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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend title 10, United States Code, to require the Secretary of Defense to develop a strategy with respect to threats posed by the biotechnology capabilities of foreign adversaries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. BIGGS of South Carolina introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 10, United States Code, to require the Secretary of Defense to develop a strategy with respect to threats posed by the biotechnology capabilities of foreign adversaries, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Biotech Defense Act".

1 **SEC. 2. COUNTERING BIOTECHNOLOGY THREATS FROM**
2 **THE PEOPLE'S REPUBLIC OF CHINA.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) the rapid advancement of the People's Re-
6 public of China in biotechnology, including gene-edit-
7 ing, synthetic biology, and dual-use technologies,
8 poses a significant threat to the national security of
9 the United States and its military superiority;

10 (2) China's military-civil fusion strategy inte-
11 grates civilian biotechnology research with military
12 applications, potentially enabling the development of
13 enhanced soldier capabilities, bioweapons, and other
14 asymmetric threats;

15 (3) China's dominance in global biotechnology
16 supply chains and its strategic investments in
17 United States biotechnology firms risk undermining
18 United States innovation, security, and access to
19 critical resources;

20 (4) the United States must proactively integrate
21 biotechnology threats into its defense planning and
22 intelligence assessments to maintain strategic advan-
23 tages; and

24 (5) robust oversight of foreign investments and
25 partnerships in the United States biotechnology sec-

1 tor is essential to safeguard sensitive technologies
2 and data from adversarial exploitation.

3 (b) INTEGRATION OF THREATS INTO NATIONAL DE-
4 FENSE STRATEGY.—Chapter 2 of title 10, United States
5 Code, is amended by adding at the end the following new
6 section:

7 **“§ 118d. Integration of Biotechnology Threats into**
8 **National Defense Strategy and Defense**
9 **Planning Guidance.**

10 “(a) The Secretary of Defense shall develop a strat-
11 egy to ensure that threats posed by the biotechnology ca-
12 pabilities of foreign adversaries, particularly the People’s
13 Republic of China, are integrated into—

14 “(1) the National Defense Strategy; and

15 “(2) the Defense Planning Guidance.

16 “(b) The strategy required under subsection (a) shall
17 include—

18 “(1) an assessment of foreign adversaries’ use
19 of military and dual-use biotechnology for military
20 purposes, development of biological agents, and abil-
21 ity to disrupt international and United States supply
22 chains critical to military operations;

23 “(2) strategies to counter such threats, includ-
24 ing investments in U.S. biotechnology research and

1 development, supply chain resilience, and defensive
2 biotechnological capabilities; and

3 “(3) coordination with allies and international
4 partners to address biotechnology-related national
5 security risks.

6 “(c) The Secretary of Defense shall develop the strat-
7 egy required by this section in consultation with the Sec-
8 retary of State, the Secretary of Health and Human Serv-
9 ices, the Secretary of Homeland Security, the Director of
10 National Intelligence, defense and technology industry
11 partners, research and development partners, other Fed-
12 eral research agencies, allies and partners of the United
13 States, and other appropriate organizations.

14 “(d)(1) The Secretary of Defense shall submit to the
15 appropriate congressional committees a report, in unclas-
16 sified form but which may contain a classified annex, that
17 includes the strategy developed pursuant to subsection (a).

18 “(2) In this subsection, the term ‘appropriate con-
19 gressional committees’ means—

20 “(A) the Committee on Armed Services, the
21 Committee on Foreign Relations, the Committee on
22 Commerce, Science, and Transportation, and the
23 Committee on Banking, Housing, and Urban Affairs
24 of the Senate; and

1 “(B) the Committee on Armed Services, the
2 Committee on Foreign Affairs, the Committee on
3 Energy and Commerce, and the Committee on Fi-
4 nancial Services of the House of Representatives.”.

