

both for his leadership on this bill and for his partnership on the Modernization Subcommittee.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. STEIL. Mr. Speaker, I further encourage the strong support of H.R. 6513, the Confirmation of Congressional Observer Access Act.

I encourage my colleagues to vote "yes," and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. STEIL) that the House suspend the rules and pass the bill, H.R. 6513.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BIOSECURE ACT

Mr. COMER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8333) to prohibit contracting with certain biotechnology providers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8333

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 "BIOSECURE Act".

SEC. 2. PROHIBITION ON CONTRACTING WITH CERTAIN BIOTECHNOLOGY PROVIDERS.

(a) IN GENERAL.—The head of an executive agency may not—

(1) procure or obtain any biotechnology equipment or service produced or provided by a biotechnology company of concern; or

(2) enter into a contract or extend or renew a contract with any entity that—

(A) uses biotechnology equipment or services produced or provided by a biotechnology company of concern and acquired after the applicable effective date in subsection (c) in performance of the contract with the executive agency; or

(B) enters into any contract the performance of which such entity knows or has reason to believe will require, in performance of the contract with the executive agency, the use of biotechnology equipment or services produced or provided by a biotechnology company of concern and acquired after the applicable effective date in subsection (c).

(b) PROHIBITION ON LOAN AND GRANT FUNDS.—The head of an executive agency may not obligate or expend loan or grant funds to, and a loan or grant recipient may not use loan or grant funds to—

(1) procure, obtain, or use any biotechnology equipment or services produced or provided by a biotechnology company of concern; or

(2) enter into a contract or extend or renew a contract with an entity described in subsection (a)(2).

(c) EFFECTIVE DATES.—

(1) CERTAIN ENTITIES.—With respect to the biotechnology companies of concern covered by subsection (f)(2)(A), the prohibitions under subsections (a) and (b) shall take ef-

fect 60 days after the issuance of the regulation in subsection (h).

(2) OTHER ENTITIES.—With respect to the biotechnology companies of concern covered by subsection (f)(2)(B), the prohibitions under subsections (a) and (b) shall take effect 180 days after the issuance of the regulation in subsection (h).

(3) RULES OF CONSTRUCTION.—

(A) CERTAIN ENTITIES.—Prior to January 1, 2032, with respect to biotechnology companies of concern covered by subsections (f)(2)(A), subsections (a)(2) and (b)(2) shall not apply to biotechnology equipment or services produced or provided under a contract or agreement, including previously negotiated contract options, entered into before the effective date under paragraph (1).

(B) OTHER ENTITIES.—Prior to the date that is five years after the issuance of the regulation in subsection (h) that identifies a biotechnology company of concern covered by subsections (f)(2)(B), subsections (a)(2) and (b)(2) shall not apply to biotechnology equipment or services produced or provided under a contract or agreement, including previously negotiated contract options, entered into before the effective date under paragraph (2).

(C) SAFE HARBOR.—The term "biotechnology equipment or services produced or provided by a biotechnology company of concern" shall not be construed to refer to any biotechnology equipment or services that were formerly, but are no longer, produced or provided by biotechnology companies of concern.

(d) WAIVER AUTHORITIES.—

(1) SPECIFIC BIOTECHNOLOGY EXCEPTION.—

(A) WAIVER.—The head of the applicable executive agency may waive the prohibition under subsections (a) and (b) on a case-by-case basis—

(i) with the approval of the Director of the Office of Management and Budget, in coordination with the Secretary of Defense; and

(ii) if such head submits a notification and justification to the appropriate congressional committees not later than 30 days after granting such waiver.

(B) DURATION.—

(i) IN GENERAL.—Except as provided in clause (ii), a waiver granted under subparagraph (A) shall last for a period of not more than 365 days.

(ii) EXTENSION.—The head of the applicable executive agency, with the approval of the Director of the Office of Management and Budget, and in coordination with the Secretary of Defense, may extend a waiver granted under subparagraph (A) one time, for a period up to 180 days after the date on which the waiver would otherwise expire, if such an extension is in the national security interests of the United States and if such head submits a notification and justification to the appropriate congressional committees not later than 10 days after granting such waiver extension.

(2) OVERSEAS HEALTH CARE SERVICES.—The head of an executive agency may waive the prohibitions under subsections (a) and (b) with respect to a contract, subcontract, or transaction for the acquisition or provision of health care services overseas on a case-by-case basis—

(A) if the head of such executive agency determines that the waiver is—

(i) necessary to support the mission or activities of the employees of such executive agency described in subsection (e)(2)(A); and

(ii) in the interest of the United States;

(B) with the approval of the Director of the Office of Management and Budget, in consultation with the Secretary of Defense; and

(C) if such head submits a notification and justification to the appropriate congress-

sional committees not later than 30 days after granting such waiver.

(e) EXCEPTIONS.—The prohibitions under subsections (a) and (b) shall not apply to—

(1) any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States;

(2) the acquisition or provision of health care services overseas for—

(A) employees of the United States, including members of the uniformed services (as defined in section 101(a) of title 10, United States Code), whose official duty stations are located overseas or are on permissive temporary duty travel overseas; or

(B) employees of contractors or subcontractors of the United States—

(i) who are performing under a contract that directly supports the missions or activities of individuals described in subparagraph (A); and

(ii) whose primary duty stations are located overseas or are on permissive temporary duty travel overseas; or

(3) the acquisition, use, or distribution of human multiomic data, lawfully compiled, that is commercially or publicly available.

(f) EVALUATION OF CERTAIN BIOTECHNOLOGY ENTITIES.—

(1) ENTITY CONSIDERATION.—Not later than 365 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall publish a list of the entities that constitute biotechnology companies of concern based on a list of suggested entities that shall be provided by the Secretary of Defense in coordination with the Attorney General, the Secretary of Health and Human Services, the Secretary of Commerce, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of State, and the National Cyber Director.

(2) BIOTECHNOLOGY COMPANIES OF CONCERN DEFINED.—The term "biotechnology company of concern" means—

(A) BGI, MGI, Complete Genomics, WuXi AppTec, and WuXi Biologics;

(B) any entity that is determined by the process established in paragraph (1) to meet the following criteria—

(i) is subject to the administrative governance structure, direction, control, or operates on behalf of the government of a foreign adversary;

(ii) is to any extent involved in the manufacturing, distribution, provision, or procurement of a biotechnology equipment or service; and

(iii) poses a risk to the national security of the United States based on—

(I) engaging in joint research with, being supported by, or being affiliated with a foreign adversary's military, internal security forces, or intelligence agencies;

(II) providing multiomic data obtained via biotechnology equipment or services to the government of a foreign adversary; or

(III) obtaining human multiomic data via the biotechnology equipment or services without express and informed consent; and

(C) any subsidiary, parent, affiliate, or successor of entities listed in subparagraphs (A) and (B), provided they meet the criteria in subparagraph (B)(i).

