

EXL-154
 ATTACHED

CONGRESS OF THE UNITED STATES
 JOINT COMMITTEE ON ATOMIC ENERGY

EXTRA COPY

MEMORANDUM

TO: All Committee Members

FROM: James T. Ramey, Executive Director *JTR*

SUBJECT: Atomic Energy Legislation Enacted During
 the 85th Congress - 2nd Session

The following is a summary of the major provisions of Atomic Energy Legislation enacted during the 85th Congress, 2nd Session, prepared by Helena Higgins with review by Staff Counsel and Executive Director. It is divided into three parts as follows: I. Index by bill number; II. Index by subject; and III. Summary of major provisions of laws (arranged in alphabetical order).

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III. SUMMARY OF MAJOR PROVISIONS OF BILLS

AEC "OMNIBUS" BILL

H.R. 13482 (H. Rept. 2272)
S. 4166 (S. Rept. 1944) -- P.L. 85-681 (85th Congress,
2nd Session)

NOTE: H.R. 13482 (S. 4166) superseded H.R. 13120 (S. 4048), the original bill as proposed by AEC, and also incorporated the provisions of H.R. 12603 (S. 3881) which would provide for the release of source material reservations in conveyances of public and acquired lands.

P.L. 85-681, as enacted, amends various sections of the Atomic Energy Act of 1954, as amended, as summarized below. Amends Section 53 a. by the addition of a new clause which extends the Commission's authority to issue licenses to distribute special nuclear materials within the United States to qualified applicants requesting such material to include a new clause (4) for such other purposes as the Commission determines to be appropriate to carry out the purposes of this Act.

Amends Section 53 c by providing that the Commission may make a reasonable charge for the use of special nuclear material licensed and distributed under Section 53 a (4); and that the Commission shall establish criteria in writing for the determination of whether a charge will be made for the use of special nuclear materials licensed and distributed under Section 53 a (4).

Amends Section 68 to provide that the release of any reservation of radioactive mineral substances, fissionable materials, or source material in conveyances of U.S. lands shall apply to both public and acquired lands.

Amends Section 123 c by the addition of the provision that the Joint Committee, after having received an agreement for cooperation, may by resolution in writing waive the conditions of all or any portion of such thirty-day period.

Amends Section 145 by the addition of a new Subsection g. Authorizes the Commission to employ individuals and permit individuals access to Restricted Data prior to investigation, report and determination required by Section 145 b during

a state of war declared by Congress, or in the event of a national disaster due to enemy attack. Exercise of such authority limited to the extent that and so long as the Commission finds that such action is required to prevent impairment of its activities in furtherance of the common defense and security.

Amends Section 161 d to provide that the Commission may adopt rates of compensation as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to the Classification Act.

Amends Section 161 by the addition of three new subsections as follows:

161 t -- Authorizes the Commission to establish a plan of succession of authority to assure the continuity of direction of the Commission's operations in the event of a national disaster due to enemy activity.

161 u -- Authorizes the Commission to enter into contracts for the processing, fabricating, separating, or refining in AEC facilities of source, by-product or other material, or special nuclear material, in accordance with the terms and within the period of an agreement for cooperation while comparable services are available to domestic licensees pursuant to Section 103 or 104 of the Act, and provided that the prices for such services shall be no less than prices currently charged by the Commission for domestic licensees pursuant to Section 161 m.

161 v -- (1) Authorizes the Commission to enter into contracts for periods of time deemed necessary or desirable, but not to exceed five years from the date of execution of the contract, for the purchase or acquisition of reactor services or services related to or required by the operation of reactors;

(2) Grants contract authorization as follows:

(A) Authorizes the Commission to enter into contracts for such periods of time as may be deemed necessary or desirable for the purchase or acquisition of any supplies, equipment, materials, or services required by the Commission whenever the Commission determines that: (1) it is advantageous to the Government to make such purchase or acquisition from commercial sources; (2) the furnishing of such supplies, equipment, materials, or services will require

the construction or acquisition of special facilities by the vendors or suppliers thereof; (3) the amortization chargeable to the Commission constitutes an appreciable portion of the cost of contract performance; and (4) the contract for such period is more advantageous to the Government than a similar contract not executed under the authority of this subsection. Provides that such contracts shall be entered into for periods not to exceed five years each from the date of initial delivery of services, equipment, materials, or services or ten years from the date of execution of the contracts excluding periods of renewal under option.

(B) Provides that in entering into such contracts the Commission shall be guided by the following principles: (1) the percentage of the total cost of special facilities devoted to contract performance and chargeable to the Commission shall not exceed the ratio between the period of contract deliveries and the anticipated useful life of such special facilities; (2) the desirability of obtaining options to renew the contract for reasonable periods not to include charges for special facilities already amortized; and (3) the desirability of reserving in the Commission the right to take title to the special facilities under appropriate circumstances.

(3) Authorizes the Commission to include in contracts made under Section 161 v provisions which limit the obligation of funds to estimated annual deliveries and services and the unamortized balance of such amounts due for special facilities as the parties shall agree is chargeable to the performance of the contract.

Provides that any appropriation available at the time of termination or thereafter made available to the Commission for operating expenses shall be available for the payment of such costs which may arise from termination as the contract may provide.

Defines the term "special facilities" as used in Subsection 161 v as any land and any depreciable buildings, structures, utilities, machinery, equipment, and fixtures necessary for the production or furnishing of such supplies, equipment, materials, or services and not available to the vendors or suppliers for the performance of the contract.

Amends Section 166 by the addition of a proviso that nothing in this section shall preclude the earlier disposal of contractor and subcontractor records in accordance with records disposal schedules agreed upon between the Commission and the General Accounting Office.

LEGISLATIVE HISTORY OF PUBLIC LAW NO. 85-681

- May 21, 1958 H.R. 12603 (providing for the release of source material reservations contained in the conveyance of public and acquired lands) introduced by Mr. Holifield and referred to the Joint Committee on Atomic Energy.
- June 25, 1958 H.R. 13120 (AEC Omnibus Bill) introduced by Mr. Durham (by request) and referred to the Joint Committee on Atomic Energy.
- HEARINGS: Subcommittee on Legislation, "AEC OMNIBUS BILL," July 10, 17, 18, 1958. Includes hearings on H.R. 12603.
- July 21, 1958 H.R. 13482 introduced by Mr. Durham and referred to the Joint Committee on Atomic Energy. As "clean bill," H.R. 13482 superseded H.R. 12130 and incorporated the provisions of H.R. 12603 (S. 3881).
- July 24, 1958 Reported in House (H. Rept. 2272) and committed to the Committee of the Whole House on the State of the Union.
- July 29, 1958 Rules suspended and passed by the House. (Voice vote).
- July 30, 1958 Ordered placed on Senate calendar.
- August 5, 1958 Passed by Senate (voice vote).
- August 19, 1958 Approved. Public Law 85-681.

