

“(A) shall not lie or be maintained in any court; and

“(B) shall be promptly dismissed by the applicable court.

“(2) VOLUNTARY ACTIVITIES.—Nothing in this section subjects any covered entity to liability for not engaging in the voluntary activities authorized under subsection (b).

“(g) NO NEW REGULATORY AUTHORITY FOR FEDERAL AGENCIES.—Nothing in this section authorizes the Secretary or the head of any other department or agency of the Federal Government to issue new regulations.

“(h) AUTHORIZATION OF APPROPRIATIONS.—

“(1) PILOT PROGRAM.—There is authorized to be appropriated \$10,000,000 to carry out subsection (b).

“(2) WORKING GROUP AND REPORT.—There is authorized to be appropriated \$1,500,000 to carry out subsections (c) and (d).

“(3) AVAILABILITY.—Amounts made available under paragraphs (1) and (2) shall remain available until expended.”

## **§ 190. Transfer of Plum Island Animal Disease Center, Department of Agriculture**

### **(a) In general**

In accordance with subchapter XII, the Secretary of Agriculture shall transfer to the Secretary of Homeland Security the Plum Island Animal Disease Center of the Department of Agriculture, including the assets and liabilities of the Center.

### **(b) Continued Department of Agriculture access**

On completion of the transfer of the Plum Island Animal Disease Center under subsection (a), the Secretary of Homeland Security and the Secretary of Agriculture shall enter into an agreement to ensure that the Department of Agriculture is able to carry out research, diagnostic, and other activities of the Department of Agriculture at the Center.

### **(c) Direction of activities**

The Secretary of Agriculture shall continue to direct the research, diagnostic, and other activities of the Department of Agriculture at the Center described in subsection (b).

### **(d) Notification**

#### **(1) In general**

At least 180 days before any change in the biosafety level at the Plum Island Animal Disease Center, the President shall notify Congress of the change and describe the reasons for the change.

#### **(2) Limitation**

No change described in paragraph (1) may be made earlier than 180 days after the completion of the transition period (as defined in section 541 of this title).

(Pub. L. 107-296, title III, § 310, Nov. 25, 2002, 116 Stat. 2174.)

### **Statutory Notes and Related Subsidiaries**

#### **TRANSFER OF NATIONAL BIO AND AGRO-DEFENSE FACILITY**

Pub. L. 117-328, div. A, title VII, § 775, Dec. 29, 2022, 136 Stat. 4509, provided that: “In this or any subsequent fiscal year, the Secretary of Homeland Security shall transfer to the Secretary of Agriculture the operation of and all property required to operate the National Bio- and Agro-Defense Facility in Manhattan, Kansas:

*Provided*, That, such transfer of function shall include the transfer of up to 40 full time equivalent positions, to be completed within 120 days of the effective date of the transfer of function, as jointly determined by the Secretaries.”

Similar provisions were contained in the following prior acts:

Pub. L. 117-103, div. A, title VII, § 730, Mar. 15, 2022, 136 Stat. 92.

Pub. L. 116-94, div. B, title VII, § 766, Dec. 20, 2019, 133 Stat. 2655.

#### **DISPOSITION OF PLUM ISLAND PROPERTY AND TRANSPORTATION ASSETS**

Pub. L. 116-260, div. FF, title V, § 501(c), Dec. 27, 2020, 134 Stat. 3136, provided that: “The Administrator of General Services shall ensure that—

“(1) Federal property commonly known as Plum Island, New York, including the Orient point facility, all real and personal property and transportation assets that support Plum Island operations and access to Plum Island, be disposed of as a single consolidated asset; and

“(2) such disposal is subject to conditions as may be necessary to protect Government interests and meet program requirements.”

Pub. L. 112-74, div. D, title V, § 538, Dec. 23, 2011, 125 Stat. 976, which related to disposition of property and transportation assets if the National Bio and Agro-Defense Facility were relocated from Plum Island, New York, was repealed by Pub. L. 116-260, div. FF, title V, § 501(b), Dec. 27, 2020, 134 Stat. 3136.

## **§ 191. Homeland Security Science and Technology Advisory Committee**

### **(a) Establishment**

There is established within the Department a Homeland Security Science and Technology Advisory Committee (in this section referred to as the “Advisory Committee”). The Advisory Committee shall make recommendations with respect to the activities of the Under Secretary for Science and Technology, including identifying research areas of potential importance to the security of the Nation.

### **(b) Membership**

#### **(1) Appointment**

The Advisory Committee shall consist of 20 members appointed by the Under Secretary for Science and Technology, which shall include emergency first-responders or representatives of organizations or associations of emergency first-responders. The Advisory Committee shall also include representatives of citizen groups, including economically disadvantaged communities. The individuals appointed as members of the Advisory Committee—

(A) shall be eminent in fields such as emergency response, research, engineering, new product development, business, and management consulting;

(B) shall be selected solely on the basis of established records of distinguished service;

(C) shall not be employees of the Federal Government; and

(D) shall be so selected as to provide representation of a cross-section of the research, development, demonstration, and deployment activities supported by the Under Secretary for Science and Technology.

#### **(2) National Research Council**

The Under Secretary for Science and Technology may enter into an arrangement for the