(3) GUIDANCE.—Not later than 120 days after the date of the enactment of this Act for the biotechnology companies of concern named in paragraph (2)(A), and not later than 180 days after the development of the list pursuant to paragraph (1) and any update to the list pursuant to paragraph (4), the Director of the Office of Management and Budget, in coordination with the Secretary of Defense, the Attorney General, the Secretary of Health and Human Services, the

Secretary of Commerce, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of State, and the National Cyber Director, shall establish guidance as necessary to implement the requirements of this section.

(4) **UPDATES.**—The Director of the Office of Management and Budget, in coordination with or based on a recommendation provided by the Secretary of Defense, the Attorney General, the Secretary of Health and Human Services, the Secretary of Commerce, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of State, and the National Cyber Director, shall periodically, though not less than annually, review and, as appropriate, modify the list of biotechnology companies of concern, and notify the appropriate congressional committees of any such modifications.

(5) **NOTICE OF A DESIGNATION AND REVIEW.**—

(A) **IN GENERAL.**—A notice of a designation as a biotechnology company of concern under paragraph (2)(B) shall be issued to any biotechnology company of concern named in the designation—

(i) advising that a designation has been made;

(ii) identifying the criteria relied upon under such subparagraph and, to the extent consistent with national security and law enforcement interests, the information that formed the basis for the designation;

(iii) advising that, within 90 days after receipt of notice, the biotechnology company of concern may submit information and argument in opposition to the designation;

(iv) describing the procedures governing the review and possible issuance of a designation pursuant to paragraph (1); and

(v) where practicable, identifying mitigation steps that could be taken by the biotechnology company of concern that may result in the rescission of the designation.

(B) **CONGRESSIONAL NOTIFICATION REQUIREMENTS.**—

(i) **NOTICE OF DESIGNATION.**—The Director of the Office of Management and Budget shall submit the notice required under subparagraph (A) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.

(ii) **INFORMATION AND ARGUMENT IN OPPOSITION TO DESIGNATIONS.**—Not later than 7 days after receiving any information and argument in opposition to a designation pursuant to subparagraph (A)(iii), the Director of the Office of Management and Budget shall submit such information to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.

(C) **EXCEPTIONS.**—The provisions under subparagraphs (A) and (B) shall not apply to an entity listed under paragraph (2)(A).

(6) **NO IMMEDIATE PUBLIC RELEASE.**—Any designation made under paragraph (1) or paragraph (4) shall not be made publicly available until the Director of the Office of Management and Budget, in coordination with appropriate agencies, reviews all information submitted under paragraph (5)(A)(iii) and issues a final determination that a company shall remain listed as a biotechnology company of concern.

(g) **EVALUATION OF NATIONAL SECURITY RISKS POSED BY FOREIGN ADVERSARY ACQUISITION OF AMERICAN MULTIOMIC DATA.**—

(1) **ASSESSMENT.**—Not later than 270 days after the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, the Attorney General of the United States, the Secretary of Health and Human Services, the Secretary

of Commerce, the Secretary of Homeland Security, the Secretary of State, and the National Cyber Director, shall complete an assessment of risks to national security posed by human multiomic data from United States citizens that is collected or stored by a foreign adversary from the provision of biotechnology equipment or services.

(2) **REPORT REQUIREMENT.**—Not later than 30 days after the completion of the assessment developed under paragraph (1), the Director of National Intelligence shall submit a report with such assessment to the appropriate congressional committees.

(3) **FORM.**—The report required under paragraph (2) shall be in unclassified form accompanied by a classified annex.

(h) **REGULATIONS.**—Not later than one year after the date of establishment of guidance required under subsection (f)(3), and as necessary for subsequent updates, the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation as necessary to implement the requirements of this section.

(i) **REPORTING ON INTELLIGENCE ON NEFARIOUS ACTIVITIES OF BIOTECHNOLOGY COMPANIES WITH HUMAN MULTIOMIC DATA.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Director of National Intelligence, in consultation with the heads of executive agencies, shall submit to the appropriate congressional committees a report on any intelligence in possession of such agencies related to nefarious activities conducted by biotechnology companies with human multiomic data. The report shall include information pertaining to potential threats to national security or public safety from the selling, reselling, licensing, trading, transferring, sharing, or otherwise providing or making available to any foreign country of any forms of multiomic data of a United States citizen.

(j) **NO ADDITIONAL FUNDS.**—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

(k) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Oversight and Accountability, the Committee on Energy and Commerce, and the Select Committee on Strategic Competition between the United States and the Chinese Communist Party of the House of Representatives.

(2) **BIOTECHNOLOGY EQUIPMENT OR SERVICE.**—The term “biotechnology equipment or service” means—

(A) equipment, including genetic sequencers, combined mass spectrometry technologies, polymerase chain reaction machines, or any other instrument, apparatus, machine, or device, including components and accessories thereof, that is designed for use in the research, development, production, or analysis of biological materials as well as any software, firmware, or other digital components that are specifically designed for use in, and necessary for the operation of, such equipment;

(B) any service for the research, development, production, analysis, detection, or provision of information, including data storage and transmission related to biological materials, including—

(i) advising, consulting, or support services with respect to the use or implementation of a instrument, apparatus, machine, or device described in subparagraph (A); and

(ii) disease detection, genealogical information, and related services; and

(C) any other service, instrument, apparatus, machine, component, accessory, device, software, or firmware that is designed for use in the research, development, production, or analysis of biological materials that the Director of the Office of Management and Budget, in consultation with the heads of Executive agencies, as determined appropriate by the Director of the Office of Management and Budget, determines appropriate in the interest of national security.

(3) **CONTRACT.**—Except as the term is used under subsection (b)(2) and subsection (c)(3), the term “contract” means any contract subject to the Federal Acquisition Regulation issued under section 1303(a)(1) of title 41, United States Code.

(4) **CONTROL.**—The term “control” has the meaning given to that term in section 800.208 of title 31, Code of Federal Regulations, or any successor regulations.

