

(Pub. L. 93-577, §9, Dec. 31, 1974, 88 Stat. 1887; Pub. L. 96-517, §7(c), Dec. 12, 1980, 94 Stat. 3027; Pub. L. 109-58, title X, §1009(b)(7), Aug. 8, 2005, 119 Stat. 935.)

## REFERENCES IN TEXT

The Atomic Energy Act of 1954, referred to in subsec. (a), is act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, §1, 68 Stat. 919, which is classified principally to chapter 23 (§2011 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of this title and Tables.

## AMENDMENTS

2005—Subsec. (a). Pub. L. 109-58, §1009(b)(7)(B), substituted “Secretary” for “Administrator” in introductory and concluding provisions.

Pub. L. 109-58, §1009(b)(7)(A), substituted “Department” for “Administration” in introductory provisions.

Subsec. (b). Pub. L. 109-58, §1009(b)(7)(A), substituted “Department” for “Administration” in two places.

Subsec. (c). Pub. L. 109-58, §1009(b)(7)(B), substituted “Secretary” for “Administrator” wherever appearing in introductory provisions.

Pub. L. 109-58, §1009(b)(7)(A), substituted “Department” for “Administration” in two places in introductory provisions.

Subsec. (c)(3). Pub. L. 109-58, §1009(b)(7)(C), substituted “Department’s” for “Administration’s”.

Subsec. (d). Pub. L. 109-58, §1009(b)(7)(B), substituted “Secretary” for “Administrator” in introductory provisions and par. (11).

Subsec. (e). Pub. L. 109-58, §1009(b)(7)(B), substituted “Secretary” for “Administrator” in introductory provisions.

Subsec. (f)(2). Pub. L. 109-58, §1009(b)(7)(A), substituted “Department” for “Administration”.

Subsecs. (j), (k). Pub. L. 109-58, §1009(b)(7)(B), substituted “Secretary” for “Administrator”.

Subsec. (l). Pub. L. 109-58, §1009(b)(7)(A), substituted “Department” for “Administration”.

Subsec. (m)(5). Pub. L. 109-58, §1009(b)(7)(A), substituted “Department” for “Administration”.

Subsec. (n). Pub. L. 109-58, §1009(b)(7)(B), substituted “Secretary with” for “Administrator with”.

1980—Subsec. (g). Pub. L. 96-517 struck out subsec. (g) which related to licenses for inventions, promulgation of regulations specifying terms and conditions, criteria and procedures for grant of exclusive or partially exclusive licenses, and record of determinations.

Subsec. (h). Pub. L. 96-517 struck out subsec. (h) which related to required terms and conditions in waiver of rights or grant of exclusive or partially exclusive license.

Subsec. (i). Pub. L. 96-517 struck out subsec. (i) which related to publication in the Federal Register by the Administrator of waiver or license termination hearing requirements and availability of records.

## EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-517 effective July 1, 1981, but implementing regulations authorized to be issued earlier, see section 8(f) of Pub. L. 96-517, set out as a note under section 41 of Title 35, Patents.

## § 5909. Relationship to antitrust laws

(a) Nothing in this chapter shall be deemed to convey to any individual, corporation, or other business organization immunity from civil or criminal liability, or to create defenses to actions, under the antitrust laws.

(b) As used in this section, the term “antitrust law” means—

(1) the Act entitled “An Act to protect trade and commerce against unlawful restraints and

monopolies”, approved July 2, 1890 (15 U.S.C. 1 et seq.), as amended;

(2) the Act entitled “An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes”, approved October 15, 1914 (15 U.S.C. 12 et seq.) as amended;

(3) the Federal Trade Commission Act (15 U.S.C. 41 et seq.), as amended;

(4) sections 73 and 74 of the Act entitled “An Act to reduce taxation, to provide revenue for the Government, and for other purposes”, approved August 27, 1894 (15 U.S.C. 8 and 9), as amended; and

(5) the Act of June 19, 1936, chapter 592 (15 U.S.C. 13, 13a, 13b, and 21a).

(Pub. L. 93-577, §10, Dec. 31, 1974, 88 Stat. 1891.)

## REFERENCES IN TEXT

Act of July 2, 1890, referred to in subsec. (b)(1), is act July 2, 1890, ch. 647, 26 Stat. 209, as amended, known as the Sherman Act, which is classified to sections 1 to 7 of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1 of Title 15 and Tables.

Act of October 15, 1914, referred to in subsec. (b)(2), is act Oct. 15, 1914, ch. 323, 38 Stat. 730, as amended, known as the Clayton Act, which is classified generally to sections 12, 13, 14 to 19, 21, and 22 to 27 of Title 15, and sections 52 and 53 of Title 29, Labor. For further details and complete classification of this Act to the Code, see References in Text note set out under section 12 of Title 15 and Tables.

The Federal Trade Commission Act (15 U.S.C. 41 et seq.), as amended, referred to in subsec. (b)(3), is act Sept. 26, 1914, ch. 311, 38 Stat. 717, as amended, which is classified generally to subchapter I (§41 et seq.) of chapter 2 of Title 15. For complete classification of this Act to the Code, see section 58 of Title 15 and Tables.

Act of June 19, 1936, chapter 592, referred to in subsec. (b)(5), is act June 19, 1936, ch. 592, 49 Stat. 1526, popularly known as the Robinson-Patman Antidiscrimination Act and also as the Robinson-Patman Price Discrimination Act, which enacted sections 13a, 13b, and 21a of Title 15, Commerce and Trade, and amended section 13 of Title 15. For complete classification of this Act to the Code, see Short Title note set out under section 13 of Title 15 and Tables.

## § 5910. Repealed. Pub. L. 104-66, title II, § 2021(i), Dec. 21, 1995, 109 Stat. 727

Section, Pub. L. 93-577, §11, Dec. 31, 1974, 88 Stat. 1892; Pub. L. 95-91, title III, §301(a), title VII, §§703, 707, Aug. 4, 1977, 91 Stat. 577, 606, 607; 1977 Reorg. Plan No. 1, §5E, 42 F.R. 56101, 91 Stat. 1634, related to environmental evaluations by Administrator of Environmental Protection Agency.

## § 5911. Acquisition of essential materials

(a) The President may, by rule or order, require the allocation of, or the performance under contracts or orders (other than contracts of employment) relating to, supplies of materials and equipment if he finds that—

(1) such supplies are scarce, critical, and essential to carry out the purposes of this chapter; and

(2) such supplies cannot reasonably be obtained without exercising the authority granted by this section.

(b) A rule or order under subsection (a) shall be considered to be a major rule subject to chapter 8 of title 5.