

15 USC 1-7, 44
note, 58, 8, 9.

"As used in this section, the term 'antitrust laws' includes the Act of July 2, 1890 (ch. 647, 26 Stat. 209), as amended; the Act of October 15, 1914 (ch. 323, 38 Stat. 730), as amended; the Federal Trade Commission Act (38 Stat. 717), as amended; and sections 73 and 74 of the Act of August 27, 1894 (28 Stat. 570), as amended."

Approved August 19, 1958.

Public Law 85-681

August 19, 1958
[H. R. 13482]

AN ACT

To amend the Atomic Energy Act of 1954, as amended.

Atomic Energy
Act of 1954,
amendment.
68 Stat. 930.
42 USC 2073.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection a. of section 53 of the Atomic Energy Act of 1954, as amended, is amended by deleting "or" at the end of paragraph "(2)"; by changing the period at the end of paragraph "(3)" to a semicolon; and by adding the following at the end of the subsection:

Licenses.

"(4) for such other uses as the Commission determines to be appropriate to carry out the purposes of this Act."

SEC. 2. That subsection c. of section 53 of the Atomic Energy Act of 1954, as amended, is amended by deleting in both the first and second sentences the words "subsection 53a (1) or subsection 53a (2)" and inserting in lieu thereof in both sentences "subsection 53a (1), (2) or (4)".

42 USC 2098.

SEC. 3. That section 68 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 68. PUBLIC AND ACQUIRED LANDS.—

Release of res-
ervation.

3 CFR Cum.
Supp., p. 425.

60 Stat. 755.
42 USC 1801
note.

3 CFR Cum.
Supp., p. 510, 674.

"b. Any reservation of radioactive mineral substances, fissionable materials, or source material, together with the right to enter upon the land and prospect for, mine, and remove the same, inserted pursuant to Executive Order 9613 of September 13, 1945, Executive Order 9701 of March 4, 1946, the Atomic Energy Act of 1946, or Executive Order 9908 of December 5, 1947, in any patent, conveyance, lease, permit, or other authorization or instrument disposing of any interest in public or acquired lands of the United States, is hereby released, remised, and quitclaimed to the person or persons entitled upon the date of this Act under the grant from the United States or successive grants to the ownership, occupancy, or use of the land under applicable Federal or State laws: *Provided, however,* That in cases where any such reservation on acquired lands of the United States has been heretofore released, remised, or quitclaimed subsequent to August 12, 1954, in reliance upon authority deemed to have been contained in the Atomic Energy Act of 1946, as amended, or the Atomic Energy Act of 1954, as heretofore amended, the same shall be valid and effective in all respects to the same extent as if public lands and not acquired lands had been involved. The foregoing release shall be subject to any rights which may have been granted by the United States pursuant to any such reservation, but the releasees shall be subrogated to the rights of the United States."

International
agreements for co-
operation.
42 USC 2153.

SEC. 4. Section 123 c. of the Atomic Energy Act of 1954, as amended, is amended by substituting a colon for the period at the end thereof and adding the following: "*Provided, however,* That the Joint Committee, after having received such agreement for cooperation, may by resolution in writing waive the conditions of all or any portion of such thirty-day period."

SEC. 5. Section 145 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

"g. Whenever the Congress declares that a state of war exists, or in the event of a national disaster due to enemy attack, the Commission is authorized during the state of war or period of national disaster due to enemy attack to employ individuals and to permit individuals access to Restricted Data pending the investigation report, and determination required by section 145 b., to the extent that and so long as the Commission finds that such action is required to prevent impairment of its activities in furtherance of the common defense and security."

42 USC 2165.
Security clearance in time of war.

SEC. 6. Section 161 d. of the Atomic Energy Act of 1954, as amended, is amended by adding after the word "responsibility" the following sentence: "Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to such Act."

Compensation rates.
42 USC 2201.