(5) **EXECUTIVE AGENCY.**—The term “executive agency” has the meaning given the term “Executive agency” in section 105 of title 5, United States Code.

(6) **FOREIGN ADVERSARY.**—The term “foreign adversary” has the meaning given the term “covered nation” in section 4872(d) of title 10, United States Code.

(7) **MULTIOMIC.**—The term “multiomic” means data types that include genomics, epigenomics, transcriptomics, proteomics, and metabolomics.

(8) **OVERSEAS.**—The term “overseas” means any area outside of the United States, the Commonwealth of Puerto Rico, or a territory or possession of the United States.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. COMER) and the gentleman from Illinois (Mr. KRISHNAMOORTH) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. MCGOVERN. Mr. Speaker, I rise in opposition.

The **SPEAKER** pro tempore. Does the gentleman from Illinois oppose the bill?

Mr. KRISHNAMOORTH. Mr. Speaker, no, I support the bill.

The **SPEAKER** pro tempore. The gentleman from Massachusetts (Mr. MCGOVERN) will control 20 minutes in opposition.

GENERAL LEAVE

Mr. COMER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. COMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am happy to support H.R. 8333, the **BIOSECURE** Act.

This bipartisan bill prevents U.S. tax dollars from flowing to biotechnology companies that are owned, operated, and controlled by China or other foreign adversaries.

Specifically, this bill names five genomic companies with direct ties to the Chinese Communist Party as biotechnology companies of concern.

The bill then prohibits a Federal agency from procuring any biotechnology equipment or service from such companies. The bill also prohibits Federal loan or grant dollars from being used to procure, obtain, or use biotechnology equipment or services from such companies.

The companies named in this legislation create significant risks to U.S. national security.

BGI, one of the named entities, is a CCP biotechnology company and is the world's largest collector of genetic data. BGI, alongside its subsidiaries, which are also named in the bill, have been found to conduct research alongside the Chinese military.

WuXi, through its two subsidiaries named in the bill, operates genetic testing centers established in coordination with the CCP, helps carry out research to promote the Chinese military, and has reportedly stolen U.S. firms' intellectual property.

The House Oversight Committee has worked hard with outside stakeholders and other committees of jurisdiction to ensure these national security risks are meaningfully addressed without disrupting medical and pharmaceutical supply chains.

Existing contracts are exempt from the prohibitions in the bill until January 2032, and the bill includes a targeted waiver and exception process.

The bill also exempts biotechnology equipment and services from the bill's prohibitions that were, but are no longer, produced or provided by a company of concern.

This bill is a necessary step toward protecting Americans' sensitive healthcare data from the CCP before these companies become more embedded in the U.S. economy, university, and Federal contracting base.

I thank the bill's sponsor, Representative BRAD WENSTRUP, chairman of the Select Subcommittee on the Coronavirus Pandemic, for his efforts in ensuring this bill continues to advance.

I also thank the Select Committee on the Chinese Communist Party chairman, JOHN MOOLENAAR, and ranking member, RAJA KRISHNAMOORTHY, both original cosponsors, as well as the House Oversight's ranking member, JAMIE RASKIN, and the Senate Homeland Security Committee chairman, GARY PETERS, and their staff for their hard work on this legislation over the past year.

I urge all my House Oversight colleagues to support this critical national security bill. I encourage everyone to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I deeply regret having to rise in opposition to this bill, but I feel that I need to, and I want to be clear as to why.

I think this bill as it is currently written, quite frankly, is not ready for

prime time, and I am urging my colleagues, particularly those who care about effectively taking on China to vote "no."

Mr. Speaker, for the record, I am not new to this issue. In fact, I welcome the fact that we are finally here on the House floor talking about not only the abysmal human rights violations committed by the People's Republic of China but their unsavory and unscrupulous business practices that could threaten patient privacy and even our national security.

Frankly, it is about damn time.

I have been sounding the alarm for years now asking Democrats and Republicans to hold China accountable.

I have worked with Presidents of both parties on this issue, including Joe Biden and Donald Trump.

Along with our colleagues, Representative CHRIS SMITH and Senator MARCO RUBIO, I wrote, and President Biden signed into law the bipartisan Uyghur Forced Labor Prevention Act to hold the PRC accountable for their genocide in Xinjiang and to prevent the import of goods made with forced labor into the United States.

Together, Chairman MCCAUL and I wrote the Resolve Tibet Act to hold the PRC accountable for their misinformation on Tibet, which was also just signed into law by President Biden a few months ago.

I passed into law the bipartisan Reciprocal Access to Tibet Act to deny PRC officials entry into the United States if they are responsible for the oppression of the people of Tibet. In 2019, I also authored legislation to prevent the export of crowd control equipment that was being used to go after peaceful protestors in Hong Kong, and President Trump signed that into law.

I am one of the few Members of Congress who was actually sanctioned by China. I am banned from going to China by the PRC. I can't meet with any Chinese Government officials because of my vocal advocacy for human rights and human dignity in that country. They clearly do not like me, but I wear their sanctions as a badge of honor.

All of this is to say that my record on this issue takes a back seat to nobody. That is why I deeply regret that we are bringing this particular bill to the floor. This is a lost opportunity to do something meaningful about an important and serious issue, an issue that frankly deserves a lot more thought and attention than this.

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First of all, this bill lists out specific companies that it claims are exploiting the U.S. biopharmaceutical industry on behalf of the Chinese Government.

To be totally frank, some of them might be, but to be also totally frank, some of them might not be, and I can't get a clear answer from anyone on how the Select Committee came up with these names.

What was the process?

Were these companies brought in for questioning?

Again, no solid answers to why these companies and not others.

If we are going to name companies, then there ought to be a clear, transparent process that is implemented the same for all companies.

I am even told this by our regulatory agencies who, by the way, do not like the idea of naming companies by name in legislation because they think it gives the heads-up to bad companies who will try to evade this legislation as written by changing their name and reincorporating as something else in the Cayman Islands.

So I think we need to give some thought as to whether this is the best way to hold these companies to account.

The most ironic thing about this approach is this is how they do things in China: The PRC politicians decide they don't like you, so they blackball you.

Guess what, Mr. Speaker? That is not how we do things in the United States of America.

We ought to have due process of law here. We ought to have a transparent, inclusive process that involves all the relevant agencies that applies to all companies. We have an intelligence community, we have law enforcement agencies, we have an interagency entity list, and we have a Department of Defense 1260H list to determine what companies are engaged in bad behavior on behalf of the PRC.