S. 4166

- May 22, 1958 S. 3881 (providing for the release of source material reservations contained in conveyances of public and acquired lands) introduced by Senator Anderson and referred to the Joint Committee on Atomic Energy.
- June 24, 1958 S. 4048 (AEC Omnibus Bill) introduced by Senator Anderson (by request) and referred to the Joint Committee on Atomic Energy.
- HEARINGS: As listed above.

- July 21, 1958 S. 4166 introduced by Senator Anderson and referred to the Joint Committee on Atomic Energy. As "clean bill" S. 4166 superseded S. 4048 and incorporated provisions of S. 3881.
- July 24, 1958 Reported (S. Rept. 1944)
- July 28, 1958 Passed over on call of the calendar as not properly calendar business.
- August 4, 1958 Scheduled for consideration on August 5.
- August 5, 1958 H.R. 13482 passed (voice vote) and S. 4166 indefinitely postponed.

AUTHORIZATION LEGISLATION--DESTROYER REACTOR PLANT

WEST MILTON, NEW YORK

H.R. 12009 (H. Rept. 1618) -- P.L. 85-412 (85th Congress
S. 3632 (S. Rept. 1465) 2nd Session)

To amend Public Law 85-162 (Fiscal 1958 Authorization Act) to increase the authorization for appropriations to the Atomic Energy Commission in accordance with Section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

Amends Section 101 of Public Law 85-162 by increasing the total authorization contained in that section from \$222,230,000 to \$257,230,000.

Amends Section 101 e by the addition of a new subsection as follows: "16. Project 58-e-16, destroyer reactor plant, West Milton, New York, \$35,000,000."

LEGISLATIVE HISTORY OF PUBLIC LAW 85-412

- April 17, 1958 Introduced by Mr. Durham and referred to the Joint Committee on Atomic Energy
- April 22, 1958 Reported (H. Rept. 1618) and committed to the Committee of the Whole House on the State of the Union.
- April 29, 1958 H. Res. 553 granting a rule for one hour debate on H.R. 12009 reported from the Rules Committee (H. Rept. 1668).
- May 1, 1958 Scheduled for consideration during week of May 5-9.
- May 6, 1958 Passed House by voice vote.
- May 7, 1958 Passed Senate by voice vote.
- May 16, 1958 Approved. Public Law 85-412.

S. 3632

- April 17, 1958 Introduced and referred to the Joint Committee on Atomic Energy.

April 22, 1958 Reported (S. Rept. 1464)

April 30, 1958 Notice given of scheduling of bill for consideration.

May 1, 1958 Passed over on calendar as not properly calendar business

May 7, 1958 H.R. 12009 received in Senate, considered and passed by voice vote.
S. 3632 indefinitely postponed.

HEARINGS: Subcommittee on Legislation,
March 14, 1958, printed.

NOTE: Funds in the amount of \$16,120,000 were appropriated in the Supplemental Appropriation Act for this project in Fiscal 1959--P.L. 85-766.

AUTHORIZATION--FISCAL YEAR 1959 AUTHORIZATION ACT

H.R. 13121 (H. Rept. 2108)
S. 4051 (S. Rept. 1793) -- P.L. 85-590 (85th Congress,
(Conf. Rept. 2236) 2nd Session)

NOTE: H.R. 13121 (S. 4051) superseded H.R. 12459 (S. 3788) and incorporated the provisions of H.R. 12458 (S. 3787) in Section 109, subsections c, d, and e; and also incorporated the provisions of H.R. 12433 in Section 101, Subsection e as project 59-e-3.

To authorize appropriations to the Atomic Energy Commission in accordance with Section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

Authorizes the appropriation of \$386,679,000 in accordance with Section 261 a (1) of the Atomic Energy Act for plant or facility acquisition, construction, or expansion. This amount includes projects totalling \$192,500,000 which were added by the Joint Committee as follows:

(a) Special Nuclear Materials

Project 59-a-5 - Production reactor facility for special nuclear materials, convertible type, Hanford, Washington -- \$145,000,000

(d) Reactor Development

Project 59-d-12 - Design and engineering study of heavy water moderated power reactor -- \$2,500,000

Project 59-d-13 - Design and engineering studies of two large-scale power reactors and one intermediate sized prototype power reactor -- \$6,000,000

Project 59-d-14 - Design and engineering study of a power reactor of an advanced design capable of utilizing nuclear superheat, such study to be undertaken either as a cooperative project or conducted solely by the Atomic Energy Commission -- \$750,000

Project 59-d-15 - Metals and ceramics research building, Oak Ridge National Laboratory, Tennessee -- \$6,500,000

Project 59-d-16 - Metals process development
plant, Ames, Iowa -- \$1,900,000

(e) Physical Research

Project 59-e-3 - Two accelerators, beam analyz-
ing system and magnet, Pennsylvania State
University, Pennsylvania -- \$950,000

NOTE: This project represents the provisions of
H.R. 12533 (Van Zandt) which were incorporated
into this Act.

Project 59-e-4 - Cyclotron, University of
California Radiation Laboratory -- \$5,000,000

Project 59-e-5 - Central Research Laboratory
addition, Oak Ridge National Laboratory --
\$3,500,000

NOTE: This amount is in addition to the \$5,780,000
authorized by P.L. 84-506, funds for which
had been withheld by the Bureau of the Budget
at the date of enactment of this Act.

Project 59-e-6 - Chemistry building addition,
University of California Radiation Laboratory --
\$2,000,000

Project 59-e-7 - Chemistry hot laboratory,
Argonne National Laboratory -- \$4,400,000

Project 59-e-8 - Expansion of stable isotopes
production capacity, Oak Ridge National Laboratory
\$900,000

Project 59-e-9 - High energy physics building,
Columbia University -- \$500,000

Project 59-e-10 - Particle accelerator program
addition, Harvard-MIT accelerator -- \$1,300,000

Project 59-e-11 - High flux research reactor,
Brookhaven National Laboratory, design,
engineering and advance procurement -- \$1,000,000

Project 59-e-12 - Research and engineering
reactor, Argonne National Laboratory, design and
engineering -- \$1,000,000

Project 59-e-13 - Van de Graaff accelerator,
Argonne National Laboratory -- \$2,500,000

Project 59-e-14 - Cyclotron, Oak Ridge National
Laboratory \$3,000,000

Project 59-e-15 - Research reactor, Ames Laboratory
\$3,800,000

NOTE: In addition to the inclusion of the physical research projects listed above, the Joint Committee increased the AEC's request for authorization of appropriations for Project 59-e-1 -- Accelerator improvements -- University of California Radiation Laboratory by \$800,000, making a total authorization of \$1,300,000.

