

117TH CONGRESS  
2D SESSION

# S. 5160

To designate a laboratory as the National Biodefense Analysis and Countermeasures Center, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 1, 2022

Mr. CARDIN (for himself and Mr. VAN HOLLEN) introduced the following bill;  
which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To designate a laboratory as the National Biodefense Analysis and Countermeasures Center, 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 “National Biodefense  
5       Analysis and Countermeasures Center Authorization Act  
6       of 2022” or the “NBACC Authorization Act of 2022”.

1 **SEC. 2. NATIONAL BIODEFENSE ANALYSIS AND COUNTER-**  
2 **MEASURES CENTER.**

3 (a) IN GENERAL.—Title III of the Homeland Secu-  
4 rity Act of 2002 (6 U.S.C. 181 et seq.) is amended by  
5 adding at the end the following:

6 **“SEC. 323. NATIONAL BIODEFENSE ANALYSIS AND COUN-**  
7 **TERMEASURES CENTER.**

8 “(a) IN GENERAL.—The Secretary, acting through  
9 the Under Secretary for Science and Technology, shall  
10 designate the laboratory described in subsection (b) as an  
11 additional laboratory pursuant to the authority under sec-  
12 tion 308(c)(2), which shall be the lead Federal facility  
13 dedicated to defending the United States against biological  
14 threats by—

15 “(1) understanding the risks posed by inten-  
16 tional, accidental, and natural biological events; and  
17 “(2) providing the operational capabilities to  
18 support the investigation, prosecution, and preven-  
19 tion of biocrimes and bioterrorism.

20 “(b) LABORATORY DESCRIBED.—The laboratory de-  
21 scribed in this subsection may be a federally funded re-  
22 search and development center—

23 “(1) known, as of the date of enactment of this  
24 section, as the National Biodefense Analysis and  
25 Countermeasures Center;

26 “(2) that may include—

1           “(A) the National Bioforensic Analysis  
2           Center, which conducts technical analyses in  
3           support of Federal law enforcement investiga-  
4           tions; and

5           “(B) the National Biological Threat Char-  
6           acterization Center, which conducts experiments  
7           and studies to better understand biological  
8           vulnerabilities and hazards; and

9           “(3) transferred to the Department pursuant to  
10          subparagraphs (A), (D), and (F) of section 303(1)  
11          and section 303(2).

12          “(c) LABORATORY ACTIVITIES.—The National Bio-  
13          defense Analysis and Countermeasures Center shall—

14               “(1) conduct studies and experiments to better  
15               understand current and future biological threats and  
16               hazards and pandemics;

17               “(2) provide the scientific data required to as-  
18               sess vulnerabilities, conduct risk assessments, and  
19               determine potential impacts to guide the develop-  
20               ment of countermeasures;

21               “(3) conduct and facilitate the technical foren-  
22               sic analysis and interpretation of materials recovered  
23               following a biological attack, or in other law enforce-  
24               ment investigations requiring evaluation of biological

1 materials, in support of the appropriate lead Federal  
2 agency;

3 “(4) coordinate with other national laboratories  
4 to enhance research capabilities, share lessons  
5 learned, and provide training more efficiently;

6 “(5) collaborate with the Homeland Security  
7 Enterprise, as defined in section 2211(h), to plan  
8 and conduct research to address gaps and needs in  
9 biodefense; and

10 “(6) carry out other such activities as the Sec-  
11 retary determines appropriate.

12 “(d) WORK FOR OTHERS.—The National Biodefense  
13 Analysis and Countermeasures Center shall engage in a  
14 continuously operating Work for Others program to make  
15 the unique biocontainment and bioforensic capabilities of  
16 the National Biodefense Analysis and Countermeasures  
17 Center available to other Federal agencies.

18 “(e) FACILITY REPAIR AND ROUTINE EQUIPMENT  
19 REPLACEMENT.—The National Biodefense Analysis and  
20 Countermeasures Center shall—

21 “(1) perform regularly scheduled and required  
22 maintenance of laboratory infrastructure; and

23 “(2) procure mission-critical equipment and ca-  
24 pability upgrades.

25 “(f) FACILITY MISSION NEEDS ASSESSMENT.—

1           “(1) IN GENERAL.—To address capacity con-  
2           cerns and accommodate future mission needs and  
3           advanced capabilities, the Under Secretary for  
4           Science and Technology shall conduct a mission  
5           needs assessment, to include scoping for potential  
6           future needs or expansion, of the National Bio-  
7           defense Analysis and Countermeasures Center.

8           “(2) SUBMISSION.—Not later than 120 days  
9           after the date of enactment of this section, the  
10          Under Secretary for Science and Technology shall  
11          provide the assessment conducted under paragraph  
12          (1) to—

13               “(A) the Committee on Homeland Security  
14               and Governmental Affairs and the Sub-  
15               committee on Homeland Security Appropria-  
16               tions of the Committee on Appropriations of the  
17               Senate; and

18               “(B) the Committee on Homeland Security  
19               and the Subcommittee on Homeland Security  
20               Appropriations of the Committee on Appropria-  
21               tions of the House of Representatives.

22          “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
23          is authorized to be appropriated such sums as may be nec-  
24          essary to support the activities of the laboratory des-  
25          ignated under this section.

1       “(h) RULE OF CONSTRUCTION.—Nothing in this sec-  
2   tion may be construed as affecting in any manner the au-  
3   thorities or responsibilities of the Countering Weapons of  
4   Mass Destruction Office of the Department.”.

5       (b) TECHNICAL AND CONFORMING AMENDMENT.—  
6   The table of contents in section 1(b) of the Homeland Se-  
7   curity Act of 2002 (Public Law 107–296; 116 Stat. 2135)  
8   is amended by inserting after the item relating to section  
9   322 the following:

“Sec. 323. National Biodefense Analysis and Countermeasures Center.”.