Some of the companies listed in this bill are not on any lists at all, so it is up to us to guess why they are on here.

Now, I have no idea who wrote this text or why these companies and not others, but this is not the right way to legislate. This is being jammed through because I guess it is China week and God forbid we wait a couple of more weeks and get this right, but we want to get this thing done.

However, this is not the way we should be doing things around here.

What is even worse is that this bill is being brought up under suspension. People know that there are genuine concerns about this bill, and yet it is being brought up under suspension. We have no opportunity to amend it or to make improvements. There is no process through the Rules Committee, no amendments, nothing.

Believe me, Mr. Speaker, when I say that I really, really believe we can get to "yes" on a bill to hold bad companies accountable and to protect the American people. I think we could get "yes" to a bill that would not only have my support but the support of everybody in this Chamber. This is just take it or leave it, and I think the best thing for all of us to do is to leave it and go back to the drawing board and to come up with something better that we can get to the floor in the next several days or in the next couple of weeks.

I have spent my entire career standing up to the Chinese Communist

Party and to the PRC, and I have the battle scars to prove it. Yes, I do have a company in my district that is actually named in this bill, but that is not the only reason why I am here.

I am here because I care about these issues. I have cared about these issues for a long time. Yes, I did my due diligence on the company in my district and asked why they were included. That is not a radical question, it is not a tough question, and nobody can really tell me. I got a different answer every time I asked. Not in a classified setting and not in an unclassified setting can anybody still give me a straight answer. In fact, I have been given multiple conflicting reasons.

This should be easy. This company is on a list because they are doing X, Y, and Z, and we have the proof.

I have never heard that.

Maybe some of the concerns apply to some of these companies. I have no idea, and nobody, including the people who wrote this bill, could give me a clear answer on the basic question of why some entities are named and others are not.

Then, once they are named in this bill, the five companies that are named, I am told that it is literally impossible for them to get off the list. If one of these five companies does not belong on the list, then too bad, Congress doesn't like you, and that is that.

Let me be crystal clear. If a thorough interagency review concludes that any of these named companies, including the one in my district, are engaged in behavior that endangers our national security or violates people's privacy, then I will be the first in line to say: Shut them down.

However, without that process, again, this is how they do things in China. It shouldn't be how we do things in the United States.

I strongly urge a "no" vote, and I pledge that if this bill is defeated or if my friends pull it, I will proudly work to come up with a better bill that will actually get the job done and not create a slippery slope that we should not be going down.

We have other standing committees that should have been involved in drafting this bill, quite frankly, that have expertise on these matters: Foreign Affairs, Energy and Commerce, Ways and Means, Homeland Security, and Intelligence. They should have been consulted and at the table here. It should have been more than the Select Committee and the Oversight and Accountability Committee.

Let's do this in a better way. Let's create a fully vetted list that goes through an interagency process, not a flawed bill that has major enforcement problems that I believe will actually hurt us in opposing PRC's activities.

Let's pull this bill or defeat this bill, and let's get this right. We have an opportunity to get it right. Let's get it right, and we will get it to the floor in a matter of days.

Mr. Speaker, I reserve the balance of my time.

Mr. COMER. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. KRISHNAMOORTHY).

Mr. KRISHNAMOORTHY. Mr. Speaker, I rise today in support of the bipartisan H.R. 8333, BIOSECURE Act.

Simply put, this bill prevents American taxpayer dollars from flowing to foreign adversary biotech companies of concern.

The bill creates a process by which the executive branch will develop a list of entities, review and modify this list at least annually, and formulate implementation guidance for all Federal agencies. Further, the bill has an even number of Democratic and Republican cosponsors and received a thumping 40-1 markup in the Oversight and Accountability Committee. Human rights groups strongly support this bill, as well.

Fundamentally, this bill is about protecting Americans' genomic data, their healthcare data, and sensitive IP on America's most innovative and cutting-edge medicines.

The intelligence community has warned that the PRC illegally obtains large healthcare data sets to help carry out human rights abuses against minority groups in China. The IC has also warned of the high threat of the CCP stealing American IP. It is our responsibility to ensure that taxpayer dollars do not flow to any companies supporting any of these efforts.

This bill does not stop these companies from doing business in the U.S.; however, it does stop them from receiving Federal dollars funding their operations.

I would like to respectfully make three key points:

First, BGI Group is run by bad actors. For example, BGI, which is on the Defense Department's Chinese military companies list, has harvested data from 8 million pregnant women's DNA without their consent, including Americans. BGI then used that data to publish at least a dozen joint studies with the People's Liberation Army, also known as the PLA, which, in turn, has used this information to suppress Uyghurs. BGI controls MGI and Complete Genomics, which are also named entities.

Second, the WuXi AppTec Group is also run by bad actors. U.S. intelligence has shown that WuXi AppTec has secretly transferred U.S. IP to Chinese authorities in Beijing.

Third, the founding CEO of WuXi AppTec is also the chairman of WuXi Biologics. Not only that, but the CEO of WuXi Biologics, this gentleman over here on the far left, has been a guest lecturer at the PLA's Academy of Military Sciences, an institution on the Commerce Department's red flag list.

In addition, here is the CEO of WuXi Biologics co-teaching a class with Chinese General Chen Wei, director of the Chinese military's biological research institute.

Here is a picture of the CCP Party cell embedded at WuXi AppTec.

As Congress, we need to ask ourselves: Are we comfortable sending taxpayer dollars to companies that are run by bad actors and that work so closely with the Chinese Communist Party, the CCP?

The answer is, of course, no. No.

We need to act now. I understand legitimate concerns have been raised about making further changes. Our preference is to give maximum discretion to the executive branch. It is Congress' decision that these companies must be included in this bill. There is no doubt that this is a valid approach.

I support further changes being made. I am voting "yes" to move this process along because, on balance, a "yes" vote is the right vote.

Mr. Speaker, I urge the passage of this legislation, the BIOSECURE Act, to protect American genetic data and to protect American drug supply chains.

Mr. COMER. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. First of all, WuXi AppTec and WuXi Biologics are two separate entities. Again, I was hoping to get some more clarity, and this is what puzzles me as to why WuXi Biologics is on this list. I was told at one point that they were on the list because the Department of Commerce had them on the unverified list.

I actually had a conversation with the Department of Commerce to try to understand all these different lists, and they told me that it is not uncommon for companies to be on the unverified list, especially in the aftermath of COVID because it was hard to do the investigations. However, then they sent me a statement in which WuXi Biologics was removed from the unverified list.