With respect to Project 59-e-12 - Design and engineering study of heavy water moderated power reactor, Section 111 provides that the AEC shall proceed with sufficient design work, together with appropriate engineering and development work, necessary for the Commission to begin construction as soon as practicable after authorization by the Congress of a heavy water moderated power reactor, and shall submit to the Joint Committee a report of its study not later than April 1, 1959.

With respect to Project 59-d-13, - Design and engineering studies of two large-scale power reactors and one intermediate sized prototype power reactor:

Section 111 provides that the AEC shall submit to the Joint Committee a report of its studies not later than May 1, 1959.

With respect to Project 59-d-14 - Design and engineering study of a reactor of advanced design capable of utilizing nuclear super-heat - Section 111 provides that the AEC shall submit to the Joint Committee a report of its study not later than April 1, 1959.

With respect to Project 59-d-10 - GAS-COOLED POWER REACTOR - \$51,000,000 - Section 110 of the Act - provides that it may be constructed and operated under a cooperative program or as an AEC project. Also, as explained below, if the Commission determines that an organization has designed and is ready to contract and operate such reactor at its own expense then the Commission shall not be obligated to proceed with such project.

Cooperative Program

Section 110 provides that the authorized appropriation shall be alternatively available for a cooperative program under which the Commission may enter into a cooperative arrangement with public, private, or cooperative power groups, equipment manufacturers and others. Any such cooperative program subject to the following provisions: (1) under the terms of the cooperative arrangement, the organization will design, construct and operate the reactor at its own expense and the Commission will contribute to the cost of research and development programs and other

assistance in accordance with the terms and conditions of the AEC power reactor demonstration program, including review by the Joint Committee of the basis of the proposed arrangement pursuant to Subsection 111 b of P.L. 85-162; (2) within 30 days after approval of the Act appropriating funds for the project (Supplemental Appropriation Act of 1959, P.L. 85-766, approved August 27, 1958) the Commission shall make public announcement requesting proposals for the project; and (3) if within 60 days after such announcement the Commission does not receive a satisfactory proposal, or receives proposals but is unable to negotiate a satisfactory basis of the arrangement for submission to the Joint Committee within 90 days thereafter, the Commission shall proceed with the project in accordance with the following provisions:

AEC Reactor Project

Section 110(b) provides that the Commission shall proceed with the design, engineering and construction under contract, as soon as practicable, of the authorized prototype power reactor facility at an installation operated by or on behalf of the Commission, and that the electric energy generated shall be used by the Commission in connection with the operation of such installation.

Authorizes the Commission to obtain the participation of private, cooperative, or public organizations to the fullest extent consistent with Commission direction of the project, ownership of the reactor, and utilization of the electric energy generated.

Provides that the power reactor facility constructed under the authorized project shall be operated by, or under contract with, the Commission for such periods of time determined by the Commission to be advisable for research and development purposes and additional period necessary for national defense purposes. At the expiration of such periods, the Commission may offer the reactor and its appurtenances for sale to any public, private, or cooperative power group at a price to reflect appropriate depreciation but not to include construction costs assignable to research and development, or the Commission may dismantle the reactor and its appurtenances.

Construction by Organization at its own Expense

Section 111(e) provides that the Commission shall not be obligated to proceed with the project if at any time within 60 days after its public announcement requesting proposals for a cooperative program, the Commission determines that: (1) any public, private, or cooperative power group, equipment manufacturers, or other persons or organization has designed and is ready to construct and

and operate such a reactor at its own expense and not in conjunction with any cooperative arrangement with the Commission; and (2) the purposes of the gas-cooled reactor project as a part of the Commission's reactor development program would be substantially fulfilled by the construction and operation of such a reactor by such group, equipment manufacturer, or other persons or organization.

Expenses for Move to New Office

Section 108 of the Act amends P.L. 85-162 to increase the authorization for the use of AEC funds in connection with the move to the new AEC principal office building at Germantown, Maryland, from \$75,000 to \$210,000 -- an increase of \$135,000.

Increases in Prior Project Authorizations

Section 112 of the Act increases prior project authorizations as follows:

Amends P.L. 84-506 (Fiscal 1957) by increasing the authorization of funds for Project 57-h-2 - Physics building, Brookhaven National Laboratory - from \$2,140,000 to \$3,040,000 -- an increase of \$900,000.

NOTE: Authorized and appropriated funds for this project had been withheld by the Bureau of the Budget at date of enactment of this Act. The additional authorization of \$900,000 was added by the Joint Committee.

Amends P.L. 85-162 (Fiscal 1958) by increasing the authorization of funds for Project 58-e-7 - Waste calcination system, National Reactor Testing Station, Idaho - from \$4,000,000 to \$6,000,000 -- an increase of \$2,000,000.

NOTE: Increase in authorization for this project was requested by AEC letter of June 20, 1958.

Rescissions

Section 107 of the Act rescinds authorization for certain projects authorized in two previous fiscal years in the total amount of \$17,350,000, except for funds heretofore obligated.

COOPERATIVE POWER REACTOR DEMONSTRATION PROGRAM

Section 109 of the Act amends Section 111 of P.L. 85-162 (Fiscal 1958 Authorization Act) by increasing the authorization provided in Subsection 111 a of P.L. 85-162 from

\$129,915,000 to \$155,113,000 and increasing the over-all program totals from \$149,915,000 to \$175,113,000 -- an increase of \$25,198,000. (The differential of \$20 million represents types of assistance other than funds which may be provided by the Commission, including waiver of charges for use of materials furnished by the Commission as provided in P.L. 85-162.)

Section 109 also increases the authorization for funds which may be expended for research and development in Commission laboratories to advance the technology of the fast breeder reactor concept from \$1,500,000 to \$2,750,000 -- an increase of \$1,250,000.

Section 109 also extends the date for approving proposals under the Third Round of the Power Reactor Demonstration Program from December 31, 1958, to June 30, 1959.

Section 109 of this Act also amends Section 111 of P.L. 85-162 by the addition of the following subsections:

(c) Provides that funds appropriated pursuant to Subsection (a) shall be available to the Commission for cooperative arrangements which may provide for the waiver of charges for the use of heavy water for a period not to exceed five years in any proposed reactor otherwise eligible for assistance under the Commission's power reactor demonstration program.

NOTE: Permits the AEC to waive such charges for the use of heavy water for reactors utilizing enriched as well as natural uranium.

(d) Provides that funds appropriated pursuant to Subsection a and authorized for the Third Round of the Commission's Power Reactor Demonstration Program may be used by the Commission for a cooperative arrangement in accordance with the basis described in the Program Justification Data #58-111-5 (proposal by the East Central Nuclear Power Group and the Florida West Coast Nuclear Power Group to construct a heavy water moderated gas-cooled reactor).

NOTE: Specific statutory authorization needed since the proposal did not meet all the terms and conditions of the Third Round.

