

such agency, if the assistance or program will promote the welfare of the Trust Territory, notwithstanding any provision of law under which the Trust Territory may otherwise be ineligible for the assistance or program: *Provided*, That the Secretary of the Interior shall not request assistance pursuant to this subsection that involves, in the aggregate, an estimated nonreimbursable cost in any one fiscal year in excess of \$150,000: *Provided further*, That the cost of any program extended to the Trust Territory under this subsection shall be reimbursable out of appropriations authorized and made for the government of the Trust Territory pursuant to section 2 of this Act, as amended. The provisions of this subsection shall not apply to financial assistance under a grant-in-aid program."

48 USC 1681
note.

76 Stat. 64.

Revolving fund,
abolishment.

SEC. 2. Subsection 303(1) of the Communications Act of 1934 (48 Stat. 1082), as amended (47 U.S.C. 303(1)), is hereby amended by inserting the words: "or citizens of the Trust Territory of the Pacific Islands presenting valid identity certificates issued by the High Commissioner of such Territory," immediately following the words "citizens or nationals of the United States".

SEC. 3. The revolving fund authorized by the Department of the Interior and Related Agencies Appropriation Act, 1956 (69 Stat. 141, 149), to be available during fiscal year 1956 for loans to locally owned private training companies in the Trust Territory of the Pacific Islands, which revolving fund has been continued by subsequent annual appropriation Acts, is hereby abolished, and the total assets of the revolving fund are contributed as a grant to the government of the Trust Territory for use as a development fund within the Trust Territory of the Pacific Islands.

Approved August 22, 1964.

Public Law 88-488

JOINT RESOLUTION

August 22, 1964
[H. J. Res. 1160]

Making continuing appropriations for the fiscal year 1965, and for other purposes.

Continuing ap-
propriations, 1965.
Ante, p. 223.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 102 of the joint resolution of June 29, 1964 (Public Law 88-325), is hereby amended by striking out "August 31, 1964" and inserting in lieu thereof "September 30, 1964".

Approved August 22, 1964.

Public Law 88-489

AN ACT

August 26, 1964
[S. 3075]

To amend the Atomic Energy Act of 1954, as amended, and for other purposes.

Private Owner-
ship of Special
Nuclear Materials
Act.

68 Stat. 921.
42 USC 2012.

42 USC 2013.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 2 b. of the Atomic Energy Act of 1954, as amended, is deleted.

SEC. 2. Subsection 2 h. of the Atomic Energy Act of 1954, as amended, is deleted.

SEC. 3. Subsection 3 c. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. a program for Government control of the possession, use, and production of atomic energy and special nuclear material, whether owned by the Government or others, so directed as to make the maximum contribution to the common defense and secu-

...rity and the national welfare, and to provide continued assurance of the Government's ability to enter into and enforce agreements with nations or groups of nations for the control of special nuclear materials and atomic weapons."

SEC. 4. Section 52 of the Atomic Energy Act of 1954, as amended, is repealed. All rights, title, and interest in and to any special nuclear material vested in the United States solely by virtue of the provisions of the first sentence of such section 52, and not by any other transaction authorized by the Atomic Energy Act of 1954, as amended, or other applicable law, are hereby extinguished.

Repeal.
42 USC 2072.

SEC. 5. Subsection 53 a. of the Atomic Energy Act of 1954, as amended, between the words "The Commission" and "such material" is amended to read as follows:

Nuclear materi-
al, licenses.
42 USC 2073.

"a. The Commission is authorized (i) to issue licenses to transfer or receive in interstate commerce, transfer, deliver, acquire, possess, own, receive possession of or title to, import, or export under the terms of an agreement for cooperation arranged pursuant to section 123, special nuclear material, (ii) to make special nuclear material available for the period of the license, and, (iii) to distribute special nuclear material within the United States to qualified applicants requesting such material—"

42 USC 2153.

SEC. 6. Subsection 53 c. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

Distribution.

