCE

SEC. 91. BASIS OF ASSISTANCE TO CITIES AND OTHER STATE AND LOCAL ENTITIES.—

a. From the date of transfer of any municipal installations to a governmental or other entity at or for the community, the Commission shall, for a period of ten years, make annual assistance payments of just and reasonable sums to the State, county, or local entity having jurisdiction to collect property taxes or to the entity receiving the installation transferred hereunder. In determining the amount and recipient of such payments, the Commission shall consider—

(1) the approximate real property taxes and assessments for local improvements which would be paid to the governmental entity upon property within the community if such property were not exempt from taxation by reason of Federal ownership;

(2) the maintaining of municipal services at a level which will not impede the recruitment or retention of personnel essential to the atomic energy program;

(3) the fiscal problems peculiar to the governmental entity by reason of the construction at the community as a single purpose national defense installation under emergency conditions; and

(4) the municipal services and other burdens imposed on the governmental or other entities at the community by the United States in its operations in the project area.

b. Special interim payments may be made under the provisions of this section to any governmental entity which—

(1) has a special burden due to the requirements under law imposed upon it in assisting in effectuating the purposes of this Act for which it will not otherwise receive adequate compensation or revenues; or

(2) will suffer a tax loss or lapse in place of which it will not receive any other adequate revenues until the new governmental entities contemplated by this chapter are receiving their normal taxes and performing their normal functions,

c. Payments made under this section shall be payments made for special burdens imposed on the local governmental entities in accordance with the second sentence of section 168 of the Atomic Energy Act of 1954. Payments may be made under this section notwithstanding the provisions of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended.

d. With respect to any entity not less than six months prior to the expiration of the ten-year period referred to in subsection a, the Commission shall present to the Joint Committee on Atomic Energy its recommendation as to the need for any further contribution payments to such entity. If it recommends further contribution payments, it shall propose a definite schedule of such contribution payments which will provide for an orderly and reasonably prompt withdrawal of the Atomic Energy Commission from participation in and contribution toward local government.

SEC. 92. COMMISSION REDUCTIONS.—Any payment which becomes due under section 91 prior to the transfer of all municipal installations at the community may be reduced by such amount as the Commission determines to be equitable based on the municipal services then being performed by the Commission, and the municipal services then being performed by such governmental entity.

SEC. 93. AREA OF SERVICE.—The payments made pursuant to section 91 to transferees of municipal installations are in anticipation that the respective recipients of those payments furnish, or have furnished, for the community, the school, hospital, or other municipal services in respect of which the payments are made. Any such payment may be withheld, in whole or in part, if the Commission finds that the recipient is not furnishing such services for any part of the area so designated.

SEC. 94. COMMISSION CONTRACTS.—The Commission is authorized, without regard to section 3679 of the Revised Statutes, to enter into a contract with any governmental or other entity to which payments are required to be made pursuant to section 91, obligating the Commission to make to such entity the payments as directed to be made by section 91.

CHAPTER 10. TRANSFER OF FUNCTIONS, AND REVIEW

SEC. 101. TRANSFER OF FUNCTIONS.—The President is authorized to delegate the duties and responsibilities placed on the Commission by this Act to such other agencies of the United States Government as are reasonably qualified to perform those duties and responsibilities. The President may delegate any or all of the duties and responsibilities of

68 Stat. 952.
42 USC 2208.

64 Stat. 1100.
20 USC 236 et
seq.

64 Stat. 765.
31 USC 665.

the Commission in the operation of the communities to such other agencies of the United States Government that are reasonably qualified to perform those duties and responsibilities. The Commission shall retain no financing duties and responsibilities.

SEC. 102. REVIEW.—The Commission shall present to the Joint Committee on Atomic Energy of the Congress a full review of its activities under this Act every three years in addition to any other presentation which may be required or requested by the Joint Committee.

SEC. 103. JOINT COMMITTEE ON ATOMIC ENERGY.—The provisions of chapter 17 of the Atomic Energy Act of 1954 shall be applicable to all matters under this Act.

CHAPTER 11. GENERAL PROVISIONS

SEC. 111. POWERS OF THE COMMISSION.—The Commission shall have all powers conferred by the Atomic Energy Act of 1954, including the power to make, promulgate, issue, rescind, and amend such rules, regulations, and delegations as may be appropriate to carry out the provisions of this Act and shall be subject to the limitations contained in chapter 14 of that Act. Nothing contained in this Act shall impair the powers vested in the Commission by the Atomic Energy Act of 1954, as amended, or any other law.

68 Stat. 919.
42 USC 2011
note.

SEC. 112. QUALIFICATION TO PURCHASE.—No officer or employee of the Commission or of any other Federal agency (including officers and members of the Armed Forces) shall be disqualified from purchasing any property or exercising any right or privilege under this Act, but no such officer or employee shall make any determination as to his own eligibility or priority, or as to valuation, price, or terms of sale and financing of property sold to him.

68 Stat. 948.
42 USC 2201-
2209.

SEC. 113. CONTRACT FORMS.—Contracts entered into pursuant to this Act and other instruments executed pursuant to this Act shall be in such form and contain such provisions, consistent with this Act, as the Commission shall prescribe; and shall be as simple and concise as possible. Any mortgage shall contain terms which will place the United States in the same position, with respect to any mortgages it may hold under the provisions of chapter 6, as that occupied by a private lender under the applicable State laws for the relief of mortgagors with respect to deficiency judgments.

