

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.)

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."

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

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

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

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 Fed-