"c. (1) The Commission may distribute special nuclear material licensed under this section by sale, lease, lease with option to buy, or grant: *Provided, however,* That unless otherwise authorized by law, the Commission shall not after December 31, 1970, distribute special nuclear material except by sale 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.

42 USC 2133,
2134.

"(2) The Commission shall establish reasonable sales prices for the special nuclear material licensed and distributed by sale under this section. Such sales prices shall be established on a nondiscriminatory basis which, in the opinion of the Commission, will provide reasonable compensation to the Government for such special nuclear material.

Agreements.

"(3) The Commission is authorized to enter into agreements with licensees for such period of time as the Commission may deem necessary or desirable to distribute to such licensees such quantities of special nuclear material as may be necessary for the conduct of the licensed activity. In such agreements, the Commission may agree to repurchase any special nuclear material licensed and distributed by sale which is not consumed in the course of the licensed activity, or any uranium remaining after irradiation of such special nuclear material, at a repurchase price not to exceed the Commission's sale price for comparable special nuclear material or uranium in effect at the time of delivery of such material to the Commission.

Charges.

"(4) The Commission may make a reasonable charge, determined pursuant to this section, for the use of special nuclear material licensed and distributed by lease under subsection 53 a. (1), (2) or (4) and shall make a reasonable charge determined pursuant to this section for the use of special nuclear material licensed and distributed by lease under subsection 53 a. (3). The Commission shall establish criteria in writing for the determination of whether special nuclear

68 Stat. 930.
42 USC 2073.

material will be distributed by grant and for the determination of whether a charge will be made for the use of special nuclear material licensed and distributed by lease under subsection 53 a. (1), (2) or (4), considering, among other things, whether the licensee is a nonprofit or eleemosynary institution and the purposes for which the special nuclear material will be used.”

SEC. 7. Subsection 53 d. of the Atomic Energy Act of 1954, as amended, is amended by adding the words “by lease” after the word “distributed”, and by amending subsection d. (5) to read as follows:

42 USC 2133.

“(5) with respect to special nuclear material consumed in a facility licensed pursuant to section 103, the Commission shall make a further charge equivalent to the sale price for similar special nuclear material established by the Commission in accordance with subsection 53 c. (2), and the Commission may make such a charge with respect to such material consumed in a facility licensed pursuant to section 104.”

42 USC 2134.

SEC. 8. Subsection 53 e. of the Atomic Energy Act of 1954, as amended, is amended by deleting subsection 53 e. (1).

Purchase of special nuclear material.

SEC. 9. Section 54 of the Atomic Energy Act of 1954, as amended, is amended by adding the following at the end thereof:

42 USC 2074.

“The Commission may agree to repurchase any special nuclear material distributed under a sale arrangement pursuant to this section which is not consumed in the course of the activities conducted in accordance with the agreement for cooperation, or any uranium remaining after irradiation of such special nuclear material, at a repurchase price not to exceed the Commission’s sale price for comparable special nuclear material or uranium in effect at the time of delivery of such material to the Commission. The Commission may also agree to purchase, consistent with and within the period of the agreement for cooperation, special nuclear material produced in a nuclear reactor located outside the United States through the use of special nuclear material which was leased or sold pursuant to this section. Under any such agreement, the Commission shall purchase only such material as is delivered to the Commission during any period when there is in effect a guaranteed purchase price for the same material produced in a nuclear reactor by a person licensed under section 104, established by the Commission pursuant to section 56, and the price to be paid shall be the price so established by the Commission and in effect for the same material delivered to the Commission.”

Acquisition. 42 USC 2075.

SEC. 10. Section 55 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

“SEC. 55. ACQUISITION.—The Commission is authorized, to the extent it deems necessary to effectuate the provisions of this Act, to purchase without regard to the limitations in section 54 or any guaranteed purchase prices established pursuant to section 56, and to take, requisition, condemn, or otherwise acquire any special nuclear material or any interest therein. Any contract of purchase made under this section may be made without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable. Partial and advance payments may be made under contracts for such purposes. Just compensation shall be made for any right, property, or interest in property taken, requisitioned, or condemned under this section.”