5 (c) ASSESSMENT OF CHINA’S USE OF BIO-
6 TECHNOLOGY FOR MILITARY MODERNIZATION.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, the Di-
9 rector of National Intelligence, in consultation with
10 the Director of the Central Intelligence Agency, the
11 Secretary of Commerce, and the Secretary of De-
12 fense, shall submit to the appropriate congressional
13 committees a comprehensive assessment of the Peo-
14 ple’s Republic of China’s use of biotechnology for
15 military modernization.

16 (2) ELEMENTS OF ASSESSMENT.—The assess-
17 ment required under paragraph (1) shall include—

18 (A) an evaluation of China’s biotechnology
19 research and development programs with poten-
20 tial military applications, including gene-edit-
21 ing, synthetic biology, and bioinformatics;

22 (B) an analysis of China’s military-civil fu-
23 sion strategy and its impact on advancing mili-
24 tary biotechnology capabilities;

1 (C) an assessment of the potential for
2 China to develop biological weapons or other
3 asymmetric biotechnological threats;

4 (D) an assessment of Chinese entities, in-
5 cluding private companies, state-owned enter-
6 prises, and government bodies, that are devel-
7 oping dual-use biotechnology and any depend-
8 encies they have on United States or other for-
9 eign technology, components, or services;

10 (E) an evaluation of China's control over
11 global biotechnology supply chains and the im-
12 plications for United States military readiness;
13 and

14 (F) recommendations for countermeasures,
15 including enhanced intelligence collection, ex-
16 port controls, and international cooperation.

17 (3) FORM.—The assessment shall be submitted
18 in an unclassified form, and may contain a classified
19 annex.

20 (d) INTERAGENCY COORDINATION ON BIO-
21 TECHNOLOGY RISK.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary of Defense, in consultation with the Secretary
25 of State, the Secretary of Commerce, the Secretary

1 of the Treasury, and other appropriate Federal
2 agencies, shall establish monitoring and evaluation
3 mechanisms to conduct risk assessments by con-
4 vening a Biotechnology Risk Contact Group to carry
5 out the duties described in paragraph (2).

6 (2) BIOTECHNOLOGY RISK CONTACT GROUP.—

7 The Biotechnology Risk Assessment Contact Group
8 convened pursuant to paragraph (1) shall—

9 (A) monitor and assess foreign invest-
10 ments, partnerships, and joint ventures in the
11 United States biotechnology sector, with a focus
12 on investments by entities from the People's
13 Republic of China;

14 (B) identify risks to national security
15 posed by such investments, including the poten-
16 tial transfer of sensitive technologies, intellec-
17 tual property, or genomic data;

18 (C) coordinate with the Committee on For-
19 eign Investment in the United States to review
20 biotechnology-related transactions;

21 (D) develop and maintain a database of
22 foreign entities involved in the United States
23 biotechnology sector, including their affiliations
24 with foreign governments or military organiza-
25 tions; and

1 (E) provide annual reports to Congress on
2 foreign activities in the United States bio-
3 technology sector, along with recommendations
4 for mitigation measures.

5 (3) BRIEFING.—Not later than 180 days after
6 the establishment of the Biotechnology Risk Contact
7 Group, and every 90 days thereafter, the Secretary
8 of Defense, in consultation with the Secretary of
9 State, the Secretary of Commerce, and the Secretary
10 of the Treasury, shall brief the appropriate congres-
11 sional committees on the activities of the Group.

12 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
13 FINED.—In this section, the term “appropriate congres-
14 sional committees” means—

15 (1) the Committee on Armed Services, the
16 Committee on Foreign Relations, the Committee on
17 Commerce, Science, and Transportation, and the
18 Committee on Banking, Housing, and Urban Affairs
19 of the Senate; and

20 (2) the Committee on Armed Services, the
21 Committee on Foreign Affairs, the Committee on
22 Energy and Commerce, and the Committee on Fi-
23 nancial Services of the House of Representatives.