

**§ 592a. Technology research and development investment strategy for nuclear and radiological detection**

**(a) In general**

Not later than 1 year after October 13, 2006, the Secretary, the Secretary of Energy, the Secretary of Defense, and the Director of National Intelligence shall submit to Congress a research and development investment strategy for nuclear and radiological detection.

**(b) Contents**

The strategy under subsection (a) shall include—

(1) a long term technology roadmap for nuclear and radiological detection applicable to the mission needs of the Department, the Department of Energy, the Department of Defense, and the Office of the Director of National Intelligence;

(2) budget requirements necessary to meet the roadmap; and

(3) documentation of how the Department, the Department of Energy, the Department of Defense, and the Office of the Director of National Intelligence will execute this strategy.

**(c) Initial report**

Not later than 1 year after October 13, 2006, the Secretary shall submit a report to the appropriate congressional committees on—

(1) the impact of this title,<sup>1</sup> and the amendments made by this title, on the responsibilities under section 182 of this title; and

(2) the efforts of the Department to coordinate, integrate, and establish priorities for conducting all basic and applied research, development, testing, and evaluation of technology and systems to detect, prevent, protect, and respond to chemical, biological, radiological, and nuclear terrorist attacks.

**(d) Annual report**

The Director for Domestic Nuclear Detection and the Under Secretary for Science and Technology shall jointly and annually notify Congress that the strategy and technology road map for nuclear and radiological detection developed under subsections (a) and (b) is consistent with the national policy and strategic plan for identifying priorities, goals, objectives, and policies for coordinating the Federal Government's civilian efforts to identify and develop countermeasures to terrorist threats from weapons of mass destruction that are required under section 182(2) of this title.

(Pub. L. 109-347, title V, §502, Oct. 13, 2006, 120 Stat. 1935.)

REFERENCES IN TEXT

This title, referred to in subsec. (c)(1), is title V of Pub. L. 109-347, Oct. 13, 2006, 120 Stat. 1932, which enacted this subchapter and this section and amended sections 113 and 182 of this title. For complete classification of title V to the Code, see Tables.

CODIFICATION

Section was enacted as part of the Security and Accountability For Every Port Act of 2006, also known as

the SAFE Port Act, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

DEFINITIONS

For definitions of terms used in this section, see section 901 of this title.

**§ 593. Hiring authority**

In hiring personnel for the Office, the Secretary shall have the hiring and management authorities provided in section 1101<sup>1</sup> of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note). The term of appointments for employees under subsection (c)(1) of such section may not exceed 5 years before granting any extension under subsection (c)(2) of such section.

(Pub. L. 107-296, title XIX, §1903, formerly title XVIII, §1803, as added Pub. L. 109-347, title V, §501(a), Oct. 13, 2006, 120 Stat. 1934; renumbered title XIX, §1903, Pub. L. 110-53, title I, §104(a)(1), (2), Aug. 3, 2007, 121 Stat. 294.)

REFERENCES IN TEXT

Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, referred to in text, is section 1101 of Pub. L. 105-261, which was formerly set out as a note under section 3104 of Title 5, Government Organization and Employees, prior to repeal by Pub. L. 114-328, div. A, title XI, §1121(b), Dec. 23, 2016, 130 Stat. 2452. See section 1599h of Title 10, Armed Forces.

**§ 594. Testing authority**

**(a) In general**

The Director shall coordinate with the responsible Federal agency or other entity to facilitate the use by the Office, by its contractors, or by other persons or entities, of existing Government laboratories, centers, ranges, or other testing facilities for the testing of materials, equipment, models, computer software, and other items as may be related to the missions identified in section 592 of this title. Any such use of Government facilities shall be carried out in accordance with all applicable laws, regulations, and contractual provisions, including those governing security, safety, and environmental protection, including, when applicable, the provisions of section 189 of this title. The Office may direct that private sector entities utilizing Government facilities in accordance with this section pay an appropriate fee to the agency that owns or operates those facilities to defray additional costs to the Government resulting from such use.

**(b) Confidentiality of test results**

The results of tests performed with services made available shall be confidential and shall not be disclosed outside the Federal Government without the consent of the persons for whom the tests are performed.

**(c) Fees**

Fees for services made available under this section shall not exceed the amount necessary to recoup the direct and indirect costs involved, such as direct costs of utilities, contractor sup-

<sup>1</sup> See References in Text note below.

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