41 USC 5.

SEC. 11. Section 56 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

Guaranteed purchase prices.
68 Stat. 931.
42 USC 2076.

"SEC. 56. GUARANTEED PURCHASE PRICES.—The Commission shall establish guaranteed purchase prices for plutonium produced in a nuclear reactor by a person licensed under section 104 and delivered to the Commission before January 1, 1971. The Commission shall also establish for such periods of time as it may deem necessary but not to exceed ten years as to any such period, guaranteed purchase prices for uranium enriched in the isotope 233 produced in a nuclear reactor by a person licensed under section 104 and delivered to the Commission within the period of the guarantee. Guaranteed purchase prices established under the authority of this section shall not exceed the Commission's determination of the estimated value of plutonium or uranium enriched in the isotope 233 as fuel in nuclear reactors, and such prices shall be established on a nondiscriminatory basis: *Provided*, That the Commission is authorized to establish such guaranteed purchase prices only for such plutonium or uranium enriched in the isotope 233 as the Commission shall determine is produced through the use of special nuclear material which was leased or sold by the Commission pursuant to section 53."

42 USC 2134.

SEC. 12. Section 57 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

Unauthorized handling.
42 USC 2077.

"SEC. 57. PROHIBITION.—

"a. Unless authorized by a general or specific license issued by the Commission, which the Commission is authorized to issue pursuant to section 53, no person may transfer or receive in interstate commerce, transfer, deliver, acquire, own, possess, receive possession of or title to, or import into or export from the United States any special nuclear material.

"b. It shall be unlawful for any person to directly or indirectly engage in the production of any special nuclear material outside of the United States except (1) under an agreement for cooperation made pursuant to section 123, or (2) upon authorization by the Commission after a determination that such activity will not be inimical to the interest of the United States.

42 USC 2153.

"c. The Commission shall not—

"(1) distribute any special nuclear material to any person for a use which is not under the jurisdiction of the United States except pursuant to the provisions of section 54; or

"(2) distribute any special nuclear material or issue a license pursuant to section 53 to any person within the United States if the Commission finds that the distribution of such special nuclear material or the issuance of such license would be inimical to the common defense and security or would constitute an unreasonable risk to the health and safety of the public."

SEC. 13. Section 58 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

Congressional review.
71 Stat. 275.
42 USC 2078.

"SEC. 58. REVIEW.—Before the Commission establishes any guaranteed purchase price or guaranteed purchase price period in accordance with the provisions of section 56, or establishes any criteria for the waiver of any charge for the use of special nuclear material licensed and distributed under section 53, the proposed guaranteed purchase price, guaranteed purchase price period, or criteria for the waiver of such charge shall be submitted to the Joint Committee and a

period of forty-five days shall elapse while Congress is in session (in computing such forty-five days there shall be excluded the days in which either House is not in session because of adjournment for more than three days): *Provided, however,* That the Joint Committee, after having received the proposed guaranteed purchase price, guaranteed purchase price period, or criteria for the waiver of such charge, may by resolution in writing waive the conditions of, or all or any portion of, such forty-five-day period."

68 Stat. 938.
42 USC 2135.

SEC. 14. Section 105 of the Atomic Energy Act of 1954, as amended, is amended by deleting the phrase "including the provisions which vest title to all special nuclear material in the United States," from the first sentence of subsection 105 a.

42 USC 2153.

SEC. 15. Section 123 of the Atomic Energy Act of 1954, as amended, is amended by adding "53," after the word "sections" in the first sentence.

Contract au-
thority.
42 USC 2201.

