

Public Law 90-190

AN ACT

December 14, 1967
[S. 2644]

To amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the EURATOM Cooperation Act of 1958, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 58 of the Atomic Energy Community Act of 1955, as amended, is amended to read as follows:

Atomic Energy
Community Act of
1955, amendment.
76 Stat. 665.
42 USC 2348.

“SEC. 58. PRIORITY SALE OF APARTMENT HOUSES.—

“a. The Commission is authorized at Los Alamos to grant to occupants, project-connected persons, and persons residing in the community both at the time of offering of an apartment house for sale and for the preceding six months, and to any of the foregoing persons acting together, such priority interests and priority rights for the purchase of the apartment house as the Commission determines to be fair and reasonable: *Provided*, That a first priority right to purchase may be granted only to an occupant or a group of occupants, or an assignee (whose membership or ownership is composed of occupants, or project-connected persons, or persons residing in the community both at the time of offering of an apartment house for sale and for the preceding six months, or any of the foregoing persons) of the priority interests of such occupants, who or which has obtained the priority interest of at least 60 per centum of the occupants of the apartment house: *Provided further*, That a second priority right to purchase may be granted only to an entity whose membership or ownership consists of occupants, or project-connected persons, or persons residing in the community both at the time of offering of an apartment house for sale and for the preceding six months, or any of the foregoing persons (provided that such entity has obtained the priority interest of at least one occupant), and whose membership or ownership equals in number, and occupies or agrees to occupy, at least 70 per centum of the housing units in the apartment house. The 15 per centum deduction specified by subsection 35 a., the deduction provided by subsection 36 d., the financing provisions of section 62, and the indemnity provided by sections 63, 64, 65, and 66 shall be applicable to such priority sales of apartment houses. Priority interests granted by the Commission under this section shall be transferable as the Commission may by rule or regulation prescribe, but no priority right to purchase shall be transferred except as provided by section 43.

69 Stat. 474, 478.
42 USC 2325,
2326, 2362-2366.

42 USC 2333.

“b. Any occupant who does not participate in the purchase of an apartment house with respect to which a priority right to purchase has been granted shall be entitled, at the time of sale by the Commission, to a lease for occupancy of his housing unit for a period not to exceed fifteen months from the date the property was first offered for sale: *Provided*, That the occupant makes application for such a lease within 30 days of the grant of such priority to purchase. In selling any apartment house with respect to which a lease executed under this section is in effect, the Commission is authorized to provide for the purchaser to assume any or all obligations of the lessor. The Commission in such event shall guarantee the lessee's performance of the lease.

“c. Persons who have purchased, either individually or jointly with other persons, a single-family house or duplex house (or a single-family unit in a duplex house) at Los Alamos pursuant to a priority right under this Act shall not be eligible to participate in the priority purchase of an apartment house.

“d. The Commission is authorized to prescribe by rule or regulation such other conditions as it may find necessary or desirable for

qualification of priority interests and rights for the purchase of an apartment house.”

Assistance pay-
ments.
69 Stat. 481.
42 USC 2391.

SEC. 2. Section 91 of the Atomic Energy Community Act of 1955, as amended, is amended—

(1) by striking out subsection a. and inserting in lieu thereof:

“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: *Provided, however,* with respect to the Cities of Oak Ridge, Tennessee, and Richland, Washington, and the Richland School District, the Commission is authorized to continue to make assistance payments of just and reasonable sums after expiration of such ten-year period. 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;

“(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; and

“(5) the tax revenues and sources available to the governmental entity, its efforts and diligence in collection of taxes, assessment of property, and the efficiency of its operations.”;

(2) by striking out subsection d. and inserting in lieu thereof:

“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. (or not less than six months prior to June 30, 1979, in the case of the Cities of Oak Ridge, Tennessee, and Richland, Washington, and the Richland School District), the Commission shall present to the Joint Committee on Atomic Energy its recommendations as to the need for any further assistance payments to such entity.”; and

(3) by adding the following new subsection e.:

“e. In exercising the authority of subsection 91 a. the Commission shall assure itself that the governmental or other entities receiving assistance hereunder utilize all reasonable, available means to achieve financial self-sufficiency to the end that assistance payments by the Commission may be reduced or terminated at the earliest practical time.”

SEC. 3. Section 94 of the Atomic Energy Community Act of 1955, as amended, is amended to read as follows:

“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 or authorized to be made pursuant to section 91, obligating the Commission to make to such entity the payments directed or authorized to be made by section 91: *Provided, however,* that the term of such contracts, in the case of the Cities of Oak Ridge, Tennessee, and Richland, Washington, and the Richland School District, shall not extend beyond June 30, 1979.”

SEC. 4. Subsection 118 a. of the Atomic Energy Community Act of 1955, as amended, is amended to read as follows:

42 USC 2394.

31 USC 665.

42 USC 2312.

"a. No appropriation shall be made to carry out the provisions and purposes of this Act unless previously authorized by legislation enacted by Congress."

