

(2) Waiver or suspension

The Commission may establish criteria for the partial or total waiver or suspension of any obligation of service or payment incurred by a recipient of a scholarship or fellowship under this section.

(d) Competitive process

Recipients of scholarships or fellowships under this section shall be selected through a competitive process primarily on the basis of academic merit and such other criteria as the Commission may establish, with consideration given to financial need and the goal of promoting the participation of individuals identified in section 1885a or 1885b of this title.

(e) Direct appointment

The Commission may appoint directly, with no further competition, public notice, or consideration of any other potential candidate, an individual who has—

- (1) received a scholarship or fellowship awarded by the Commission under this section; and
- (2) completed the academic program for which the scholarship or fellowship was awarded.

(Aug. 1, 1946, ch. 724, title I, §243, as added Pub. L. 109-58, title VI, §622(a), Aug. 8, 2005, 119 Stat. 782.)

§ 2015c. Partnership program with institutions of higher education**(a) Definitions**

In this section:

(1) Hispanic-serving institution

The term “Hispanic-serving institution” has the meaning given the term in section 1101a(a) of title 20.

(2) Historically Black college and university

The term “historically Black college or university” has the meaning given the term “part B institution” in section 1061 of title 20.

(3) Tribal college

The term “Tribal college” has the meaning given the term “tribally controlled college or university” in section 1801(a) of title 25.

(b) Partnership program

The Commission may establish and participate in activities relating to research, mentoring, instruction, and training with institutions of higher education, including Hispanic-serving institutions, historically Black colleges or universities, and Tribal colleges, to strengthen the capacity of the institutions—

- (1) to educate and train students (including present or potential employees of the Commission); and
- (2) to conduct research in the field of science, engineering, or law, or any other field that the Commission determines is important to the work of the Commission.

(Aug. 1, 1946, ch. 724, title I, §244, as added Pub. L. 109-58, title VI, §651(c)(4)(A), Aug. 8, 2005, 119 Stat. 802; amended Pub. L. 110-315, title IX, §941(k)(2)(L), Aug. 14, 2008, 122 Stat. 3467.)

Editorial Notes**AMENDMENTS**

2008—Subsec. (a)(3). Pub. L. 110-315 made technical amendment to reference in original act which appears in text as reference to section 1801(a) of title 25.

§ 2016. Repealed. Pub. L. 105-85, div. C, title XXXI, §3152(a)(1), Nov. 18, 1997, 111 Stat. 2042

Section, act Aug. 1, 1946, ch. 724, title I, §251, as added Aug. 30, 1954, ch. 1073, §1, 68 Stat. 960; amended June 11, 1959, Pub. L. 86-43, 73 Stat. 73; renumbered title I, Oct. 24, 1992, Pub. L. 102-486, title IX, §902(a)(8), 106 Stat. 2944, required Commission to submit to Congress annual report on its activities.

§ 2017. Authorization of appropriations**(a) Congressional authorization**

No appropriation shall be made to the Commission, nor shall the Commission waive charges for the use of materials under the Cooperative Power Reactor Demonstration Program, unless previously authorized by legislation enacted by the Congress.

(b) Accounting

Any Act appropriating funds to the Commission may appropriate specified portions thereof to be accounted for upon the certification of the Commission only.

(c) Restoration or replacement of facilities

Notwithstanding the provisions of subsection (a), funds are hereby authorized to be appropriated for the restoration or replacement of any plant or facility destroyed or otherwise seriously damaged, and the Commission is authorized to use available funds for such purposes.

(d) Substituted construction projects

Funds authorized to be appropriated for any construction project to be used in connection with the development or production of special nuclear material or atomic weapons may be used to start another construction project not otherwise authorized if the substituted construction project is within the limit of cost of the construction project for which substitution is to be made, and the Commission certifies that—

- (1) the substituted project is essential to the common defense and security;
- (2) the substituted project is required by changes in weapon characteristics or weapon logistic operations; and
- (3) the Commission is unable to enter into a contract with any person on terms satisfactory to it to furnish from a privately owned plant or facility the product or services to be provided by the new project.

(Aug. 1, 1946, ch. 724, title I, §261, as added Aug. 30, 1954, ch. 1073, §1, 68 Stat. 960; amended Pub. L. 85-79, §1, July 3, 1957, 71 Stat. 274; Pub. L. 87-615, §8, Aug. 29, 1962, 76 Stat. 411; Pub. L. 88-72, §107, July 22, 1963, 77 Stat. 88; renumbered title I, Pub. L. 102-486, title IX, §902(a)(8), Oct. 24, 1992, 106 Stat. 2944.)

Editorial Notes**PRIOR PROVISIONS**

Provisions similar to those comprising this section were contained in section 19 of act Aug. 1, 1946, ch. 724,

60 Stat. 775, which was classified to section 1819 of this title, prior to the general amendment and renumbering of act Aug. 1, 1946, by act Aug. 30, 1954.

AMENDMENTS

1963—Subsec. (a). Pub. L. 88-72 required legislative authorization of appropriations to the Commission and waiver of charges for use of materials under the Cooperative Power Reactor Demonstration Program. Former provisions of subsec. (a) authorized appropriations necessary and appropriate to carry out the provisions and purposes of this chapter, excepting in par. (1) sums necessary for acquisition of real property or facility acquisition, construction or expansion (and deeming under certain conditions a nonmilitary experimental reactor to be a facility) and in par. (2) sums necessary to carry out cooperative programs for development and construction of reactors for demonstration of their use in production of electrical power or process heat, or for propulsion, or for commercial provision of byproduct material, irradiation or other special service, for civilian use, by arrangements providing for payment of funds, rendering of services and undertaking of research and development without full reimbursement, the waiver of charges accompanying such arrangement or the provision of other financial assistance pursuant to such arrangement or the acquisition of real property or facility acquisition, construction or expansion undertaken by the Commission as part of such arrangement.