SEC. 16. Section 161 of the Atomic Energy Act of 1954, as amended, is amended by adding thereto the following new subsection:

"v. (A) enter into contracts with persons licensed under sections 53, 63, 103 or 104 for such periods of time as the Commission may deem necessary or desirable to provide, after December 31, 1968, for the producing or enriching of special nuclear material in facilities owned by the Commission; and

"(B) enter into contracts to provide, after December 31, 1968, for the producing or enriching of special nuclear material in facilities owned by the Commission in accordance with and within the period of an agreement for cooperation arranged pursuant to section 123 while comparable services are made available pursuant to paragraph (A) of this subsection:

Provided, That (i) prices for services under paragraph (A) of this subsection shall be established on a nondiscriminatory basis; (ii) prices for services under paragraph (B) of this subsection shall be no less than prices under paragraph (A) of this subsection; and (iii) any prices established under this subsection shall be on a basis which will provide reasonable compensation to the Government: *And provided further,* That the Commission, to the extent necessary to assure the maintenance of a viable domestic uranium industry, shall not offer such services for source or special nuclear materials of foreign origin intended for use in a utilization facility within or under the jurisdiction of the United States. The Commission shall establish criteria in writing setting forth the terms and conditions under which services provided under this subsection shall be made available including the extent to which such services will be made available for source or special nuclear material of foreign origin intended for use in a utilization facility within or under the jurisdiction of the United States: *Provided,* That before the Commission establishes such criteria, the proposed criteria shall be submitted to the Joint Committee, and a period of forty-five days shall elapse while Congress is in session (in computing the forty-five days there shall be excluded the days in which either House is not in session because of adjournment for more than three days) unless the Joint Committee by resolution in writing waives the conditions of, or all or any portion of, such forty-five-day period."

42 USC 2221.

SEC. 17. Section 171 of the Atomic Energy Act of 1954, as amended, is amended by deleting the phrase "52 (with respect to the material for

which the United States is required to pay just compensation),” from the first sentence; and by adding “55” after “43,” in the first sentence.

SEC. 18. Subsection 183 a. of the Atomic Energy Act of 1954, as amended, is deleted.

SEC. 19. Section 184 of the Atomic Energy Act of 1954, as amended, is amended by adding the words “or special nuclear material,” after “other lien upon any facility” in the second sentence; and by deleting the word “property” in the second sentence and substituting the word “facility” in lieu thereof.

SEC. 20. Nothing in this Act shall be deemed to diminish existing authority of the United States, or of the Atomic Energy Commission under the Atomic Energy Act of 1954, as amended, to regulate source, byproduct, and special nuclear material and production and utilization facilities, or to control such materials and facilities exported from the United States by imposition of governmental guarantees and security safeguards with respect thereto, in order to assure the common defense and security and to protect the health and safety of the public, or to reduce the responsibility of the Atomic Energy Commission to achieve such objectives.

SEC. 21. This Act may be cited as the “Private Ownership of Special Nuclear Materials Act.”

Approved August 26, 1964.

42 USC 2233.

42 USC 2234.

68 Stat. 919.
42 USC 2011
note.

Short title.

Public Law 88-490

AN ACT

To amend section 41(a) of the Trading With the Enemy Act.

August 26, 1964
[S. 1451]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 41(a) of the Trading With the Enemy Act (50 U.S.C. App. 42(a)), as added thereto by section 206 of the Act of October 22, 1962 (76 Stat. 1115), is amended by—

(1) striking out in the first sentence thereof the words “report to the Congress concerning”, and inserting in lieu thereof the words “render judgment upon”;

(2) striking out in the second sentence thereof the words “one year after the date of the enactment of this Act”, and inserting in lieu thereof the words “two years after the date of enactment of this section”.

Approved August 26, 1964.

Trading With
the Enemy Act,
amendment.

Public Law 88-491

AN ACT

To preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam.

August 27, 1964
[S. 502]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no licenses or permits shall be issued under the Federal Power Act (16 U.S.C. 791a-823) nor any applications for such licenses or permits be accepted for filing for the reach of the Colorado River between Glen Canyon Dam and Lake Mead during the period ending December 31, 1966: *Provided*, That nothing herein shall change or affect for the purposes of any action which may be taken subsequent to such date the present status, equities, position, rights, or priorities of any parties to applications pending on the date of the enactment of this Act.

Approved August 27, 1964.

Colorado River.
Hydroelectric
projects.
41 Stat. 1063;
49 Stat. 838.
16 USC 824-
825r.