(e) Provides that funds appropriated pursuant to Subsection a may be used by the Commission for a cooperative arrangement in accordance with the basis described in the Program Justification Data #58-111-6 (PHASE I) (proposal of the Pennsylvania Power and Light Company and the Westinghouse Electric Corporation for a homogeneous reactor project).

NOTE: Original proposal withdrawn and new proposal submitted for PHASE I only of the project. Specific statutory authorization needed since the proposal did not meet all the terms and conditions of the Third Round.

(f) Provides that before the Commission hereafter enters into any arrangement the basis of which has not been previously submitted to the Joint Committee which involves appropriations authorized by Sub-section(a) it shall make public announcement of each particular reactor project it considers technically desirable for construction, and shall set reasonable dates for submission, approval of the proposal and negotiation of the basis of the arrangement, and commencement of construction.

NOTE: Subsections c, d, and e represent the provisions of H.R. 12458 (S. 3787) which were incorporated into this law.

Of the increase in appropriations authorized, the amounts estimated by AEC for each project are as follows:

<u>Project</u>	<u>P.L. 85-162</u>	<u>P.L. 85-590</u>
<u>First Round Invitations</u>		
Consumers Public Power District of Nebraska	\$50,178,000	\$50,178,000
<u>Second Round Invitations</u>		
Rural Cooperative Power Assoc. Elk River, Minnesota	8,446,000	9,269,000 (\$823,000 increase)
Wolverine Electric Cooperative Hersey, Michigan	5,472,000	0 (cancelled)
City pf Piqua, Ohio	7,510,000	8,987,000 (\$1,477,000 increase)
NDA & Chugach Electric Assoc. Anchorage, Alaska	15,809,000	17,384,000 (\$1,575,000 increase)

Project P.L. 85-162 P.L. 85-590

Second Round Invitations (continued)

Post Construction Research and Development & Operating Expenses	\$11,000,000	\$7,994,000 (\$3,006,000 decrease)
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Third Round Invitations

Research and Development	30,000,000	38,551,000 (8,551,000 increase)
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Estimated amounts for projects in the Third
Round, in total amount of \$38,551,000 are:

Northern States Power Co., Minneapolis, Minnesota	---- \$6,000,000	-
Carolina-Virginia Nuclear Power Association, Parr Shoals, S.C.	-- 13,905,000	-
East Central Nuclear Group & Florida West Coast Nuclear Group	-- 11,646,000	-
Pennsylvania Power & Light Company and Westinghouse Electric Corp. (PHASE I)	-- 7,000,000	-

Other Increases in Authorization

Research and Development on fast breeder concept	\$1,500,000	\$2,750,000 (\$1,250,000 increase)
Extension of power demonstration program	-----	20,000,000

TOTAL	\$129,915,000	\$155,113,000
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NOTE: Negotiations on Wolverine Electric Cooperative's proposal have been cancelled by AEC. With the exception of the increased authorization for research and development on the fast breeder concept, estimates are not listed as line items in the law but are contained in the Reports.

LEGISLATIVE HISTORY OF PUBLIC LAW NO. 85-590

- May 12, 1958 H.R. 12459 introduced by Mr. Durham (by request) and referred to the Joint Committee on Atomic Energy.
- H.R. 12458 introduced by Mr. Durham (by request) and referred to the Joint Committee on Atomic Energy.
- H.R. 12533 introduced by Mr. Van Zandt and referred to the Joint Committee on Atomic Energy.
- HEARINGS: Subcommittee on Legislation - May 14, 19, 27; June 4, 9, 10 and 11, 1958. Published under title of AEC AUTHORIZING LEGISLATION.
- June 25, 1958 H.R. 13121 introduced by Mr. Durham and referred to the Joint Committee on Atomic Energy. As "clean bill," H.R. 13121 superseded H.R. 12459 and incorporated the provisions of H.R. 12458 and H.R. 12533.
- July 2, 1958 Reported (H. Rept. 2108) and committed to the Committee of the Whole House on the State of the Union.
- July 9, 1958 H. Res. 625 (H. Rept. 2124) reported, granting two-hour open rule on H.R. 13121.
- July 14, 1958 H.R. 13121 (H. Res. 625) passed House by voice vote.
- July 15, 1958 H.R. 13121 passed Senate, amended. Senate insists on its amendments, requests a conference and appoints as conferees Senators Anderson, Pastore, Jackson, Hickenlooper and Bricker.
- July 16, 1958 House disagrees to Senate amendments, agrees to conference and appoints as conferees Congressmen Durham, Holifield, Price, Van Zandt and Hosmer.
- July 21, 1958 Conference Report No. 2236 filed. Text of Conference Report printed in Congressional Record.

- July 22, 1958 Conference Report agreed to in House and Senate, clearing Bill for the President.
- August 4, 1958 Approved. P.L. 85-590.
S. 4051
- May 12, 1958 S. 3788 introduced by Senator Anderson (by request) and referred to the Joint Committee on Atomic Energy.
- S. 3787 introduced by Senator Anderson (by request) and referred to the Joint Committee on Atomic Energy.

HEARINGS: As listed above.

- June 25, 1958 S. 4051 introduced by Senator Anderson and referred to the Joint Committee on Atomic Energy. As "clean bill," S. 4051 superseded S. 3788 and incorporated the provisions of S. 3787 and H.R. 12533.
- July 2, 1958 Reported in Senate (S. Rept. 1793).
- July 15, 1958 H.R. 13121 passed Senate, amended. S. 4051 indefinitely postponed.

APPROPRIATIONS: Funds for expenditure during Fiscal Year 1959 were appropriated in the Supplemental Appropriation Act of 1959 -- P.L. 85-766.

AUTHORIZATION LEGISLATION -- PROJECT SHERWOOD AND PARTICLE
ACCELERATOR PROGRAM

H.R. 12457 (H. Rept. 1949) -- P.L. 85-519 (85th Congress,
2nd Session)
S. 3786 (S. Rept. 1747)

To further amend Public Law 85-162 (Fiscal 1958 Authorization Act) and Public Law 84-141 (Fiscal 1956 Authorization Act) to increase the authorization for appropriations to the Atomic Energy Commission in accordance with Section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

Amends Section 101 of Public Law 85-162, as amended, by increasing the total authorization for appropriations from \$257,230,000 to \$259,480,000.

Amends Section 101 (e) of Public Law 85-162 by increasing the authorization for appropriations for project 58-e-6, project Sherwood plant from \$7,750,000 to \$10,000,000 -- an increase of \$2,250,000.

Amends Section 101 (c) of Public Law 84-141, as amended, by increasing the authorization for project 56-c-1 from \$10,000,000 to \$19,406,000 -- an increase of \$9,406,000.

