

118TH CONGRESS
2D SESSION

S. 5255

To require the Director of the Office of Management and Budget to submit to Congress an annual report on biomedical research funded by the United States and performed in China.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require the Director of the Office of Management and Budget to submit to Congress an annual report on biomedical research funded by the United States and performed in China.

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 “Chinese Laboratory
5 Accountability and Watchful Spending Act of 2024” or
6 the “CLAWS Act of 2024”.

1 **SEC. 2. ANNUAL REPORT ON FEDERALLY-FUNDED BIO-**
2 **MEDICAL RESEARCH IN CHINA.**

3 (a) DEFINITIONS.—In this section:

4 (1) COVERED AGENCY.—The term “covered
5 agency” means—

6 (A) an Executive agency, as defined in sec-
7 tion 105 of title 5, United States Code; and

8 (B) an independent regulatory agency, as
9 defined in section 3502 of title 44, United
10 States Code.

11 (2) COVERED PROJECT.—The term “covered
12 project” means a project—

13 (A) funded by a covered agency; and

14 (B) that is awarded directly or indirectly
15 through a grant, contract, other transaction
16 agreement, subaward, cooperative agreement, or
17 any other form of assistance to an entity that—

18 (i) is located in China; or

19 (ii) performs the project in whole or
20 in part in China.

21 (3) PROJECT.—The term “project” means bio-
22 medical research or experimentation conducted for
23 the identification, control, treatment, and prevention
24 of human or animal diseases, including the testing
25 of any drug, biological product, device, vaccine, vac-
26 cine adjuvant, antiviral, or diagnostic test.

1 (b) REQUIREMENT.—Not later than 1 year after the
2 date of enactment of this Act, the Director of the Office
3 of Management and Budget shall issue guidance requiring
4 covered agencies to annually include in a report described
5 in paragraph (2) of section 3516(a) of title 31, United
6 States Code, or a consolidated report described in para-
7 graph (1) of such section, information relating to each cov-
8 ered project of the covered agency, which shall include a
9 detailed description of the covered project, including—

10 (1) the purpose of the covered project;

11 (2) whether the covered project involves —

12 (A) pathogens with pandemic potential;

13 (B) biological select agents and toxins;

14 (C) dual use research of concern;

15 (D) human or animal subjects; and

16 (E) classified research;

17 (3) each location where the covered project is
18 carried out and, if applicable—

19 (A) whether the location is subject to the
20 jurisdiction or control of, or operates on behalf
21 of, China; and

22 (B) whether the location engages in joint
23 research with, is supported by, or is affiliated
24 with the military, security forces, or intelligence
25 agencies of China;

1 (4) if applicable, the rationale for conducting
2 the covered project in China;

3 (5) the contract or award number of the cov-
4 ered project;

5 (6) each covered agency or subagency funding
6 the covered project;

7 (7) each primary contractor, subcontractor,
8 grant recipient, and subgrant recipient of the cov-
9 ered project;

10 (8) the start date of the covered project;

11 (9) the current expected date for completion of
12 the covered project;

13 (10) the cost of the covered project during the
14 previous fiscal year;

15 (11) the total cost of the covered project since
16 inception;

17 (12) a description of specific steps taken to en-
18 sure research security of the covered project; and

19 (13) any noncompliance with respect to the cov-
20 ered project documented by the covered agency dur-
21 ing the reporting period.

○