SEC. 114. EVIDENCE.—A deed, lease, contract, or other instrument executed by or on behalf of the Commission purporting to transfer title or any other interest in property disposed of pursuant to this Act shall be conclusive evidence of compliance with the provisions of this Act and rules and regulations promulgated thereunder, insofar as concerns title or other interest of any bona fide grantee or transferee for value without notice of lack of such compliance, and his successors in title.

SEC. 115. ADMINISTRATIVE REVIEW.—Determinations authorized by this Act to be made by the Commission as to classification, priorities, prices, and terms and conditions of sale of property disposed under this Act shall be subject to review only in accordance with such provisions for administrative review or reconsideration as the Commission may prescribe.

SEC. 116. REPOSSESSION.—The Commission is authorized to repossess any property sold by it in accordance with the terms of any contract to purchase, mortgage or other instrument, and to sell or make any other disposition of any property so repossessed and any property purchased by it pursuant to section 66.

SEC. 117. NET PROCEEDS.—The net proceeds derived by the Commission from the disposal of property pursuant to this Act, after defray-

ing expenses incident to appraisal, sale or other transfer and any financing under section 62, shall be covered into the Treasury. Annually, upon advice of the Commission, there shall be transferred to miscellaneous receipts of the Treasury such portion of such net proceeds as may no longer be needed to meet the contingent obligations provided for in subsection 118 c.

SEC. 118. APPROPRIATIONS.—

a. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.

b. There are authorized to be appropriated the sum of \$518,000 at Oak Ridge and the sum of \$2,165,000 at Richland for construction, modification, or expansion of municipal installations authorized to be transferred pursuant to chapter 8 of this Act.

c. As much as may be necessary of net proceeds from section 117 are hereby appropriated and made available for use by the Commission (without fiscal year limitations) to pay any costs, losses, expenses, or obligations incurred by the Commission in connection with obligations entered into pursuant to section 37 or section 63, with repossession or repurchase, rehabilitation, and further disposition pursuant to sections 63 through 66 and section 116, and with the defense and payment of any claims for breaches of warranties and covenants of title of any property disposed of pursuant to this Act.

SEC. 119. SEPARABILITY OF PROVISIONS.—If any provisions of this Act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

AMENDMENT TO NATIONAL HOUSING ACT

68 Stat. 605.
12 USC 1715n.

SEC. 201. Section 223 (a) of the National Housing Act, as amended, is further amended as follows:

(a) After paragraph (3) thereof there is added the following new paragraph:

“(4) executed in connection with the sale by the Government, or any agency or official thereof, of any housing (including any property acquired, held, or constructed in connection therewith or to serve the inhabitants thereof) pursuant to the Atomic Energy Community Act of 1955, as amended: *Provided*, That such insurance shall be issued without regard to any preferences or priorities except those prescribed by the Atomic Energy Community Act of 1955, as amended; or”.

(b) The paragraph numbered (4) is renumbered (5).

(c) The paragraph numbered (5) is renumbered (6) and is revised to read as follows:

“(6) executed in connection with the first resale, within two years from the date of its acquisition from the Government, of any portion of a project or property of the character described in paragraphs (1), (2), (3), and (4) above; or”.

(d) The paragraph numbered (6) is renumbered (7) and the last proviso therein is amended by striking “(4) or (5)” and inserting “(4), (5), or (6)” and by striking “(3), or (5)” and inserting “(3), (4), or (6)”.

AMENDMENT TO PUBLIC LAW NUMBERED 874, EIGHTY-FIRST CONGRESS

SEC. 202. Section 8 (d) of the Act of September 30, 1950 (Public Law Numbered 874, Eighty-first Congress), as amended, is further amended by adding, after the words "Indian Affairs", the following: "or the availability of appropriations for the making of payments directed to be made by section 91 of the Atomic Energy Community Act of 1955, as amended."

Approved August 4, 1955.

67 Stat. 536.
20 USC 243 (d).

Public Law 222

CHAPTER 544

AN ACT

To exempt meetings of associations of professional hairdressers or cosmetologists from certain provisions of the Acts of June 7, 1938 (52 Stat. 611), and July 1, 1902 (32 Stat. 622), as amended.

August 4, 1955
[S. 667]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of June 7, 1938 (52 Stat. 611; title 2, ch. 13, D. C. Code, 1951 edition), and of paragraph 10 of section 7 of the Act approved July 1, 1902 (32 Stat. 622), as amended (sec. 47-2310, D. C. Code, 1951 edition), shall not be applicable to activities conducted in connection with any bona fide regularly scheduled national annual convention of any national association of professional hairdressers or cosmetologists, from which the general public is excluded.

D. C., cosmetologists.

Approved August 4, 1955.

Public Law 223

CHAPTER 545

AN ACT

To repeal the prohibition against the declaration of stock dividends by public utilities operating in the District of Columbia.

August 4, 1955
[S. 2177]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 75 of section 8 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes", approved March 4, 1913 (D. C. Code, sec. 43-804), which provides that no public utility shall declare any stock, bond, or scrip dividend or divide the proceeds of the sale of any stock, bond, or scrip among its stockholders, is hereby repealed.

D. C., stock dividends.

SEC. 2. Paragraph 73 of section 8 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes" approved March 4, 1913 (sec. 43-802, D. C. Code; 37 Stat. 990), be amended to read as follows: "That no public utility shall hereafter issue any stocks, stock certificates, bonds, mortgages, or any other evidences of indebtedness payable in more than one year from date, or pay any stock, bond or scrip dividend, until it shall have first obtained the certificate of the commission showing authority for such issue from the commission."

Approved August 4, 1955.