LEGISLATIVE HISTORY OF PUBLIC LAW NO. 85-519

May 12, 1958 Introduced by Mr. Durham and referred to the Joint Committee on Atomic Energy.

June 24, 1958 Reported (H. Rept. 1949) and committed to the Committee of the Whole House on the State of the Union.

June 26, 1958 Rules suspended. H.R. 12457 passed House by voice vote.

June 27, 1958 Ordered placed on Senate calendar.

July 2, 1958 Passed Senate by voice vote.

July 15, 1958 Approved. Public Law 85-519.

S. 3786

May 12, 1958 Introduced by Senator Anderson and referred to the Joint Committee on Atomic Energy.

June 24, 1958 Reported (S. Rept. 1747).

July 2, 1958

H.R. 12457 passed Senate by voice vote.
S. 3786 indefinitely postponed.

HEARINGS: Subcommittee on Legislation,
May 19, 1954. Included in Printed
hearings entitled AEC AUTHORIZING
LEGISLATION.

NOTE: Funds were appropriated in the
Supplemental Appropriations Act for
Fiscal 1959 (P.L. 85-766) as follows:

Project Sherwood - \$5 million, which
represents the authorized increase of
\$2,250,000 plus unfunded prior author-
ization of appropriations .

Particle Accelerator Program - \$7,106,000
which fully funds the total authorization
of \$19,406,000. (\$2,300,000 of the
total authorized increase represents
funds currently on hand.)

COOPERATION WITH OTHER NATIONS -- EXCHANGE OF MILITARY
INFORMATION AND MATERIALS

H.R. 12716 (H. Rept. 1849) -- P.L. 85-479 (85th Congress,
2nd Session)

S. 3912 (S. Rept. 1654)
(CONF. Rept. 2051)

NOTE: These Bills supersede H.R. 11426 (S. 3474)
which superseded H.R. 10348 (S. 3165).

To amend the Atomic Energy Act of 1954, as amended.

A. Transfer of Material

Amends Section 91 of the Act by the addition of a new
Subsection c.

Types of Materials

Provides that the President may authorize the Commission,
or the Department of Defense, with the assistance of the
other, to cooperate with another nation and to transfer
by sale, lease, or loan to that nation:

- (1) non-nuclear parts of atomic weapons provided
that the receiving nation has made substantial
progress in the development of atomic weapons, and
other non-nuclear parts of atomic weapon systems
involving Restricted Data provided that such transfer
will not contribute significantly to that nation's
atomic weapon design, development, or fabrication
capability; for the purpose of improving that nation's
state of training and operational readiness;
- (2) utilization facilities for military applications;
and
- (3) source, by-product, or special nuclear material
for research on, development of, production of, or
use in utilization facilities for military applications;
and
- (4) source, by-product, or special nuclear material
for research on, development of, or use in atomic
weapons provided that the transfer of such material
is necessary to improve the receiving nation's atomic
weapon design, development, or fabrication capability
and that such nation has made substantial progress in
the development of atomic weapons.

Conditions and Limitations

Provides that such transfer be made: (1) in accordance with terms and conditions of a program approved by the President; (2) whenever the President determines that the proposed cooperation and each proposed transfer arrangement will promote and will not constitute an unreasonable risk to the common defense and security; (3) while the receiving nation is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security; and (4) provided that the cooperation is undertaken pursuant to an agreement entered into under the provisions of Section 123 of the Act.

NOTE: See new Subsection 123 d (below) for new procedures.

Transfer by a Person

Provides that if an agreement for cooperation arranged pursuant to Subsection 91 c provides for the transfer of utilization facilities for military applications, the Commission or the Department of Defense with respect to the cooperation it has been authorized to undertake, may authorize any person to transfer such utilization facilities in accordance with the terms and conditions of this Subsection and of the agreement for cooperation.

B. Transfer of Information

Amends Section 144 a (2) to read "civilian reactor development" thus clarifying the intent of the provision that, with respect to any new agreement, only Restricted Data pertaining to civilian (rather than military) reactor development may be transmitted under Subsection 144 a.

To A Nation or Regional Defense Organization (144 b)

Amends Section 144 b to provide that the President may authorize the Department of Defense, with the assistance of the Commission, to cooperate with another nation or regional defense organization to which the United States is a party, and to communicate to that nation or organization such Restricted Data (including design information) as is necessary to: (1) the development of defense plans; (2) the training of personnel in use of and defense against atomic weapons and other military applications of atomic energy; (3) the evaluation of capabilities of potential enemies in employment of atomic weapons and other military applications of atomic energy; and (4) the development of compatible delivery systems for atomic weapons.

Stipulates that the cooperation and communication of Restricted Data be made: (1) whenever the President determines it will promote and will not constitute an unreasonable risk to the common defense and security; (2) while the other nation or defense organization is participating with the United States in an international arrangement by substantial and material contributions to the mutual defense and security; and (3) that the cooperation is undertaken pursuant to an agreement entered into under the provisions of Section 123 of the Act.

NOTE: See new Subsection 123 d (below) for new procedures.

To Individual Nation (144 c)

Amends Section 144 by the addition of a new Subsection c.

Provides that, in addition to the cooperation authorized in Subsections 144 a and 144 b, the President may authorize the Commission, with the assistance of the Department of Defense, to cooperate with another nation and:

- (1) to exchange with that nation Restricted Data concerning atomic weapons provided the communication of such Restricted Data is necessary to improve that nation's atomic weapon design, development, or fabrication capability and provided that nation has made substantial progress in the development of atomic weapons; and
- (2) to communicate or exchange with that nation Restricted Data concerning research, development, or design of military reactors.

Provides that the exchange or communication of Restricted Data under Subsection 144 c. be made under the same conditions as listed under the amendment to Subsection 144 b, summarized above.

NOTE: See new Subsection 123 d (below) for new procedures.

Further amends Section 144 by the addition of a new Subsection d, which provides that the President may authorize any agency of the United States to communicate in accordance with the terms and conditions of an agreement for cooperation pursuant to Subsection 144 a, b, or c, such Restricted Data as is determined to be transmissible under the agreement for cooperation involved.

New Procedures (Section 123) - Possible Concurrent
Resolution of Disapproval

Amends Section 123 a (requirements for undertaking an agreement for cooperation under Subsection 91 c or 144 b) by exempting agreements for cooperation arranged pursuant to Subsection 91 c from the requirement of "a guaranty by the cooperating party that any material to be transferred pursuant to such agreement will not be used for atomic weapons, or for research on or development of atomic weapons or for any other military purpose."

Amends Section 123 by the addition of a new Subsection d.