Subsec. (b). Pub. L. 88-72 substituted “Any act appropriating funds to the Commission” for “The acts appropriating such sums.”

Subsec. (c). Pub. L. 88-72 struck out authorization of funds provision for advance planning, construction design and architectural services in connection with any plant or facility and inserted “Notwithstanding” phrase.

Subsec. (d). Pub. L. 88-72 struck out “hereafter” after “Funds” and inserted “construction” before “project” wherever appearing.

1962—Subsecs. (c), (d). Pub. L. 87-615 added subsecs. (c) and (d).

1957—Pub. L. 85-79 designated first sentence as introductory clause of subsec. (a) and as (a)(1), inserted proviso to (a)(1), added (a)(2), by designating second sentence as subsec. (b), and struck out former sentence which provided that “Funds appropriated to the Commission shall, if obligated by contract during the fiscal year for which appropriated, remain available for expenditure for four years following the expiration of the fiscal year for which appropriated.”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1963 AMENDMENT

Pub. L. 88-72, § 107, July 22, 1963, 77 Stat. 88, provided that the amendment made by that section is effective Jan. 1, 1964.

§ 2017a. Omitted

Editorial Notes

CODIFICATION

Section, act Sept. 26, 1962, Pub. L. 87-701, § 103, 76 Stat. 601, which authorized appropriations for the Atomic Energy Commission for advance planning, construction design, and architectural services in connection with certain projects, was from an Act authorizing appropriations for the Atomic Energy Commission, and was not enacted as part of the Atomic Energy Act of 1954 which comprises this chapter. See section 2017a-1 of this title.

Similar provisions were contained in the following prior appropriation authorization acts:

Sept. 26, 1961, Pub. L. 87-315, § 103, 75 Stat. 678.
May 13, 1960, Pub. L. 86-457, § 103, 74 Stat. 121.
June 23, 1959, Pub. L. 86-50, § 103, 73 Stat. 83.

Aug. 4, 1958, Pub. L. 85-590, § 103, 72 Stat. 493.

Aug. 21, 1957, Pub. L. 85-162, title I, § 103, 71 Stat. 406.

May 3, 1956, ch. 233, § 103, 70 Stat. 129.

July 11, 1955, ch. 304, § 103, 69 Stat. 293.

§ 2017a-1. Omitted

Editorial Notes

CODIFICATION

Section, Pub. L. 95-39, title III, § 304, June 3, 1977, 91 Stat. 189, which authorized the Administrator of the Energy Research and Development Administration to perform construction design services for any Administration construction project whenever the Administrator made certain determinations, was from an Act authorizing appropriations for fiscal year 1977 to the Energy Research and Development Administration, and was not enacted as part of the Atomic Energy Act of 1954 which comprises this chapter. See section 5821(g) of this title.

Similar provisions were contained in the following prior appropriation authorization acts:

Pub. L. 94-187, title III, § 301, Dec. 31, 1975, 89 Stat. 1073.

Pub. L. 93-276, title I, § 103, May 10, 1974, 88 Stat. 118.

Pub. L. 93-60, § 103, July 6, 1973, 87 Stat. 144.

Pub. L. 92-314, title I, § 103, June 16, 1972, 86 Stat. 225.

Pub. L. 92-84, title I, § 103, Aug. 11, 1971, 85 Stat. 306.

Pub. L. 91-273, § 103, June 2, 1970, 84 Stat. 300.

Pub. L. 91-44, § 103, July 11, 1969, 83 Stat. 47.

Pub. L. 90-289, § 103, Apr. 19, 1968, 82 Stat. 97.

Pub. L. 90-56, § 103, July 26, 1967, 81 Stat. 125.

Pub. L. 89-428, § 103, May 21, 1966, 80 Stat. 163.

Pub. L. 89-32, § 103, June 2, 1965, 79 Stat. 122.

Pub. L. 88-332, § 104, June 30, 1964, 78 Stat. 229.

§ 2017b. Omitted

Editorial Notes

CODIFICATION

Section, act Sept. 26, 1962, Pub. L. 87-701, § 104, 76 Stat. 601, which authorized appropriations for the Atomic Energy Commission for restoration or replacement of facilities, was from an Act authorizing appropriations for the Atomic Energy Commission, and was not enacted as part of the Atomic Energy Act of 1954 which comprises this chapter. See section 2017(c) of this title.

Similar provisions were contained in the following prior appropriation authorization acts:

Sept. 26, 1961, Pub. L. 87-315, § 104, 75 Stat. 678.

May 13, 1960, Pub. L. 86-457, § 104, 74 Stat. 122.

June 23, 1959, Pub. L. 86-50, § 104, 73 Stat. 83.

Aug. 4, 1958, Pub. L. 85-590, 72 Stat. 493.

Aug. 21, 1957, Pub. L. 85-162, title I, § 104, 71 Stat. 406.

May 3, 1956, ch. 233, § 104, 70 Stat. 129.

July 11, 1955, ch. 304, § 104, 69 Stat. 293.

§ 2018. Agency jurisdiction

Nothing in this chapter shall be construed to affect the authority or regulations of any Federal, State, or local agency with respect to the generation, sale, or transmission of electric power produced through the use of nuclear facilities licensed by the Commission: *Provided*, That this section shall not be deemed to confer upon any Federal, State, or local agency any authority to regulate, control, or restrict any activities of the Commission.

(Aug. 1, 1946, ch. 724, title I, § 271, as added Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 960; amended Pub. L. 89-135, Aug. 24, 1965, 79 Stat. 551; renumbered title I, Pub. L. 102-486, title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944.)