Then I said: Well, they must be on another list.

They said that they had this thing called the entity list.

I asked them, I said that they must be on the entity list if they are named in this bill. The entity list is made up of foreign individuals, companies, and organizations deemed a national security concern subjecting them to export restrictions and licensing requirements for certain technologies and goods, so they must be on that list.

The Commerce Department said: No, they are not on that list.

I said: Okay, they are not on the unverified list, and they are not on the entity list.

Is there any other list out there?

Well, there is another one out there. It is the DOD section 1260H list.

Are they on that list?

I am told: No, they are not on that list either.

The section 1260H list is made up of Chinese military companies operating directly or indirectly in the United States in accordance with the statutory requirement of section 1260H of the National Defense Authorization Act for fiscal year 2021.

They are not on any of those lists. They are not on any of those lists.

Then here is the deal: If they don't belong in the underlying legislation, then there is no way to get off the list. There is no way for them to get off the list. I was told, with all due respect by the ranking member, and I have checked with our Senate colleagues and with Commerce, that those that are named cannot get off the list.

All I am simply saying is that—maybe I am missing something here—we ought to have an interagency review and thorough investigation before we start implementing these kinds of sanctions.

Again, this is what they do in China. This is not what we are supposed to do in the United States. Due process actually matters here. The truth should matter here.

Again, some of these companies absolutely may belong on this list, but I am just simply saying that I have questions that have not been answered either in a classified or unclassified setting, and they have certainly not been satisfied by members of the committee.

Mr. Speaker, I reserve the balance of my time.

Mr. COMER. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. WENSTRUP), who is the sponsor of the bill.

Mr. WENSTRUP. Mr. Speaker, I rise today in support of my bill with Mr. KRISHNAMOORTHY, my friend, the BIOSECURE Act which passed the Oversight and Reform Committee by an overwhelming bipartisan support vote of 40-1.

This legislation is a critical piece in our broader efforts this week to protect Americans, in this case, their personal health data, from the Chinese Communist Party. The Chinese Communist Party does not get due process in America.

The BIOSECURE Act will help protect the biologic data of American patients and make sure that their data does not fall into the hands of our adversaries. We do this by prohibiting Federal contracting with biotechnology companies of concern, companies and their subsidiaries that have overt and enduring ties with the CCP, or even using the equipment and services of these very companies.

Our government has acted to keep the CCP out of our telecommunication networks and communication platforms. Now we must act to keep them away from our genomic and health data.

China has publicly stated their desire to dominate the global biotechnology market by 2035. This is incredibly concerning given the Chinese Communist Party's national intelligence laws which require Chinese firms to share any requested data with the CCP. The existence of that law is enough to drive us forward with this bill because that law includes biotech companies that collect, test, and store American genomic data.

That is why they are named. It is because that is the risk to the American people and our national security.

This legislation affects companies like the Beijing Genomics Institute, known as BGI, a Chinese company that has collected DNA from millions around the world and used that data without consent for genomic projects conducted by the Chinese military.

□ 1600

A 2021 Reuters report found DNA data collected from BGI's prenatal test on women outside China has also been stored in China's government-funded gene database.

Another Chinese company, WuXi AppTec, has sponsored events with China's military, with IP reportedly stolen from the U.S., and jointly operated genetic collection sites with Chinese military.

Further, as was mentioned before, the chairman of WuXi AppTec is a board member of WuXi Biologics and a known member of the CCP. He has publicly mentioned many times about the central role of the CCP in WuXi group activities.

We have worked to ensure this bill provides an appropriate and workable offering for American companies and our government to decouple with CCP-aligned biotech firms. This is about protecting Americans from an adversary that will leave no stone unturned to get an upper hand over the United States of America and our people.

Time and time again, these biotech companies have proven they are more than willing to do the bidding of the CCP. It is a proven relationship. We can't at the same time allow them to collect the private health information of millions of Americans.

I spent 25 years as an Army physician and combat surgeon. I spent 10 years now on the House Permanent Select Committee on Intelligence. Guess what? We don't bring our adversaries in for questioning. It doesn't work that way. As a matter of fact, I tried to do that, Mr. Speaker, on the Select Subcommittee on the Coronavirus Pandemic. I asked the Chinese Ambassador about certain scientists in China we would like to speak to. They didn't respond.

It is time for Congress to take this step toward securing our national health security for every person in America, in every district of America.

This is no joke, and it is just the start. It really needs to be just the start.

My colleague said that he is not against this bill only because he has a company that wants to build in his district. I guess it must be one of his reasons. He said it is not the only reason.

I applaud the bipartisan work of the Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party for their serious efforts, and I strongly urge my colleagues to support this bipartisan legislation.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

This is a very strange debate. Again, are we all comfortable moving forward

in a way that doesn't require any thoughtful or interagency investigation or process? You know, a process with integrity, by the way, will result in any of the bad actors getting on the list. That is what an interagency process is supposed to be about.

Our friends still haven't really told me the criteria they use to get people on their blacklist, except the gentleman from Ohio just said if I want to say that you are bad, then you are on the list. That is not the way we do things in the United States. I hope we never will do that in the United States. That is the way they do things in China.

Again, as I stated before, WuXi Biologics is distinct from WuXi AppTec, but during China week, anything with a Chinese name is somehow suspect and somehow bad.

Mr. Speaker, I include in the RECORD an article from InsideHealthPolicy, "Cutting Foreign Ties Could Lead To Drug Supply Chain Disruptions, Industry Warns."

[From InsideHealthPolicy, May 21, 2024]

CUTTING FOREIGN TIES COULD LEAD TO DRUG SUPPLY CHAIN DISRUPTIONS, INDUSTRY WARNS

(By Maaisha Osman)

As House committees advance bills that would bar American companies from working with some foreign-owned biotechnology companies in the future, industry experts warn ending pharmaceutical relationships with China could lead to drug shortages and supply chain disruptions.

Darius Lakdawalla, director of research at University of Southern California Schaeffer Center for Health Policy and Economics, said at the U.S. Pharma and Biotech Summit Thursday (May 16) that cutting ties with foreign companies could worsen supply chain issues in the United States.

"I think the Chinese issue, there's no question that that's going to increase the risk of shortages and supply chain disruption, how could it not do those things?" Lakdawalla said. "And that's a particularly problematic issue in a moment when there's a lot of political pressure against the pharmaceutical industry (and) the last thing we need to see now is consumers (being) unable to fill their prescriptions at the pharmacy because of shortages."