63 Stat. 954.
5 USC 1071 note.

SEC. 7. Section 161 of the Atomic Energy Act of 1954, as amended, is amended by adding the following new subsections:

42 USC 220L
Succession of authority.

"t. establish a plan for a succession of authority which will assure the continuity of direction of the Commission's operations in the event of a national disaster due to enemy activity. Notwithstanding any other provision of this Act, the person or persons succeeding to command in the event of disaster in accordance with the plan established pursuant to this subsection shall be vested with all of the authority of the Commission: *Provided*, That any such succession to authority, and vesting of authority shall be effective only in the event and as long as a quorum of three or more members of the Commission is unable to convene and exercise direction during the disaster period: *Provided further*, That the disaster period includes the period when attack on the United States is imminent and the post-attack period necessary to reestablish normal lines of command;

"u. enter into contracts for the processing, fabricating, separating, or refining in facilities owned by the Commission of source, byproduct or other material, or special nuclear material, in accordance with and within the period of an agreement for cooperation while comparable services are available to persons licensed under section 103 or 104: *Provided*, That the prices for services under such contracts shall be no less than the prices currently charged by the Commission pursuant to section 161 m.;

Contracts.

42 USC 103, 104.

"v. (1) enter into contracts for such periods of time as the Commission may deem necessary or desirable, but not to exceed five years from the date of execution of the contract, for the purchase or acquisition of reactor services or services related to or required by the operation of reactors;

"(2) (A) enter into contracts for such periods of time as the Commission may deem necessary or desirable for the purchase or acquisition of any supplies, equipment, materials, or services required by the Commission whenever the Commission determines that: (i) it is advantageous to the Government to make such purchase or acquisition from commercial sources; (ii) the furnishing of such supplies, equipment, materials, or services will require the construction or acquisition of special facilities by the vendors or suppliers thereof; (iii) the amortization chargeable to the Commission constitutes an appreciable portion of the cost of contract performance, excluding cost of materials; and (iv) the contract for such period is more advantageous to the Government than a similar contract not executed under the authority of

this subsection. Such contracts shall be entered into for periods not to exceed five years each from the date of initial delivery of such supplies, equipment, materials, or services or ten years from the date of execution of the contracts excluding periods of renewal under option.

“(B) In entering into such contracts the Commission shall be guided by the following principles: (i) the percentage of the total cost of special facilities devoted to contract performance and chargeable to the Commission should not exceed the ratio between the period of contract deliveries and the anticipated useful life of such special facilities; (ii) the desirability of obtaining options to renew the contract for reasonable periods at prices not to include charges for special facilities already amortized; and (iii) the desirability of reserving in the Commission the right to take title to the special facilities under appropriate circumstances; and

“(3) include in contracts made under this subsection provisions which limit the obligation of funds to estimated annual deliveries and services and the unamortized balance of such amounts due for special facilities as the parties shall agree is chargeable to the performance of the contract. Any appropriation available at the time of termination or thereafter made available to the Commission for operating expenses shall be available for payment of such costs which may arise from termination as the contract may provide. The term ‘special facilities’ as used in this subsection means any land and any depreciable buildings, structures, utilities, machinery, equipment, and fixtures necessary for the production or furnishing of such supplies, equipment, materials, or services and not available to the vendors or suppliers for the performance of the contract.”

Disposal of
records.
42 USC 2206.

SEC. 8. Section 166 of the Atomic Energy Act of 1954, as amended, is amended by adding the following proviso at the end thereof “: *And provided further*, That nothing in this section shall preclude the earlier disposal of contractor and subcontractor records in accordance with records disposal schedules agreed upon between the Commission and the General Accounting Office.”

Approved August 19, 1958.

Public Law 85-682

AN ACT

August 19, 1958
[H. R. 12938]

To provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in Leon County, Florida.

Leon County,
Fla.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is authorized and directed to convey by quitclaim deed to the city of Tallahassee, a municipal corporation of the State of Florida, all of the right, title, and interest of the United States in and to all fissionable materials in certain lands situated in Leon County, State of Florida, which lands were conveyed by the United States to the city of Tallahassee by quitclaim deed dated October 1, 1947, and recorded in deed book 92, page 253, in the office of the clerk of the circuit court of Leon County, Florida, such lands formerly constituting a part of Dale Mabry Airbase in Leon County, Florida.

Approved August 19, 1958.