To ensure the security of biomedical research, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2021

Mr. HUDSON (for himself and Mr. TRONE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To ensure the security of biomedical research, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protect America’s Biomedical Research Enterprise Act of 2021”.

SEC. 2. PROTECTING AMERICA’S BIOMEDICAL RESEARCH ENTERPRISE.

(a) In General.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”), in collaboration with Assistant to the President for National Security Affairs, the Director of National In-
telligence, the Director of the Federal Bureau of Investi-
gation, and the heads of other relevant departments and
agencies, and in consultation with research institutions
and research advocacy organizations or other relevant ex-
erts, as appropriate, shall—

(1) identify ways to improve the protection of
intellectual property and other proprietary informa-
tion, as well as identifiable, sensitive information of
participants in biomedical research and development,
from national security risks and other applicable
threats, including the identification of gaps in poli-
cies and procedures in such areas related to bio-
medical research and development supported by the
Department of Health and Human Services and bio-
medical research supported by other agencies as ap-
plicable, and make recommendations to institutions
of higher education or other entities that have tradi-
tionally received Federal funding for biomedical re-
search to protect such information;

(2) identify or develop strategies to prevent,
mitigate, and address national security threats in
biomedical research and development supported by
the Federal Government, including such threats as-
associated with foreign talent programs, by countries
seeking to exploit United States technology and
other proprietary information as it relates to such biomedical research and development;

(3) identify national security risks and potential misuse of proprietary information, and identifiable, sensitive information of biomedical research participants and other applicable risks, including with respect to peer review, and make recommendations for additional policies and procedures to protect such information;

(4) develop a framework to identify areas of biomedical research and development supported by the Federal Government that are emerging areas of interest for state actors and would compromise national security if they were to be subjected to undue foreign influence; and

(5) regularly review recommendations or policies developed under this section and make additional recommendations or updates, as appropriate.

(b) Report to President and to Congress.—Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare and submit, in a manner that does not compromise national security, to the President and the Committee on Health, Education, Labor, and Pensions and the Select Committee on Intelligence of the Senate, the Committee on Energy and Commerce and the
1 Permanent Select Committee on Intelligence of the House of Representatives, and other congressional committees as appropriate, a report on the findings and recommendations pursuant to subsection (a).