Biogen's CEO, Chris Viehbacher, highlighted during the Thursday summit that drug company CEOs traditionally did not need to consider geopolitical issues, but this is now beginning to change.

"You know, amongst the CEOs we are suddenly saying, 'Hey, we haven't needed to think about geopolitics in years,'" Viehbacher said. "When I was CEO of Sanofi, those were the peak years of globalization, we could move products and people and capital all around the world and not even think about borders, and that's clearly changing."

Other executives also expressed discomfort with thinking about their business in national security terms.

"When we think about the BIOSECURE Act, I think Chris Viehbacher said it best which is, if it's in the form of a national security threat, that is one place that industry does not want to get into," Harmett Dhillon, head of public policy at GlaxoSmith Kline, said, referring to the legislation moving forward in the House. "We want to let that be handled by the appropriate experts from a policy and political perspective."

Viehbacher also noted that national security concerns are driven by mistrust between the East and West and the bipartisan support for the bill underscores the seriousness of these concerns.

"East-West divide has created a mistrust and that is driving a number of the national security concerns," he said. "This is a bill that has extremely strong bipartisan support and if you can get Democrats and Republicans to agree on anything, that something must be serious."

If passed by the House and Senate and signed into law, the BIOSECURE Act would prohibit federal agencies from contracting or procuring equipment or services from "biotechnology companies of concern." This includes any company that is "subject to the jurisdiction, direction, control, or operates on behalf of the government of a foreign adversary" and poses a biotechnology security risk. Adversaries include China, North Korea, Russia, and Iran.

The most recent version of the bill in the House extends the deadline for U.S. companies to terminate their collaborations with specific Chinese entities until 2032. Additionally, it includes WuXi Biologics, a subsidiary of the targeted pharmaceutical company WuXi AppTec, on the list of companies of concern.

The *New York Times* reported that WuXi is involved in manufacturing about 25% of drugs sold in the United States. The leukemia treatment Imbruvica, for example, is sold by Janssen Biotech and AbbVie, but WuXi makes its active pharmaceutical ingredient (API).

"The reality is that a company like WuXi has been an extremely cost-effective and capable supplier to our industry," Viehbacher said at the Thursday summit. "It's not even going to be that easy to replace that capability either in the United States or in other countries."

"It is a big market, but I think we're going to have to imagine a border there that we haven't had to think about in the past," Viehbacher added.

At a STAT event in November, industry experts said that domestic manufacturing can very easily become "a feel-good strategy," but onshoring a drug's API wouldn't solve the drug shortage crisis.

"We need to be very strategic on what we onshore," Marta Wosinska, senior fellow at the Brookings Institution's Center on Health Policy, said. For example, Wosinska cautioned that the United States shouldn't onshore an API manufacturer for a drug where all the upstream manufacturing still comes from China.

"That wouldn't solve the problem," she said.

Wosinska also noted that domestic drug manufacturing does not necessarily mean higher quality. She pointed out that historically drug shortages were primarily caused by manufacturing quality problem in U.S.-based facilities.

Meanwhile, FDA drug center chief Patrizia Cavazzoni said at an Alliance for Stronger FDA webinar May 6 the agency is focused on enhancing the resilience of the manufacturing supply chain and does not want manufacturers to stop production because of issues identified during inspections.

"When investigators understand the context of a facility and what is being manufactured there, we strongly encourage manufacturers not to stop manufacturing or halt operations as a result of inspections," Cavazzoni said. "Even during inspections, we sometimes see manufacturers say they will hold off and shut down a line because of what they are hearing during the inspections."

As a part of FDA's initiative to modernize inspections, the agency is testing a program

aimed at improving communication among investigators, the drug shortage team and the compliance team. This enhanced communication would occur continuously, spanning before, during, and after inspections. The goal is to provide investigators with contextual understanding of the facility's manufacturing activities.

"We really want manufacturers to call our drug shortage surveillance team immediately because we want to start problem-solving with manufacturers as soon as possible during the inspection to put in place mitigation approaches that will prevent outright stoppages of manufacturing essential drugs, as we have witnessed over the past year," Cavazzoni said.

Mr. MCGOVERN. Mr. Speaker, I point that out because we have to be very careful on how we proceed, to make sure we are going after truly bad actors so we don't disrupt the supply chain in which we see a disruption in pharmaceuticals, which means higher prices and less availability. That is something that ought to be talked about. It would be nice if the Energy and Commerce Committee were part of this discussion because I think that is relevant.

Again, I have no problem with holding anybody accountable. I would just like a process that has integrity.

With due respect to the gentleman who just spoke, your word doesn't cut it. I want a little bit more verification that, in fact, what we are doing is right. If the verification is there, I am with you.

We can get there. We can do this in a better way, one that upholds our values and one that holds these companies accountable, and we can go in a way that would have broad bipartisan support.

Mr. Speaker, I reserve the balance of my time.

Mr. COMER. Mr. Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from Kentucky has 7½ minutes remaining.

Mr. COMER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. MOOLENAAR).

Mr. MOOLENAAR. Mr. Speaker, I rise today in support of the bipartisan BIOSECURE Act.

I know that some of my colleagues may have questions about naming specific Chinese companies in this legislation, so let me be clear. It is Congress' constitutional duty to write national security laws, and that includes the authority to investigate and name foreign-adversary-controlled companies in law because of the threat they pose to national security.

Make no mistake: BGI, WuXi AppTec, and WuXi Biologics all pose unacceptable threats to national security. The evidence is clear and available to all Members.

I have tremendous respect for my colleague from Massachusetts, who said that he did due diligence that there is complete separation between WuXi AppTec and WuXi Biologics when the CEO of one is the board chair or on the board of the other. To me, it just

seems like there might be a little ignoring of some of the evidence.

Courts have upheld laws in which Congress named Huawei and Kaspersky as national security threats and imposed prohibitions on their activities. I am confident that they will do the same for TikTok.

When the evidence in front of Congress shows that foreign adversary companies are a particularly important or especially urgent threat to national security, it is Congress' job to act. Congress now has a duty to do exactly that. Please join me in supporting this vital legislation.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Just to respond to the gentleman from Michigan, I didn't say I had done my due diligence and that there is no connection. I said they are two separate entities. I said we should have a process in place that has integrity that everyone has confidence in to do the due diligence to make sure, in fact, that the companies that are being named do, in fact, deserve to be named.

