

(July 1, 1944, ch. 373, title III, §319L-1, formerly Pub. L. 109-417, title IV, §405, Dec. 19, 2006, 120 Stat. 2875, as amended Pub. L. 113-5, §402(e)(1), Mar. 13, 2013, 127 Stat. 195; renumbered §319L-1 of act July 1, 1944, and amended Pub. L. 116-22, title VII, §701(e)(1), June 24, 2019, 133 Stat. 961; Pub. L. 118-22, div. B, title II, §203(c), Nov. 17, 2023, 137 Stat. 120; Pub. L. 118-35, div. B, title I, §103(c), Jan. 19, 2024, 138 Stat. 5; Pub. L. 118-42, div. G, title I, §103(c), Mar. 9, 2024, 138 Stat. 398; Pub. L. 118-158, div. C, title I, §3103(c), Dec. 21, 2024, 138 Stat. 1763.)

### Editorial Notes

#### REFERENCES IN TEXT

The Antitrust Civil Process Act, referred to in subsec. (a)(6), is Pub. L. 87-664, Sept. 19, 1962, 76 Stat. 548, which is classified principally to chapter 34 (§1311 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1311 of Title 15 and Tables.

The date of enactment of this Act, referred to in subsec. (a)(8), probably means the date of enactment of Pub. L. 109-417, which was approved Dec. 19, 2006. This section was originally enacted as section 405 of Pub. L. 109-417, prior to renumbering as section 319L-1 of act July 1, 1944, ch. 373.

#### CODIFICATION

Section was formerly set out as a note under section 247d-6a of this title prior to renumbering by Pub. L. 116-22.

#### PRIOR PROVISIONS

A prior section 247d-7f, act July 1, 1944, ch. 373, title III, §319M, as added Pub. L. 109-417, title IV, §402, Dec. 19, 2006, 120 Stat. 2872; amended Pub. L. 113-5, title IV, §404, Mar. 13, 2013, 127 Stat. 197, which related to National Biodefense Science Board and working groups, was transferred to section 247d-7g of this title.

#### AMENDMENTS

2024—Subsec. (b). Pub. L. 118-158 substituted “March 31, 2025” for “December 31, 2024”.

Pub. L. 118-42 substituted “December 31, 2024” for “March 8, 2024”.

Pub. L. 118-35 substituted “March 8, 2024” for “January 19, 2024”.

2023—Subsec. (b). Pub. L. 118-22 substituted “after January 19, 2024” for “at the end of the 17-year period that begins on the date of enactment of this Act”.

2019—Subsec. (a)(1)(A). Pub. L. 116-22, §701(e)(1)(A), substituted “The Secretary, in coordination” for “The Secretary of Health and Human Services (referred to in this subsection as the ‘Secretary’), in coordination” and made technical amendments to references in original act which appear in text as references to sections 247d-6b, 247d-6a, and 247d-6d of this title.

Subsec. (b). Pub. L. 116-22, §701(e)(1)(B), substituted “17-year” for “12-year”.

2013—Subsec. (b). Pub. L. 113-5 substituted “12-year” for “6-year”.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 113-5, title IV, §402(e)(2), Mar. 13, 2013, 127 Stat. 195, provided that: “This subsection [amending this section] shall take effect as if enacted on December 17, 2012.”

### § 247d-7g. National Biodefense Science Board and working groups

#### (a) In general

##### (1) Establishment and function

The Secretary shall establish the National Biodefense Science Board (referred to in this

section as the “Board”) to provide expert advice and guidance to the Secretary on scientific, technical and other matters of special interest to the Department of Health and Human Services regarding current and future chemical, biological, nuclear, and radiological agents, whether naturally occurring, accidental, or deliberate.

##### (2) Membership

The membership of the Board shall be comprised of individuals who represent the Nation’s preeminent scientific, public health, and medical experts, as follows—

(A) such Federal officials as the Secretary may determine are necessary to support the functions of the Board;

(B) four individuals representing the pharmaceutical, biotechnology, and device industries;

(C) four individuals representing academia; and

(D) five other members as determined appropriate by the Secretary, of whom—

(i) one such member shall be a practicing healthcare professional;

(ii) one such member shall be an individual from an organization representing healthcare consumers;

(iii) one such member shall be an individual with pediatric subject matter expertise; and

(iv) one such member shall be a State, tribal, territorial, or local public health official.

Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D).

##### (3) Term of appointment

A member of the Board described in subparagraph (B), (C), or (D) of paragraph (2) shall serve for a term of 3 years, except that the Secretary may adjust the terms of the initial Board appointees in order to provide for a staggered term of appointment for all members.

##### (4) Consecutive appointments; maximum terms

A member may be appointed to serve not more than 3 terms on the Board and may serve not more than 2 consecutive terms.

##### (5) Duties

The Board shall—

(A) advise the Secretary on current and future trends, challenges, and opportunities presented by advances in biological and life sciences, biotechnology, and genetic engineering with respect to threats posed by naturally occurring infectious diseases and chemical, biological, radiological, and nuclear agents;

(B) at the request of the Secretary, review and consider any information and findings received from the working groups established under subsection (b);

(C) at the request of the Secretary, provide recommendations and findings for expanded, intensified, and coordinated biodefense research and development activities; and

(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.

**(6) Meetings**

**(A) Initial meeting**

Not later than one year after December 19, 2006, the Secretary shall hold the first meeting of the Board.

**(B) Subsequent meetings**

The Board shall meet at the call of the Secretary, but in no case less than twice annually.

**(7) Vacancies**

Any vacancy in the Board shall not affect its powers, but shall be filled in the same manner as the original appointment.

**(8) Chairperson**

The Secretary shall appoint a chairperson from among the members of the Board.

**(9) Powers**

**(A) Hearings**

The Board may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Board considers advisable to carry out this subsection.

**(B) Postal services**

The Board may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

**(10) Personnel**

**(A) Employees of the Federal Government**

A member of the Board that is an employee of the Federal Government may not receive additional pay, allowances, or benefits by reason of the member's service on the Board.

**(B) Other members**

A member of the Board that is not an employee of the Federal Government may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5 for each day (including travel time) during which the member is engaged in the actual performance of duties as a member of the Board.

**(C) Travel expenses**

Each member of the Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5.

**(D) Detail of Government employees**

Any Federal Government employee may be detailed to the Board with the approval of the contributing agency without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

**(b) Other working groups**

The Secretary may establish a working group of experts, or may use an existing working group or advisory committee, to—

(1) identify innovative research with the potential to be developed as a qualified countermeasure or a qualified pandemic or epidemic product;

(2) identify accepted animal models for particular diseases and conditions associated with any biological, chemical, radiological, or nuclear agent, any toxin, or any potential pandemic infectious disease, and identify strategies to accelerate animal model and research tool development and validation; and

(3) obtain advice regarding supporting and facilitating advanced research and development related to qualified countermeasures and qualified pandemic or epidemic products that are likely to be safe and effective with respect to children, pregnant women, and other vulnerable populations, and other issues regarding activities under this section that affect such populations.

**(c) Definitions**

Any term that is defined in section 247d-7e of this title and that is used in this section shall have the same meaning in this section as such term is given in section 247d-7e of this title.

**(d) Authorization of appropriations**

There are authorized to be appropriated \$1,000,000 to carry out this section for fiscal year 2007 and each fiscal year thereafter.

(July 1, 1944, ch. 373, title III, §319M, as added Pub. L. 109-417, title IV, §402, Dec. 19, 2006, 120 Stat. 2872; amended Pub. L. 113-5, title IV, §404, Mar. 13, 2013, 127 Stat. 197.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 247d-7f of this title.

**AMENDMENTS**

2013—Subsec. (a)(2). Pub. L. 113-5, §404(1)(B), inserted concluding provisions.

Subsec. (a)(2)(D)(iii), (iv). Pub. L. 113-5, §404(1)(A), added cls. (iii) and (iv).

Subsec. (a)(5)(D). Pub. L. 113-5, §404(2), added subpar. (D).

**§ 247d-8. Coordinated program to improve pediatric oral health**

**(a) In general**

The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a program to fund innovative oral health activities that improve the oral health of children under 6 years of age who are eligible for services provided under a Federal health program, to increase the utilization of dental services by such children, and to decrease the incidence of early childhood and baby bottle tooth decay.

**(b) Grants**

The Secretary shall award grants to or enter into contracts with public or private nonprofit