

TO ESTABLISH PLUM ISLAND, NEW YORK, AS A
NATIONAL MONUMENT

DECEMBER 12, 2024.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 1584]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1584) to establish Plum Island, New York, as a national monument, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. PLUM ISLAND SPECIAL RESOURCE STUDY.

(a) IN GENERAL.—The Secretary shall conduct a special resource study of the study area.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

- (1) evaluate the national significance of the study area;
- (2) determine the suitability and feasibility of designating the study area as a unit administered by the Department of the Interior;
- (3) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local governmental entities, or private and nonprofit organizations;
- (4) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and
- (5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives considered.

(c) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with section 100507 of title 54, United States Code.

(d) REPORT.—Not later than 3 years after the date on which funds are first made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

- (1) the findings and conclusions of the study; and
- (2) any recommendations of the Secretary.

(e) DEFINITIONS.—In this section:

- (1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (2) STUDY AREA.—The term “study area” means the Federal property commonly known as “Plum Island” in the State of New York, including—
 - (A) the Orient Point facility; and
 - (B) all real and personal property and transportation assets that support—
 - (i) Plum Island operations; and
 - (ii) access to Plum Island.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 1584 is to establish Plum Island, New York, as a national monument.

BACKGROUND AND NEED FOR LEGISLATION

Located 100 miles east of New York City and approximately one mile from the tip of Long Island’s North Fork, the secluded Plum Island boasts a unique and mysterious history dating back thousands of years. Centuries before the first European settlers arrived in the early 17th century, the Montaukett and Pequot Tribes used the archipelago for hunting.¹ In 1897, Plum Island became home to a lighthouse and Fort Terry, a military installation that protected important shipping channels in the Long Island Sound.² However, Plum Island is perhaps most well known for being the location of the Plum Island Animal Disease Center (PIADC), a U.S. Department of Agriculture (USDA) research facility that first opened in 1954.³

A joint endeavor between USDA and the Department of Homeland Security (DHS), PIADC was on the frontlines of research regarding contagious animal diseases for several decades. Behind “metal doors and frozen inside tamper-proof containers,” the highly secure facility contained vials of foot-and-mouth disease and rinderpest, which are “two of the most feared animal contagions of all time.”⁴ If foot-and-mouth disease was ever detected in the wild, it “could wipe out entire herds of livestock and completely halt international agricultural trade.”⁵ Given the importance of the \$258.5 billion livestock industry to the U.S. economy and international food supply chains, the research conducted at PIADC was considered a matter of national security.⁶ Because of the high levels of security and secrecy on the island, it also was the subject of much speculation and conspiracy theories, at one point being the rumored origin point of Lyme disease and known as the “Area 51 of the East Coast.”⁷

In 2009, DHS selected Manhattan, Kansas, as the site of a new National Bio and Agro-Defense Facility (NBAF) to replace the PIADC.⁸ Congress directed Plum Island to be sold in 2008 before

¹Wick, Steve, “Documentary filmmakers want to tell the story of Plum Island,” *The Suffolk Times*, <https://suffolktimes.timesreview.com/2023/09/documentary-filmmaker-tells-the-story-of-plum-island/>.

²Parks & Trails New York, “Save Plum Island”, July 25, 2019, <https://www.ptny.org/newsandmedia/e-news-1/2019/07/save-plum-island>.

³DHS, Plum Island Animal Disease Center (PIADC) Fact Sheet, <https://www.dhs.gov/publication/st-piadc-fact-sheet>.

⁴Muller, Madison, “A Mysterious Lab Is Shutting Down. It’s the End of an Era for Biosecurity,” September 8, 2023, <https://www.bloomberg.com/news/features/2023-09-08/plum-island-why-area-51-of-the-east-coast-is-moving-to-kansas>.

⁵*Id.*

⁶Fox Business, “Various livestock animals and their impact on the US economy,” <https://www.foxbusiness.com/money/farm-animals-livestock-economy>.

⁷*Id.*

⁸USDA, “National Bio and Agro-Defense Facility”, <https://www.usda.gov/nbaf>.

reversing course in 2020 and repealing that requirement.⁹ H.R. 1584, as reported, would authorize a study of Plum Island to determine the suitability and feasibility of designating the area as a unit administered by the Department of the Interior (DOI). In conducting this study, DOI will also consider alternatives for non-federal protection of the area, consult with interested stakeholders, and identify any potential costs associated with federal acquisition and maintenance of Plum Island. This bipartisan bill is co-led by Rep. Courtney (D-CT).

COMMITTEE ACTION

H.R. 1584 was introduced on March 14, 2023, by Rep. Nick LaLota (R-NY). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On March 7, 2024, the Subcommittee on Federal Lands held a hearing on the bill. On November 20, 2024, the Committee on Natural Resources met to consider the bill. The Subcommittee on Federal Lands was discharged from further consideration of H.R. 1584 by unanimous consent. Chairman Bruce Westerman (R-AR) offered an Amendment in the Nature of a Substitute designated Westerman ANS 104. The amendment in the nature of a substitute was agreed to by unanimous consent. The bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Federal Lands held on March 7, 2024.

SECTION-BY-SECTION ANALYSIS

Section 1. Plum Island Special Resource Study

Section 1 directs the Secretary of the Interior to conduct a special resource study of the federal property commonly known as “Plum Island” in the State of New York. The Secretary must evaluate the national significance of the site; determine the suitability and feasibility of designating the site as a unit administered by the Department of the Interior; identify potential alternatives for protection and interpretation of the site; consult with interested stakeholders; and identify cost estimates for federal management compared with other alternatives.

Section 1 also requires the Secretary submit a report on the findings, conclusions, and any recommendations from the study to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives no later than three years after funds are made available to carry out the study. Finally, Section 1 stipulates the study must be carried out in accordance with Section 100507 of Title 54, United States Code.

⁹Long Island Press, “Congress Blocks Sale of Plum Island in Covid-19 Relief Bill”, <https://www.longislandpress.com/2020/12/22/u-s-congress-blocks-sale-of-plum-island-in-budget-bill/>.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to establish Plum Island, New York, as a national monument.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

As ordered reported by the Committee on Natural Resources, H.R. 1584 would make no changes in existing law.