New Subsection provides that no cooperation with any nation or defense organization shall be undertaken pursuant to Subsections 91 c, 144 b, or 144 c until the proposed agreement for cooperation, together with the approval and determination by the President, has been submitted to the Congress and referred to the Joint Committee and a period of 60 days has elapsed while Congress is in session. Further provides that any such proposed agreement for cooperation shall not become effective if during such 60-day period the Congress passes a concurrent resolution stating in substance that it does not favor the proposed agreement for cooperation (30 days in the case of any agreement for cooperation submitted during the 85th Congress). In computing such period there shall be excluded the days on which either House is not in session because of adjournment for more than three days.

Prohibition

Section 92 of the Act is amended to read as follows:

Sec. 92. - PROHIBITION. - It shall be unlawful, except as provided in Section 91, for any person to transfer or receive in interstate or foreign commerce, manufacture, produce, transfer, acquire, possess, import, or export any atomic weapon. Nothing in this Section shall be deemed to modify the provisions of Subsection 31 a or Section 101.

LEGISLATIVE HISTORY OF PUBLIC LAW #85-479

- January 29, 1958 H.R. 10348 introduced by Mr. Durham (by request) and referred to the Joint Committee on Atomic Energy.
- March 7, 1958 AEC letter of this date advised the Joint Committee that "action on section 55 could be deferred without undue military effect," and that the "Commission recommends that section 55 be removed from the bill currently under consideration by the Joint Committee."
- March 13, 1958 H.R. 11426 (identical to H.R. 10348 with the exception of deletion of section 55) introduced by Mr. Durham (by request) and referred to the Joint Committee on Atomic Energy. H.R. 11426 superseded H.R. 10348.
- HEARINGS: Subcommittee on Agreements for Cooperation, - "Amending the Atomic Energy Act of 1954 to Permit Greater Exchange of Military Information and Materials with Allied Nations," - January 29, 30, 31; February 4, 5, 27; March 5, 26, 27, 28; April 17, 1958.
Printed.
- May 28, 1958 H.R. 12716 introduced by Mr. Durham and referred to the Joint Committee on Atomic Energy. As "clean bill," H.R. 12716 superseded H.R. 11426.
- H.R. 12727 (identical to H.R. 12716) introduced by Mr. Van Zandt and referred to the Joint Committee on Atomic Energy.
- June 5, 1958 Reported (H. Rept. 1849) and committed to the Committee of the Whole House on the State of the Union.
- June 17, 1958 H. RES. 596 (H. Rept. 1893) reported. Grants Rule on consideration of H.R. 12716.
- June 19, 1958 H. R. 12716 (H. RES. 595) passed House by roll call vote of 345 yeas to 12 nays; 73 not voting.

June 20, 1958 Placed on Senate calendar.

June 23, 1958 Passed Senate, amended by voice vote, and S. 3912 indefinitely postponed. Senate insists on its amendments, requests a conference, and appoints as conferees Senators Pastore, Anderson, Gore, Hickenlooper and Bricker.

June 24, 1958 House disagrees to Senate amendments, agrees to conference and appoints as conferees Congressmen Durham, Holifield, Price, Van Zandt and Hosmer.

June 27, 1958 Conference Report #2051 filed in House. Conference Report agreed to in House.

June 30, 1958 Conference Report agreed to in Senate.

July 2, 1958 Approved. Public Law 85-479

S. 3912

January 27, 1958 S. 3165 introduced by Senator Pastore (by request) and referred to the Joint Committee on Atomic Energy.

March 7, 1958 AEC letter recommended deletion of section 55. See information above under this date.

March 13, 1958 S. 3474 (identical to S. 3165 with the exception of deletion of section 55) introduced by Senator Pastore (by request) and referred to the Joint Committee on Atomic Energy.

HEARINGS: As listed above.

May 27, 1958 S. 3912 introduced by Senator Pastore (for himself and Senator Hickenlooper) and referred to the Joint Committee on Atomic Energy.

June 5, 1958 Reported (S. Rept. 1654).

June 19, 1958 Submission by Senator Anderson of three amendments to S. 3912 intended to be proposed by him, ordered to lie on the table and be printed.

June 23, 1958 H.R. 12716 passed, amended, and S. 3912 indefinitely postponed.

EURATOM COOPERATION ACT OF 1958

S. 4273 (S. Rept. 2370) -- P.L. 85-846 (85th Congress,
2d. Session)

H.R. 13749 (H. Rept. 2647)

To provide for cooperation with the European Atomic Energy Community.

Section 3. Research and Development Program

Authorizes the appropriation of \$3 million to the AEC in accordance with section 261 (a)(2) of the Atomic Energy Act as an initial authorization for fiscal year 1959 for use in a cooperative program of research and development in connection with the types of reactors selected by the Commission and EURATOM under a joint program. Provides that the Commission may enter into contracts for such periods as it deems necessary, but not to exceed five years, for the purpose of conducting the authorized research and development program provided EURATOM authorizes an equivalent amount for use in the cooperative program of research and development.

Section 4. Guarantee Contract Authority

Authorizes the Commission, within limits of amounts which may hereafter be authorized to be appropriated in accordance to section 261 (a)(2) of the Atomic Energy Act, to make guarantee contracts designed to assure that charges to an operator of a reactor constructed under the joint program for fabricating, processing, and transporting fuel will be no greater than would result under the fuel fabricating and fuel life guarantees which the Commission establishes for such reactors. Such guarantee contracts in the aggregate shall not exceed a total contingent liability of \$90 million. Authorizes the Commission, within such amounts as may be authorized, to make contracts without regard to the provisions of sections 3679 and 3709 of the Revised Statutes for such periods of time as it determines to be necessary provided that no contract may extend for a period longer than necessary to cover fuel loaded into a reactor constructed under the joint program during the first ten years of the reactor operation or prior to December 31, 1973, whichever is earlier (or prior to December 31, 1975 for not more than two reactors selected to be in operation by December 31, 1965).

Provides that, in establishing criteria for the selection of projects and entering into such guarantee contracts, the Commission shall be guided by, but not limited to, the following principles:

- (a) The Commission shall encourage a strong and competitive atomic equipment manufacturing industry in the United States designed to provide diversified sources of supplies for reactor parts and reactor fuel elements under the joint program;
- (b) The guarantee shall be consistent with the provisions of this Act (P.L. 85-846) and of Attachment A to the Memorandum of Understanding between the Government of the United States and EURATOM;
- (c) The Commission shall establish and publish minimum levels of fuel element cost and life to be guaranteed by the manufacturer as a basis for inviting and evaluating proposals;
- (d) The guarantee by the manufacturer shall be as favorable as any other guarantee offered by the manufacturer for any comparable fuel element within a reasonable time period; and
- (e) The Commission shall obtain a royalty-free, non-exclusive, irrevocable license for governmental use to any patent on inventions or discoveries made or conceived by the manufacturer in the course of development or fabrication of fuel elements during the period covered by the Commission's guarantee.

