changes to such policy, and recommend to the Congress such changes in existing law as the Commission finds are needed to prevent the placement of an unfair burden on commerce. New Mexico is particularly concerned that those who hold licenses to operate federally owned research reactors used primarily for educational training and academic research purposes. 3

SUBCHAPTER XIV—COMPENSATION FOR PRIVATE PROPERTY ACQUIRED

§ 2221. Just compensation for requisitioned property

The United States shall make just compensation for any property or interests therein taken or requisitioned pursuant to sections 2063, 2075, 2096, and 2138 of this title. Except in case of real property or any interest therein, the Commission shall determine and pay such just compensation. If the compensation so determined is unsatisfactory to the person entitled thereto, such person shall be paid 75 per centum of the amount so determined, and shall be entitled to sue the United States in the United States Court of Federal Claims or in any district court of the United States for the district in which such claimant is a resident in the manner provided by section 1346 of title 28 to recover such further just compensation. If the compensation so determined is unsatisfactory to the person entitled thereto, such person shall be paid 75 per centum of the amount so determined, and shall be entitled to sue the United States in the United States Court of Federal Claims or in any district court of the United States for the district in which such claimant is a resident in the manner provided by section 1346 of title 28 to recover such further just compensation.  

Prior Provisions

Provisions similar to this section were contained in section 1813(a) of this title, prior to the general amendment and renumbering of act Aug. 1, 1946, by act Aug. 30, 1954.

Amendments


1982—Pub. L. 97–164 substituted “United States Claims Court” for “Court of Claims.”

1964—Pub. L. 88–489 substituted “2075” for “2072 (with respect to the material for which the United States is required to pay just compensation).”

Effective Date of 1992 Amendment


Effective Date of 1982 Amendment


Recession of Land to New Mexico

Section 3 of act Aug. 30, 1954, provided that: “There is hereby retroceded to the State of New Mexico the exclusive jurisdiction herefore acquired from the State of New Mexico by the United States of America over the following land of the United States Atomic Energy Commission in Bernalillo County and within the boundaries of the Sandia base, Albuquerque, New Mexico.

“Beginning at the center quarter corner of section 30, township 10 north, range 4 east, New Mexico principal meridian, Bernalillo County, New Mexico, thence south twenty-three minutes thirty seconds west one thousand nine hundred forty-seven and twenty-one hundredths feet, thence north eighty-nine degrees twenty-one minutes no seconds east two thousand five hundred fifty-two and twenty-one hundredths feet, thence north eighty-nine degrees twenty-one minutes no seconds east two thousand five hundred eighty-nine degrees twenty-one minutes forty-five seconds west a distance of thirty feet from the quarter corner common to sections 29 and 28, township 10 north, range 4 east, thence south eighty-nine degrees twenty-one minutes forty-five seconds west a distance of thirty feet from the quarter corner common to sections 29 and 28, township 10 north, range 4 east, thence south eighty-nine degrees twenty-one minutes forty-five seconds west two thousand six hundred twenty-three and forty-one hundredths feet to the point of beginning. This retrocession of jurisdiction shall take effect upon acceptance by the State of New Mexico.”

§ 2222. Condemnation of real property

Proceedings for condemnation shall be instituted pursuant to the provisions of section 3113 of title 40, and section 1403 of title 28. Sections 3114 to 3116 and 3118 of title 40 shall be applicable to any such proceedings.

Prior Provisions

Provisions similar to this section were contained in section 1813(b) of this title, prior to the general amendment and renumbering of act Aug. 1, 1946, by act Aug. 30, 1954.

Amendments


Effective Date of 1992 Amendment


Effective Date of 1982 Amendment


Recession of Land to New Mexico

Section 3 of act Aug. 30, 1954, provided that: “There is hereby retroceded to the State of New Mexico the exclusive jurisdiction herefore acquired from the State of New Mexico by the United States of America over the following land of the United States Atomic Energy Commission in Bernalillo County and within the boundaries of the Sandia base, Albuquerque, New Mexico.

“Beginning at the center quarter corner of section 30, township 10 north, range 4 east, New Mexico principal meridian, Bernalillo County, New Mexico, thence south twenty-three minutes thirty seconds west one thousand nine hundred forty-seven and twenty-one hundredths feet, thence north eighty-nine degrees twenty-one minutes forty-five seconds east two thousand five hundred fifty-two and twenty-one hundredths feet, thence north eighty-nine degrees twenty-one minutes forty-five seconds west a distance of thirty feet from the quarter corner common to sections 29 and 28, township 10 north, range 4 east, thence south eighty-nine degrees twenty-one minutes forty-five seconds west two thousand six hundred twenty-three and forty-one hundredths feet to the point of beginning. This retrocession of jurisdiction shall take effect upon acceptance by the State of New Mexico.”