Experts, by the way, in my State tell me that we do not have enough domestic capacity to pick up the slack if the named companies were barred from doing business with the U.S. today.

Clearly, we need to increase our domestic drug production capacity and quality. The Federal Government should incentivize domestic biotech companies to manufacture products like active pharmaceutical ingredients and key starting materials to help ensure the security of our supply chains. We could better support workforce development by providing funding for regional training centers and efforts to diversify the workforce.

These are just some suggestions based on the feedback that I have received. The bottom line is we need to make some changes to improve capacity at home.

As we are going after the bad actors, let's also figure out how to increase capacity at home. All I am saying is—let me repeat—if any or all of these companies deserve to be sanctioned, I am there. I just want a process that has integrity and that is worthy of this institution.

It seems to me it is not that difficult to get there, but I guess in the effort to try to comply with China week and to get a press release out, we are naming companies without really any thorough and thoughtful process. I have to say, I object to that. I worry that it is a slippery slope that will be replicated in other instances.

Mr. Speaker, I reserve the balance of my time.

Mr. COMER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DUNN).

Mr. DUNN of Florida. Mr. Speaker, I rise today to urge my colleagues to join me in supporting H.R. 8333, the BIOSECURE Act.

Mr. Speaker, this bill ensures that biotech companies linked to foreign adversaries do not gain access to precious

U.S. taxpayer dollars via biotechnology contracts. We cannot allow the CCP-affiliated firms to gain access to U.S. genetic data. We cannot allow ourselves to be dependent on and vulnerable to the CCP for healthcare technologies, products, and services. Otherwise, we risk China using our own health data as leverage against us.

We recognize that our biotechnology companies did not arrive at this juncture on their own. Decades of failed policy, unreasonable, burdensome red tape, and a lack of oversight led to this precarious situation of overinvestment in and industrial partnerships with China.

We must act in coordination with the biotech sector to correct this imbalance. The BIOSECURE Act accomplishes this. I urge support of this bill.

Mr. MCGOVERN. Mr. Speaker, may I ask the gentleman how many more speakers he has.

Mr. COMER. Mr. Speaker, I have two speakers left.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. COMER. Mr. Speaker, I yield 1 minute to the gentlewoman from Oklahoma (Mrs. BICE).

Mrs. BICE. Mr. Speaker, I rise today in strong support of the bipartisan BIOSECURE Act, which I am proud to cosponsor.

I reiterate the bipartisan piece of this because I think the integrity of the U.S.-China Economic and Security Review Commission is being questioned here, and it shouldn't be. It is a bipartisan bill.

As a member of the National Security Commission on Emerging Biotechnology, we looked at ways to strengthen America's bioeconomy while countering malign foreign influence, which this bill seeks to do.

It is no secret that China is attempting to dominate the global biotech market. While this is concerning, even more so is the fact that the Chinese Communist Party utilizes laws which require Chinese firms to share data requested by the CCP, including those of biotech companies which collect, test, and store American genomic data. It is unacceptable for U.S. taxpayer dollars to ever subsidize biotech companies of our foreign adversaries.

This act is a necessary step in protecting the privacy rights of Americans and our national security interests. Moving forward, we must take steps to promote growth, stability, and innovation in the biotech industry. America can and should lead in this sector.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I should point out for the record that WuXi Biologics did a third-party audit, which indicates that they don't contain any biogenetic information.

Again, all I am asking for here is a process that is above question. I do think there is something to be said to make sure that we get it right.

This idea that we may not get it right and it is too bad for a company,

it is too bad for the people who work there, it is too bad for the supply chain, and we will see prescription drugs go up for no reason just because we are lazy and we don't want to do a full audit, I am sorry. Democrats and Republicans should agree that process matters.

Again, we are not China. We are the United States of America. We do things in a transparent and open way. I don't think it is unreasonable to be here saying we ought to have a thorough process that these companies are subjected to and that all others are. If any of these companies or any others are deemed to be in collaboration with the Chinese Communist Party or PRC or whoever else you don't like, and there is sharing of sensitive information or behaving in a way that is unscrupulous and in violation of our laws, then we should hold them accountable. There is no question about that.

It is about this bill and about the lack of process and the lack of transparency.

Mr. Speaker, I reserve the balance of my time.

Mr. COMER. Mr. Speaker, I yield 45 seconds to the gentleman from Illinois (Mr. KRISHNAMOORTHY).

Mr. KRISHNAMOORTHY. Mr. Speaker, with regard to the process issue, on page 10 of the bill, there is actually a process where the Office of Management and Budget decides on no less than an annual basis to review the list and modify as appropriate.

OMB is given authority to promulgate regulations, and we think there should be additional details provided. I would like to work with the distinguished ranking member of the Rules Committee to further refine that process because I agree that it could use more detail.

Secondly, I point out again on WuXi Biologics, the chair of WuXi AppTec is the chair of WuXi Biologics.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COMER. Mr. Speaker, I yield an additional 15 seconds to the gentleman from Illinois.

Mr. KRISHNAMOORTHY. Mr. Speaker, that is why it is so disturbing to so many to see the CEO, the current CEO, of WuXi Biologics co-teaching a class with a Chinese general at the Biological Engineering Research Institute, the current CEO of WuXi Biologics actually being on the faculty of a PLA-affiliated institution. That is why the International Campaign for Tibet and Uyghur human rights groups strongly, strongly support this bill.

□ 1615

Mr. COMER. Mr. Speaker, I have no further speakers and am prepared to close.

Mr. MCGOVERN. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Massachusetts has 4 minutes remaining.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, it is so disappointing that we are here having this debate. With all due respect to the gentleman from Illinois (Mr. KRISHNAMOORTHY), the idea that we are blacklisting a company that is not on any list in the Commerce Department or in the Defense Department and we are just doing it because Members don't like who they have been affiliated with over the years is really quite irresponsible.

Companies ought to be sanctioned that have done something wrong. WuXi Biologics did a third-party audit, and, again, they contained no biogenetic information. That is what the audit revealed. It doesn't really make any difference.

By the way, they can't get off the list. They can't get off the list because of how this bill is written. There is no remedy for them if my colleagues are wrong. Is that what we do in Congress? My colleagues don't like the name of a company. It is a Chinese name, and so automatically they have to be guilty of all the worst things that can be thought of.

Some of these companies might, but some of them might not be. That is why process matters. All of us, Democrats and Republicans, should want a thorough process, so that when we come here, we are speaking with one voice.

