

“(a) Notwithstanding any other provision of law during fiscal year 2012 or any subsequent fiscal year, if the Secretary of Homeland Security determines that the National Bio- and Agro-defense Facility should be located at a site other than Plum Island, New York, the Secretary shall ensure that the Administrator of General Services sells through public sale all real and related personal property and transportation assets which support Plum Island operations, subject to such terms and conditions as may be necessary to protect Government interests and meet program requirements.

“(b) The proceeds of such sale described in subsection (a) shall be deposited as offsetting collections into the Department of Homeland Security Science and Technology ‘Research, Development, Acquisition, and Operations’ account and, subject to appropriation, shall be available until expended, for site acquisition, construction, and costs related to the construction of the National Bio- and Agro-defense Facility, including the costs associated with the sale, including due diligence requirements, necessary environmental remediation at Plum Island, and reimbursement of expenses incurred by the General Services Administration.”

§ 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 National Research Council to select members of the Advisory Committee, but only if the panel used by the National Research Council reflects the representation described in paragraph (1).

(c) Terms of office

(1) In general

Except as otherwise provided in this subsection, the term of office of each member of the Advisory Committee shall be 3 years.

(2) Original appointments

The original members of the Advisory Committee shall be appointed to three classes. One class of six shall have a term of 1 year, one class of seven a term of 2 years, and one class of seven a term of 3 years.

(3) Vacancies

A member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed for the remainder of such term.

(d) Eligibility

A person who has completed two consecutive full terms of service on the Advisory Committee shall thereafter be ineligible for appointment during the 1-year period following the expiration of the second such term.

(e) Meetings

The Advisory Committee shall meet at least quarterly at the call of the Chair or whenever one-third of the members so request in writing. Each member shall be given appropriate notice of the call of each meeting, whenever possible not less than 15 days before the meeting.

(f) Quorum

A majority of the members of the Advisory Committee not having a conflict of interest in the matter being considered by the Advisory Committee shall constitute a quorum.

(g) Conflict of interest rules

The Advisory Committee shall establish rules for determining when 1 of its members has a conflict of interest in a matter being considered by the Advisory Committee.

(h) Reports

(1) Annual report

The Advisory Committee shall render an annual report to the Under Secretary for Science and Technology for transmittal to Congress on or before January 31 of each year. Such report shall describe the activities and recommendations of the Advisory Committee during the previous year.

(2) Additional reports

The Advisory Committee may render to the Under Secretary for transmittal to Congress such additional reports on specific policy matters as it considers appropriate.

(i) Federal Advisory Committee Act exemption

Section 14 of the Federal Advisory Committee Act shall not apply to the Advisory Committee.

(j) Termination

The Department of Homeland Security Science and Technology Advisory Committee shall terminate on December 31, 2008.

(Pub. L. 107-296, title III, §311, Nov. 25, 2002, 116 Stat. 2174; Pub. L. 108-334, title V, §520, Oct. 18,

2004, 118 Stat. 1318; Pub. L. 109-347, title III, § 302(a), Oct. 13, 2006, 120 Stat. 1920.)

REFERENCES IN TEXT

Section 14 of the Federal Advisory Committee Act, referred to in subsec. (i), is section 14 of Pub. L. 92-463, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2006—Subsec. (j). Pub. L. 109-347 substituted “on December 31, 2008” for “3 years after the effective date of this chapter”.

2004—Subsec. (c)(2). Pub. L. 108-334 amended heading and text of par. (2) generally. Prior to amendment, text read as follows: “The original members of the Advisory Committee shall be appointed to three classes of three members each. One class shall have a term of 1 year, 1 a term of 2 years, and the other a term of 3 years.”

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-347, title III, § 302(b), Oct. 13, 2006, 120 Stat. 1921, provided that: “The amendment made by subsection (a) [amending this section] shall be effective as if enacted on the date of the enactment of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) [Nov. 25, 2002].”

§ 192. Homeland Security Institute

(a) Establishment

The Secretary shall establish a federally funded research and development center to be known as the “Homeland Security Institute” (in this section referred to as the “Institute”).

(b) Administration

The Institute shall be administered as a separate entity by the Secretary.

(c) Duties

The duties of the Institute shall be determined by the Secretary, and may include the following:

(1) Systems analysis, risk analysis, and simulation and modeling to determine the vulnerabilities of the Nation’s critical infrastructures and the effectiveness of the systems deployed to reduce those vulnerabilities.

(2) Economic and policy analysis to assess the distributed costs and benefits of alternative approaches to enhancing security.

(3) Evaluation of the effectiveness of measures deployed to enhance the security of institutions, facilities, and infrastructure that may be terrorist targets.

(4) Identification of instances when common standards and protocols could improve the interoperability and effective utilization of tools developed for field operators and first responders.

(5) Assistance for Federal agencies and departments in establishing testbeds to evaluate the effectiveness of technologies under development and to assess the appropriateness of such technologies for deployment.

(6) Design of metrics and use of those metrics to evaluate the effectiveness of homeland security programs throughout the Federal Government, including all national laboratories.

(7) Design of and support for the conduct of homeland security-related exercises and simulations.

(8) Creation of strategic technology development plans to reduce vulnerabilities in the Nation’s critical infrastructure and key resources.

(d) Consultation on Institute activities

In carrying out the duties described in subsection (c), the Institute shall consult widely with representatives from private industry, institutions of higher education, nonprofit institutions, other Government agencies, and federally funded research and development centers.

(e) Use of centers

The Institute shall utilize the capabilities of the National Infrastructure Simulation and Analysis Center.

(f) Annual reports

The Institute shall transmit to the Secretary and Congress an annual report on the activities of the Institute under this section.

(g) Termination

The Homeland Security Institute shall terminate 5 years after its establishment.

(Pub. L. 107-296, title III, § 312, Nov. 25, 2002, 116 Stat. 2176; Pub. L. 108-334, title V, § 519, Oct. 18, 2004, 118 Stat. 1318.)

AMENDMENTS

2004—Subsec. (g). Pub. L. 108-334 amended heading and text of subsec. (g) generally. Prior to amendment, text read as follows: “The Homeland Security Institute shall terminate 3 years after the effective date of this chapter.”

§ 193. Technology clearinghouse to encourage and support innovative solutions to enhance homeland security

(a) Establishment of program

The Secretary, acting through the Under Secretary for Science and Technology, shall establish and promote a program to encourage technological innovation in facilitating the mission of the Department (as described in section 111 of this title).

(b) Elements of program

The program described in subsection (a) shall include the following components:

(1) The establishment of a centralized Federal clearinghouse for information relating to technologies that would further the mission of the Department for dissemination, as appropriate, to Federal, State, and local government and private sector entities for additional review, purchase, or use.

(2) The issuance of announcements seeking unique and innovative technologies to advance the mission of the Department.

(3) The establishment of a technical assistance team to assist in screening, as appropriate, proposals submitted to the Secretary (except as provided in subsection (c)(2)) to assess the feasibility, scientific and technical merits, and estimated cost of such proposals, as appropriate.

(4) The provision of guidance, recommendations, and technical assistance, as appropriate, to assist Federal, State, and local government and private sector efforts to evaluate and im-