

and authorized to be appropriated such sums as were necessary.

REPORT WITH RESPECT TO RENEGOTIATIONS,
REAPPRAISALS, AND SALES PROCEEDINGS

Pub. L. 85-162, title II, §203, Aug. 21, 1957, 71 Stat. 410, directed Atomic Energy Commission, Federal Housing Administration, and Housing and Home Finance Agency to report to Joint Committee by Jan. 31, 1958, with respect to renegotiations, reappraisals, and sales proceedings authorized under sections 201 and 202 of Pub. L. 85-162 [amending subsec. (e) of this section and enacting section 2325(c) of this title].

Executive Documents

EMERGENCY PREPAREDNESS FUNCTIONS

For assignment of certain emergency preparedness functions to Members of the Nuclear Regulatory Commission, see Parts 1, 2, and 21 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of this title.

§ 2201a. Use of firearms by security personnel

(a) Definitions

In this section, the terms “handgun”, “rifle”, “shotgun”, “firearm”, “ammunition”, “machinegun”, “short-barreled shotgun”, and “short-barreled rifle” have the meanings given the terms in section 921(a) of title 18.

(b) Authorization

Notwithstanding subsections (a)(4), (a)(5), (b)(2), (b)(4), and (o) of section 922 of title 18, section 925(d)(3) of title 18, section 5844 of title 26, and any law (including regulations) of a State or a political subdivision of a State that prohibits the transfer, receipt, possession, transportation, importation, or use of a handgun, a rifle, a shotgun, a short-barreled shotgun, a short-barreled rifle, a machinegun, a semiautomatic assault weapon, ammunition for any such gun or weapon, or a large capacity ammunition feeding device, in carrying out the duties of the Commission, the Commission may authorize the security personnel of any licensee or certificate holder of the Commission (including an employee of a contractor of such a licensee or certificate holder) to transfer, receive, possess, transport, import, and use 1 or more such guns, weapons, ammunition, or devices, if the Commission determines that—

(1) the authorization is necessary to the discharge of the official duties of the security personnel; and

(2) the security personnel—

(A) are not otherwise prohibited from possessing or receiving a firearm under Federal or State laws relating to possession of firearms by a certain category of persons;

(B) have successfully completed any requirement under this section for training in the use of firearms and tactical maneuvers;

(C) are engaged in the protection of—

(i) a facility owned or operated by a licensee or certificate holder of the Commission that is designated by the Commission; or

(ii) radioactive material or other property owned or possessed by a licensee or certificate holder of the Commission, or that is being transported to or from a fa-

cility owned or operated by such a licensee or certificate holder, and that has been determined by the Commission to be of significance to the common defense and security or public health and safety; and

(D) are discharging the official duties of the security personnel in transferring, receiving, possessing, transporting, or importing the weapons, ammunition, or devices.

(c) Background checks

A person that receives, possesses, transports, imports, or uses a weapon, ammunition, or a device under subsection (b) shall be subject to a background check by the Attorney General, based on fingerprints and including a background check under section 103(b) of the Brady Handgun Violence Prevention Act (Public Law 103-159; 18 U.S.C. 922 note)¹ to determine whether the person is prohibited from possessing or receiving a firearm under Federal or State law.

(d) Effective date

This section takes effect on the date on which guidelines are issued by the Commission, with the approval of the Attorney General, to carry out this section.

(Aug. 1, 1946, ch. 724, title I, §161A, as added Pub. L. 109-58, title VI, §653, Aug. 8, 2005, 119 Stat. 811.)

Editorial Notes

REFERENCES IN TEXT

Section 103 of the Brady Handgun Violence Prevention Act, referred to in subsec. (c), is section 103 of Pub. L. 103-159, which was classified as a note under section 922 of Title 18, Crimes and Criminal Procedure, prior to editorial reclassification as section 40901 of Title 34, Crime Control and Law Enforcement.

Guidelines to carry out this section, referred to in subsec. (d), were issued effective Sept. 11, 2009, see 74 F.R. 46800.

§ 2201b. Commission workforce

(a) Direct hire authority

(1) In general

Notwithstanding section 2201(d) of this title and any provision of Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.),¹ and without regard to any provision of title 5 (except section 3328) governing appointments in the civil service, the Chairman of the Nuclear Regulatory Commission (in this section referred to as the “Chairman”) may, in order to carry out the Nuclear Regulatory Commission’s (in this section referred to as the “Commission”) responsibilities and activities in a timely, efficient, and effective manner and subject to the limitations described in paragraphs (2), (3), and (4)—

(A) recruit and directly appoint exceptionally well-qualified individuals into the excepted service for covered positions; and

(B) establish in the excepted service term-limited covered positions and recruit and directly appoint exceptionally well-qualified individuals into such term-limited covered

¹ See References in Text note below.

¹ So in original. Probably should be capitalized.