§ 2223. Patent application disclosures

In the event that the Commission communicates to any nation any Restricted Data based on any patent application not belonging to the United States, just compensation shall be paid by the United States to the owner of the patent application. The Commission shall determine such compensation. If the compensation so determined is unsatisfactory to the person entitled thereto, such person shall be paid 75 per centum of the amount so determined, and shall be entitled to sue the United States in the United States Court of Federal Claims or in any district court of the United States for the district in which such claimant is a resident in a
manner provided by section 1346 of title 28 to recover such further sum as added to such 75 per centum will constitute just compensation.


AMENDMENTS
1982—Pub. L. 97–164 substituted “United States Claims Court” for “Court of Claims”.

EFFECTIVE DATE OF 1992 AMENDMENT

EFFECTIVE DATE OF 1982 AMENDMENT

§ 2224. Attorney General approval of title
All real property acquired under this chapter shall be subject to the provisions of sections 3111 and 3112 of title 40: Provided, however. That real property acquired by purchase or donation, or other means of transfer may also be occupied, used, and improved for the purposes of this chapter prior to approval of title by the Attorney General in those cases where the President determines that such action is required in the interest of the common defense and security.


CODIFICATION

PRIOR PROVISIONS
Provisions similar to this section were contained in section 1814(a), (c) of this title, prior to the general amendment and renumbering of act Aug. 1, 1946, by act Aug. 30, 1954.

SUBCHAPTER XV—JUDICIAL REVIEW AND ADMINISTRATIVE PROCEDURE

§ 2231. Applicability of administrative procedure provisions; definitions
The provisions of subchapter II of chapter 5, and chapter 7, of title 5 shall apply to all agency action taken under this chapter, and the terms “agency” and “agency action” shall have the meaning specified in section 551 of title 5: Provided, however. That in the case of agency proceedings or actions which involve Restricted Data, defense information, safeguards information protected from disclosure under the authority of section 2167 of this title or information protected from dissemination under the authority of section 2168 of this title, the Commission shall provide by regulation for such parallel procedures as will effectively safeguard and prevent disclosure of Restricted Data, defense information, such safeguards information, or information protected from dissemination under the authority of section 2168 of this title to unauthorized persons with minimum impairment of the procedural rights which would be available if Restricted Data, defense information, such safeguards information, or information protected from dissemination under the authority of section 2168 of this title were not involved.


CODIFICATION
“Subchapter II of chapter 5, and chapter 7, of title 5” substituted in text for the first reference to the Administrative Procedure Act on authority of Pub. L. 89–554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees. “Section 551 of title 5” substituted for the second reference to the Administrative Procedure Act to reflect the codification of the definitions of “agency” and “agency action” in that section. Prior to the enactment of Title 5, the Administrative Procedure Act was classified to sections 1901 to 1911 of Title 5.

PRIOR PROVISIONS
Provisions similar to this section were contained in section 1814(a), (c) of this title, prior to the general amendment and renumbering of act Aug. 1, 1946, by act Aug. 30, 1954.

AMENDMENTS
1981—Pub. L. 97–90, in proviso, substituted “involve Restricted Data, defense information, safeguards information protected from disclosure under the authority of section 2167 of this title” for “involve Restricted Data, defense information, safeguards information protected from disclosure under the authority of section 2168 of this title”, the Commission shall provide by regulation for such parallel procedures as will effectively safeguard and prevent disclosure of Restricted Data, defense information, such safeguards information, or information protected from dissemination under the authority of section 2168 of this title to unauthorized persons with minimum impairment of the procedural rights which would be available if Restricted Data, defense information, safeguards information, or information protected from dissemination under the authority of section 2168 of this title were not involved” for “involve Restricted Data, defense information, safeguards information protected from disclosure under the authority of section 2167 of this title”, the Commission shall provide by regulation for such parallel procedures as will effectively safeguard and prevent disclosure of Restricted Data, defense information, or such safeguards information, to unauthorized persons with minimum impairment of the procedural rights which would be available if Restricted Data, defense information, or such safeguards information, were not involved”.
1960—Pub. L. 96–295 inserted references and made provisions applicable to safeguards information.

§ 2232. License applications
(a) Contents and form
Each application for a license hereunder shall be in writing and shall specifically state such in-