Again, some of these companies that the gentleman has put in his bill may, in fact, be justified, but let's do the process. Let's get this right. Why is that such a controversial thing?

The only thing I can think of is because Members are trying to rush to comply with China week and not trying to get legislation right. Committees of jurisdiction, the Intelligence Committee, the Foreign Affairs Committee, the Ways and Means Committee, the Energy and Commerce Committee, all of them, should be at the table working with my colleagues on this legislation, but they weren't. They weren't.

This is not the way we should address this very serious matter. I have been talking about the issue of China's unscrupulous business activities for years and years. I want to get this right. I want to get this right. I want to get it right in a way where we can't be accused of just blacklisting companies because we don't like their last name.

There is a better way to do this. Quite frankly, we tried to work with Members on a better way, but my colleagues had no interest in working with us on a better way. I regret that because I wouldn't be here today, and I think you would have a unanimous vote.

I think people are concerned about the process, and process matters. We are not China. We are the United States of America. We are better. We are transparent. We employ and embrace open processes for the world to see.

If any of these companies are engaged in activities that are objectionable, let's hold them accountable, but it should be as the result of a thorough process.

Again, I will close by saying I am one of the few persons here who is sanctioned by China, who cannot travel there. My family can't travel there according to their press release. They don't like me at all. The reason why they don't is because we have passed legislation that has been effective and that has worked.

We have an opportunity to do that here. There are no amendments. This bill has been brought to the floor that really has all these incredible consequences. There are no amendments allowed. There has been no input from other committees. Here, take it or leave it.

We ought to leave it and go back to the drawing board and get this right. We could figure this out in a matter of days. We can get this right. Let's do it. Let's do it, and let's do it in a way that holds China to account.

The final thing I will say is what we have been hearing from the regulatory agencies, that by naming these companies in a bill, you are giving them the heads up. They can change their name and reincorporate in the Cayman Islands and come back, and we are playing whack-a-mole with them. There is a better way to do this. Let us work together and get there.

Mr. Speaker, I yield back the balance of my time.

Mr. COMER. Mr. Speaker, in closing, we have heard here today broad consensus among my House colleagues that U.S. taxpayer dollars should not go to foreign biotechnology entities that steal Americans' genetic data, contribute to a foreign adversary's military, or support the violation of human rights.

The BIOSECURE Act addresses this national security problem by clearly prohibiting a Federal agency from procuring any biotechnology equipment or service from a company controlled by a foreign adversary, such as the CCP.

Americans saw firsthand during the COVID pandemic what happens when a foreign adversary acts irresponsibly in the biotechnology sector. China restricted the export of vital medical equipment to the United States, refused to tell the world about COVID when it first emerged, and covered up evidence related to the origins of COVID-19.

This bill is a necessary step toward protecting Americans' sensitive healthcare data from a foreign adversary like the CCP before the U.S. biomedical and healthcare sector becomes even more dependent upon Chinese-influenced organizations. It is critical that we pass the BIOSECURE Act before more harm is done.

Mr. Speaker, I urge my colleagues to vote in support of this national security bill, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise in support of H.R. 8333, the BIOSECURE Act which is critical legislation to prohibit federal contracts with biotechnology companies connected to foreign nations of concern to protect the U.S. national security, economic security and privacy.

Companies with ties to foreign adversaries, in particular the People's Republic of China, pose threats to the privacy and security of Americans. Under PRC law, any entity owned by or affiliated with Chinese companies could be compelled by the Chinese government to provide data on Americans.

The legislation addresses concerns about foreign nations' access to sensitive data on Americans by prohibiting federal contracts with biotechnology providers connected to foreign adversaries such as BGI, a PRC-affiliated company, its subsidiary MGI Americas, Complete Genomics, WuXi AppTec, and WuXi Biologics.

The legislation prevents funding from federal agencies to be spent on equipment or services provided by biotechnology companies of concern, including (1) entities subject to the jurisdiction, direction, control, or operated on behalf of the government of a foreign adversary, (2) entities involved in the manufacturing, distribution, provision, or procurement of a biotechnology equipment or service, and (3) entities which pose a risk to U.S. national security based on specified activities.

This legislation is an important step to protect American patients, our nation's biotechnology industry, and our national security from exploitation by hostile foreign entities, and I urge all my colleagues to support this bill and vote yes so we can pass this bill today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. COMER) that the House suspend the rules and pass the bill, H.R. 8333, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

COUNTERING CCP DRONES ACT

Mr. LATTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2864) to amend the Secure and Trusted Communications Networks Act of 2019 to provide for the addition of certain equipment and services produced or provided by DJI Technologies to the list of covered communications equipment or services published under such Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2864

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 "Countering CCP Drones Act".

SEC. 2. ADDITION OF CERTAIN EQUIPMENT AND SERVICES OF DJI TECHNOLOGIES TO COVERED LIST.

(a) *IN GENERAL.*—Section 2(c) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601(c)) is amended by adding at the end the following:

“(5) The communications equipment or service being—

“(A) telecommunications or video surveillance equipment produced by Shenzhen Da-Jiang Innovations Sciences and Technologies Company Limited (commonly known as ‘DJI Technologies’) (or any subsidiary or affiliate thereof); or

“(B) telecommunications or video surveillance services, including software, provided by an entity described in subparagraph (A) or using equipment described in such subparagraph.”.

(b) *CONFORMING AMENDMENTS.*—Section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601) is amended by striking “paragraphs (1) through (4)” each place it appears and inserting “paragraphs (1) through (5)”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATTA) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. LATTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation, H.R. 2864, the Countering CCP Drones Act, led by the gentleman from New York (Ms. STEFANIK).

DJI Technologies is the largest drone manufacturer in the world. Their drones are used by hobbyists, public safety agencies, and private companies to capture images from above, protect the public, and monitor critical infrastructure. Despite its significant presence, DJI is based in China, and it has known ties with the Chinese Communist Party, which represents a national security risk to the United States.

As we know, companies with ties to the CCP operate in an environment tightly intertwined with the Chinese Communist Government, raising serious concerns about the level of influence and potential for exploitation by the CCP.

For example, under China's 2017 National Intelligence Law, these companies are required to support, provide assistance to, and cooperate with China's national intelligence work, wherever they operate, which would and could jeopardize Americans. This threat is especially significant with DJI given how their drones are used within the United States, and we must act to address this threat.

H.R. 2864 adds telecommunications or video surveillance equipment and surveillance services produced or provided