Section 5. Transfer of Fuel

Authorizes, pursuant to section 54 of the Atomic Energy Act, for sale or lease to EURATOM: 30,000 kilograms of contained U-235; 1 kilogram of plutonium in accordance with the terms of an agreement between the U.S. and EURATOM entered into pursuant to section 123 of the Atomic Energy Act, provided the U.S. obtains the equivalent of a first lien on any such materials sold to EURATOM for which payment is not made in full at the time of transfer.

Section 6. Acquisition of Special Nuclear Material

Authorizes the Commission to purchase or otherwise acquire from EURATOM special nuclear materials or any interest therein from reactors constructed under the joint program in accordance with an agreement for cooperation under the joint program in

accordance with an agreement for cooperation pursuant to section 123 of the Atomic Energy Act provided that neither plutonium or U-233 nor any interest therein shall be acquired in excess of the total quantity authorized by law. Authorizes the AEC to acquire up to 4,100 kilograms of plutonium for peaceful uses only.

Provides that contracts for the acquisition of plutonium may be made at such prices and for such periods of time as the AEC deems necessary provided that with respect to plutonium produced in any reactor constructed under the joint program no contract shall be for a period greater than ten years of operation of such reactor or December 31, 1973 whichever is earlier (December 31, 1975 for not more than two reactors selected to be in operation by December 31, 1965), and that compensation or payment of purchase price shall not be in excess of AEC's established price in effect for such materials as fuel in a nuclear reactor at the time of delivery to the Commission.

Provides that contracts for acquisition of uranium enriched in the isotope of U-235 may be made at such prices and such periods of time as AEC deems necessary provided that no such contract shall extend beyond the terminal date of an Agreement for Cooperation with EURATOM or provide for acquisition of uranium enriched in the isotope of U-235 in excess of quantities distributed to EURATOM by AEC less the amount consumed in reactors involved in the joint program; and compensation or purchase price payment shall not be greater than AEC's established prices effective at time of delivery to the AEC.

Contracts for acquisition of special nuclear materials may be made without regard to provisions of section 3679 of the Revised Statutes, as amended. Any contract may be made without regard for provisions of section 3709 of the Revised Statutes, as amended, upon certification by the AEC that such action is necessary in the interest of the common defense and security, and the advertising is not reasonably practicable.

Section 7. No Government Liability

The Government of the United States shall not be liable for any damage or third party liability arising out of or resulting from the joint program provided, however, that no person shall be deprived of any rights under section 170 (Indemnification and Limitation of Liability) of the Atomic Energy Act. Provides that the Government of the U.S. shall take such steps as may be necessary, including appropriate disclaimer or indemnity arrangements, in order to carry out the provisions of this section.

LEGISLATIVE HISTORY OF PUBLIC LAW #85-846

- June 24, 1958 S. 4047 introduced by Senator Anderson (by request) and referred to the Joint Committee on Atomic Energy.
- HEARINGS: Proposed Euratom Agreements: Part I, July 22, 23, 24, 29 and 30, 1958; Part II, August 5, 7, and 13, 1958. Printed.
- COMMITTEE PRINT: Proposed Euratom Agreements (with Associated Documents and Materials). Printed July 1958.
- August 12, 1958 S. 4273 introduced by Senator Anderson and referred to the Joint Committee on Atomic Energy. As "clean bill," S. 4273 superseded S. 4047.
- August 14, 1958 Reported with amendments. (S. Rept. 2370)
- August 16, 1958 Announcement by Senator Johnson that S. 4273 had been cleared by the Policy Committee for Senate consideration.
- August 18, 1958 Passed Senate by voice vote.
- August 20, 1958 Passed House in lieu of H.R. 13749. (voice vote)
- August 28, 1958 Approved. Public Law 85-846.
- H.R. 13749
- June 25, 1958 H.R. 13120 introduced by Mr. Durham (by request) and referred to the Joint Committee on Atomic Energy.
- HEARINGS: As listed above.
- August 12, 1958 H.R. 13749 introduced by Mr. Durham and referred to the Joint Committee on Atomic Energy. As "clean bill," H.R. 13749 superseded H.R. 13120.
- August 15, 1958 Reported with amendments. (H. Rept. 2647)
- August 20, 1958 S. 4273 passed in lieu of H.R. 13749. H.R. 13749 laid on the table.
- APPROPRIATIONS: Authorized funds for FY 1959 in the amount of \$3 million were appropriated in the Supplemental Appropriation Act for 1959 - P.L. 85-766.

EURATOM COOPERATION -- RESOLUTION APPROVING THE INTERNATIONAL AGREEMENT

S. Con. Res. 116 (S. Rept. 2372)
H. Con. Res. 376 (H. Rept. 2648) -- Not a Public Law

Resolves that pursuant to the provisions of section 11 (1) and 124 of the Atomic Energy Act of 1954, as amended, the agreement between the Government of the United States and the European Atomic Energy Community (EURATOM), signed at Brussels on May 29, 1958, and at Washington on June 19, 1958, concerning cooperation between the parties in programs for the advancement of the peaceful application of atomic energy, be and hereby is approved. Resolution does not constitute approval or disapproval of the Memorandum of Understanding, or any other agreements which have not been formally approved or authorized by Congress.

LEGISLATIVE HISTORY OF S. CON. RES. 116

August 12, 1958 Introduced by Senator Anderson and referred to the Joint Committee on Atomic Energy.

August 14, 1958 Reported (S. Rept. 2372)

August 16, 1958 Announcement by Senator Johnson that S.Con. Res. 116 had been cleared by the Policy Committee for Senate consideration.

August 18, 1958 Passed Senate by voice vote.

August 20, 1958 Passed House by voice vote in lieu of H.Con. Res. 376.

H. CON. RES. 376

August 12, 1958 Introduced by Mr. Durham and referred to the Joint Committee on Atomic Energy.

August 15, 1958 Reported (H. Rept. 2648)

August 20, 1958 Passed House by voice vote in lieu of H.Con. Res. 376. H.Con. Res. 376 laid on the table.

INDEMNIFICATION AND LIMITATION OF LIABILITY
- EXEMPTION FOR COLLEGES AND UNIVERSITIES

H.R. 13455 (H. Rept. 2250) -- P.L. 85-744 (85th Congress,
2d. Session)

S. 4164 (S. Rept. 1882)
(Conf. Rept. 2585)

NOTE: H.R. 13455 (S. 4164) superseded the following
bills:

H.R. 13190 (S. 4069); H.R. 13219;
H.R. 13222; and H.R. 13321.

To amend the Atomic Energy Act of 1954, as amended.

Amends section 170 of the Act by the addition of a new subsection k., which provides that, with respect to any license issued pursuant to section 104 a. or 104 c. for the conduct of educational activities to a person found by the AEC to be a nonprofit educational institution, the AEC shall exempt the licensee from the financial protection requirements of subsection 170 a.

