Atomic Energy Defense Act (50 U.S.C. 2511) and section 3216 of the National Nuclear Security Administration Act (50 U.S.C. 2406) may, with the concurrence of the Secretary of the Navy, apply the demonstration project described in paragraph (1) to—

"(A) all employees of the Naval Nuclear Propulsion Program in the competitive service (as defined in section 2102 of title 5, United States Code); and

"(B) all employees of the Department of [the] Navy who are assigned to the Naval Nuclear Propulsion Program and are in the excepted service (as defined in section 2103 of title 5, United States Code) (other than such employees in statutory excepted service systems)."

ROTATIONS FOR CERTAIN CONTRACTORS

Pub. L. 115–91, div. C, title XXXI, §3116(b), Dec. 12, 2017, 131 Stat. 1889, provided that:

"(1) INCREASED USE.—The Administrator for Nuclear Security shall increase the use of rotational assignments of employees of the management and operating contractors of the National Nuclear Security Administration to the headquarters of the Administration, the Department of Defense and the military departments, the intelligence community, and other departments and agencies of the Federal Government.

"(2) METHODS.—The Administrator shall carry out paragraph (1) by—

"(A) establishing incentives for—

"(i) the management and operating contractors of the Administration and the employees of such contractors to participate in rotational assignments; and

"(ii) the departments and agencies of the Federal Government specified in such paragraph to facilitate such assignments;

"(B) providing professional and leadership development opportunities during such assignments;

"(C) using details and other applicable authorities and programs, including the mobility program under subchapter VI of chapter 33 of title 5, United States Code (commonly referred to as the 'Intergovernmental Personnel Act Mobility Program'); and

"(D) taking such other actions as the Administrator determines appropriate to increase the use of such rotational assignments."

§ 2441. Authority to establish certain contracting, program management, scientific, engineering, and technical positions

The Administrator may, for the purposes of carrying out the responsibilities of the Administrator under this chapter, establish not more than 600 contracting, program management, scientific, engineering, and technical positions in the Administration, appoint individuals to such positions, and fix the compensation of such individuals. Subject to the limitations in the preceding sentence, the authority of the Administrator to make appointments and fix compensation with respect to positions in the Administration under this section shall be equivalent to, and subject to the limitations of, the authority under section 2201(d) of title 42 to make appointments and fix compensation with respect to officers and employees described in such section. To ensure that the positions established under this section are used, the Administrator, to the extent practicable, shall appoint an individual to such a position to replace the vacancy of a position not established under this section.

(Pub. L. 106–65, div. C, title XXXII, §3241, Oct. 5, 1999, 113 Stat. 964; Pub. L. 112–239, div. C, title XXXI, §3111(b)(1), (2), Jan. 2, 2013, 126 Stat. 2169; Pub. L. 113–66, div. C, title XXXI, §3145(d), Dec. 26, 2013, 127 Stat. 1071.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title", meaning title XXXII of div. C of Pub. L. 106–65, Oct. 5, 1999, 113 Stat. 953, as amended, which is classified principally to this chapter. For complete classification of title XXXII to the Code, see Short Title note set out under section 2401 of this title and Tables.

AMENDMENTS

2013—Pub. L. 113–66, in last sentence, substituted "positions established" for "excepted positions established", "a position" for "an excepted position", and "position not established under this section" for "nonexcepted position".

Pub. L. 112–239, in section catchline, inserted "contracting, program management," before "scientific" and, in text, substituted "600 contracting, program management, scientific" for "300 scientific" and inserted at end "To ensure that the excepted positions established under this section are used, the Administrator, to the extent practicable, shall appoint an individual to such an excepted position to replace the vacancy of a nonexcepted position."

EFFECTIVE DATE

Section effective Mar. 1, 2000, see section 3299 of Pub. L. 106–65, set out as a note under section 2401 of this title.

§ 2441a. Authorized personnel levels of the Office of the Administrator

(a) Full-time equivalent personnel levels

(1) Total number

By October 1, 2015, the total number of employees of the Office of the Administrator may not exceed 1,690.

(2) Excess

For fiscal year 2016 and each fiscal year thereafter, the Administrator may not exceed the total number of employees authorized under paragraph (1) unless, during each fiscal year in which such total number exceeds 1,690, the Administrator submits to the congressional defense committees a report justifying such excess.

(b) Counting rule

(1) A determination of the number of employees in the Office of the Administrator under subsection (a) shall be expressed on a full-time equivalent basis.

(2) Except as provided by paragraph (3), in determining the total number of employees in the Office of the Administrator under subsection (a), the Administrator shall count each employee of the Office without regard to whether the employee is located at the headquarters of the Administration, a site office of the Administration, a service or support center of the Administration, or any other location.

(3) The following employees may not be counted for purposes of determining the total number of employees in the Office of the Administrator under subsection (a):

(A) Employees of the Office of Naval Reactors.

(B) Employees of the Office of Secure Transportation.

(C) Members of the Armed Forces detailed to the Administration.

(D) Personnel supporting the Office of the Administrator pursuant to the mobility pro-