SEC. 5. Subsection 25 a. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"a. A Division of Military Application and such other program divisions (not to exceed ten in number) as the Commission may determine to be necessary to the discharge of its responsibilities, including a division or divisions the primary responsibilities of which include the development and application of civilian uses of atomic energy. The Division of Military Application shall be under the direction of an Assistant General Manager for Military Application, who shall be appointed by the Commission and shall be an active commissioned officer of the Armed Forces serving in general or flag officer rank or grade, as appropriate. Each other program division shall be under the direction of a Director who shall be appointed by the Commission. The Commission shall require each such division to exercise such of the Commission's administrative and executive powers as the Commission may determine;"

AEC.
Assistant General Manager for Military Application.
68 Stat. 925.
42 USC 2035.

SEC. 6. Section 28 of the Atomic Energy Act of 1954, as amended, is amended by revising the first two sentences thereof to read as follows: "Notwithstanding the provisions of any other law, the officer of the Army, Navy, or Air Force serving as Assistant General Manager for Military Application shall serve without prejudice to his commissioned status as such officer. Any such officer serving as Assistant General Manager for Military Application shall receive in addition to his pay and allowances, including special and incentive pays, for which pay and allowances the Commission shall reimburse his service, an amount equal to the difference between such pay and allowances, including special and incentive pays, and the compensation established for this position."

42 USC 2038.

SEC. 7. Section 33 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 33. RESEARCH FOR OTHERS.—Where the Commission finds private facilities or laboratories are inadequate to the purpose, it is authorized to conduct for other persons, through its own facilities, such of those activities and studies of the types specified in section 31 as it deems appropriate to the development of atomic energy. To the extent the Commission determines that private facilities or laboratories are inadequate to the purpose, and that the Commission's facilities, or scientific or technical resources have the potential of lending significant assistance to other persons in the fields of protection of public health and safety, the Commission may also assist other persons in these fields by conducting for such persons, through the Commission's own facilities, research and development or training activities and studies. The Commission is authorized to determine and make such charges as in its discretion may be desirable for the conduct of the activities and studies referred to in this section."

Research, additional authority.
42 USC 2053.

SEC. 8. Subsection 41 b. of the Atomic Energy Act of 1954, as amended, is amended by deleting the last sentence.

SEC. 9. Subsection 53 f. of the Atomic Energy Act of 1954, as amended, is amended by revising the first sentence thereof to read as follows: "The Commission is directed to distribute within the United States sufficient special nuclear material to permit the conduct of widespread independent research and development activities to the maximum extent practicable."

68 Stat. 927;
70 Stat. 1069.
42 USC 2051.

42 USC 2061.

68 Stat. 930.
42 USC 2073.

SEC. 10. Subsection 53 c. (1) of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. (1) The Commission may distribute special nuclear material licensed under this section by sale, lease, lease with option to buy,

78 Stat. 603.

grant, or through the provision of production or enrichment services: *Provided, however,* That unless otherwise authorized by law, the Commission shall not after December 31, 1970, distribute special nuclear material except by sale or through the provision of production or enrichment services to any person who possesses or operates a utilization facility under a license issued pursuant to section 103 or 104 b. for use in the course of activities under such license; nor shall the Commission permit any such person after June 30, 1973, to continue leasing for use in the course of such activities special nuclear material previously leased to such person by the Commission."

SEC. 11. Subsection 161 n. of the Atomic Energy Act of 1954, as amended, is amended by striking out "57 a. (3)" and inserting in lieu thereof "57 b."

SEC. 12. Section 223 of the Atomic Energy Act of 1954, as amended, is amended by striking out the letter "p." appearing after the word "or" and inserting in lieu thereof the letter "o."

SEC. 13. Section 5 of the EURATOM Cooperation Act of 1958, as amended, is amended to read as follows:

"SEC. 5. Pursuant to the provisions of section 54 of the Atomic Energy Act of 1954, as amended, there is hereby authorized for sale or lease to the Community—

"two hundred fifteen thousand kilograms of contained uranium 235;

"one thousand five hundred kilograms of plutonium; and

"thirty kilograms of uranium 233;

in accordance with the provisions of an agreement or agreements for cooperation between the Government of the United States and the Community entered into pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended: *Provided,* That the Government of the United States obtains the equivalent of a first lien on any such material sold to the Community for which payment is not made in full at the time of transfer. The Commission may enter into contracts to provide, after December 31, 1968, for the producing or enriching of all, or part of, the above-mentioned contained uranium 235 pursuant to the provisions of subsection 161 v. (B) of said Act, as amended, in lieu of sale or lease thereof."

SEC. 14. The table of contents of the Atomic Energy Community Act of 1955, as amended, is amended by inserting a new heading entitled

"Sec. 58. Priority sale of apartment houses."

Approved December 14, 1967.

Public Law 90-191

AN ACT

To amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 356 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end of subsection (e) thereof a new sentence as follows: "If the farm marketing excess of rice determined for any farm is delivered to Commodity Credit Corporation or any other agency within the Department, in accordance with regulations prescribed by the Secretary, such farm shall be considered to be in compliance with the rice acreage allotment for such year."

Approved December 14, 1967.

68 Stat. 936.
42 USC 2133,
2134.

68 Stat. 948;
72 Stat. 337.
42 USC 2201.

42 USC 2273.

Uranium and
plutonium.
78 Stat. 376.
42 USC 2294.
42 USC 2074.

42 USC 2153.

78 Stat. 606.
42 USC 2201.

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Rice.
Excess market-
ing quota.
63 Stat. 1060.
7 USC 1356.