Provides that, with respect to licenses issued between August 30, 1954 and August 1, 1967, for which the Commission grants such exemptions:

(1) The Commission shall agree to indemnify and hold harmless the licensee and other persons from public liability in excess of \$250,000 arising from nuclear incidents. This indemnification is limited to an aggregate not to exceed \$500 million, including reasonable costs of investigating and settling claims and defending suits for damage;

(2) Provides that such contracts of indemnification shall cover public liability arising out of or in connection with the licensed activity; shall include damage to property of persons indemnified, except property located at the site of and used in connection with the activity where the nuclear incident occurs; and

(3) Such contracts of indemnification entered into with a licensee having immunity from public liability because it is a State agency shall provide also that the AEC shall make payments under the contract on account of activities of the licensee in the same manner and to the same extent as the AEC would be required to do if the licensee were not a State agency.

Any licensee may waive an exemption to which it is entitled under subsection 170 k.

LEGISLATIVE HISTORY OF PUBLIC LAW #85-744

- June 27, 1958 H.R. 13190 introduced and referred to the Joint Committee on Atomic Energy.
- June 30, 1958 H.R. 13219 (Moulder) and H.R. 13222 (Rogers of Texas) introduced and referred to the Joint Committee on Atomic Energy. (Bills are identical to H.R. 13190)
- July 8, 1958 H.R. 13321 (Matthews) introduced and referred to the Joint Committee on Atomic Energy. (Bill is identical to H.R. 13190).
- HEARINGS: Subcommittee on Research and Development, July 9 and 17, 1958, included in the Hearings entitled "Operation of the AEC Indemnity Act."
- July 18, 1958 H.R. 13455 introduced by Mr. Price and referred to the Joint Committee on Atomic Energy. As "clean bill," H.R. 13455, superseded H.R. 13190, H.R. 13219, H.R. 13222 and H.R. 13321.
- July 22, 1958 Reported (H. Rept. 2250) and committed to the Committee of the Whole House on the State of the Union.
- July 25, 1958 Scheduled for consideration.
- July 29, 1958 Passed House under suspension of rules by voice vote.
- July 30, 1958 Placed on Senate calendar.
- August 4, 1958 Passed over on Senate calendar.
- August 5, 1958 Passed Senate, amended, by voice vote. Senate insists on its amendments, requests conference and appoints as conferees Senators Anderson, Pastore, Jackson, Hickenlooper and Bricker.
- August 6, 1958 House disagrees to Senate amendments, agrees to a conference and appoints as conferees Congressmen Durham, Holifield, Price, Van Zandt and Hosmer.

August 13, 1958 Conference Report #2585 filed. Text of report printed in the Congressional Record.

August 14, 1958 Conference Report agreed to by House and Senate.

August 23, 1958 Approved. Public Law 85-744.

S. 4166

June 27, 1958 S. 4069 introduced by Senator Anderson and referred to the Joint Committee on Atomic Energy.

HEARINGS: As listed above.

July 21, 1958 S. 4164 introduced by Senator Anderson and referred to the Joint Committee on Atomic Energy. As "clean bill," S. 4164 superseded S. 4069.

July 22, 1958 Reported. (S. Rept. 1882).

July 28, 1958 Passed over on call of the calendar.

August 4, 1958 Scheduled for consideration.

August 5, 1958 H. R. 13455 passed, amended, and S. 4164 indefinitely postponed.

INDEMNIFICATION AND LIMITATION OF LIABILITY - NUCLEAR SHIP
SAVANNAH

S. 4165 (S. Rept. 1883) -- P.L. 85-602 (85th Congress,
2d Session)
H.R. 13456 (H. Rept. 2253)

NOTE: S. 4165 (H.R. 13456) supersede
H.R. 13309, and was reported out
in lieu of S. 3106 (S. Rept. 1341)
which would amend the Merchant Marine
Act to provide indemnity for the
Nuclear-Powered Merchant Ship.

To amend the Atomic Energy Act of 1954, as amended.

Amends subsection 11 o. so that "nuclear incident" shall mean
an occurrence outside the United States rather than within the
United States with respect to any agreement of indemnification
entered into with respect to the ~~the~~ Savannah.

Amends section 170 of the Act by the addition of a new sub-
section 1.

Authorizes the AEC to enter into an agreement of indemnification
with any person engaged in the design, development, construction,
operation, repair and maintenance, or use of the Nuclear Ship
Savannah. AEC may require the person indemnified to provide
and maintain financial protection of such type and in such
amounts as it determines to be appropriate to cover public
liability arising from a nuclear incident in connection with
the activity indemnified. Indemnification, above the amount
of financial protection required, limited to an aggregate not
to exceed \$500 million, including reasonable costs of investi-
gating and settling claims and defending suits for damage, for
a single nuclear incident (maximum amount provided by subsection
170 e.).

Amends subsection 170 e. to provide that in the case of nuclear
incidents occurring outside the United States, the Commission
or the person indemnified may apply to the appropriate U.S.
district court having venue in bankruptcy matters over the
location of the principal place of business of the shipping
company owning or operating the ship involved in the nuclear
incident.

LEGISLATIVE HISTORY OF PUBLIC LAW #85-602

- January 23, 1958 S. 3106 introduced by Senator Magnuson (for himself and Senator Bricker) (by request) and referred to the Committee on Interstate and Foreign Commerce.
- March 3, 1958 Reported (S. Rept. 1341) without amendment and with recommendation that bill be re-referred to the Joint Committee on Atomic Energy.
- S. 3106 re-referred to the Joint Committee on Atomic Energy.
- July 7, 1958 H.R. 13309 introduced by Mr. Price and referred to the Joint Committee on Atomic Energy. (No Senate companion bill)
- HEARINGS: Subcommittee on Research and Development, July 9 and 17, 1958 considered both S. 3106 and H.R.13309. Hearings included in Hearings entitled "Operation of the AEC Indemnity Act."
- July 21, 1958 S. 4165 introduced by Senator Anderson and referred to the Joint Committee on Atomic Energy.
- July 22, 1958 Reported. (S. Rept. 1883).
- July 28, 1958 Passed Senate by voice vote.
- July 29, 1958 Passed House under suspension of rules. H.R. 13456 laid on the table.
- August 8, 1958 Approved. Public Law 85-602.
- H.R. 13456
- July 7, 1958 H.R. 13309 introduced by Mr. Price and referred to the Joint Committee on Atomic Energy.
- HEARINGS: As listed above.
- July 18, 1958 H.R. 13456 introduced by Mr. Price and referred to the Joint Committee on Atomic Energy.
- July 22, 1958 Reported. (H. Rept. 2253)
- July 29, 1958 S. 4165 passed under suspension of rules. H.R. 13456 laid on the table.