

118TH CONGRESS
2D SESSION

H. R. 9628

To direct the Secretary of Defense to collaborate with a federally funded research and development center to assess the biotechnology capabilities of adversaries of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2024

Mr. KHANNA introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To direct the Secretary of Defense to collaborate with a federally funded research and development center to assess the biotechnology capabilities of adversaries of the United States, 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 “Assessment of Critical
5 Technologies in Adversarial Ventures and Emerging
6 Threats Act” or the “ACTIVATE Act”.

1 **SEC. 2. AUTHORITY FOR SECRETARY OF DEFENSE TO**
2 **ENTER INTO AN AGREEMENT FOR AN ASSESS-**
3 **MENT OF BIOTECHNOLOGY CAPABILITIES OF**
4 **ADVERSARIES OF THE UNITED STATES.**

5 (a) IN GENERAL.—Not later than 120 days after the
6 date of the enactment of this Act, the Secretary of Defense
7 shall seek to enter into an agreement with a federally
8 funded research and development center to conduct an as-
9 sessment related to biotechnology and provide rec-
10 ommendations to the Secretary.

11 (b) AGREEMENT ELEMENTS.—Under an agreement
12 between the Secretary and a federally funded research and
13 development center under this section, the center shall
14 agree to—

15 (1) conduct an assessment of—

16 (A) scientific topics related to bio-
17 technology;

18 (B) scientific capabilities of potential ad-
19 versaries of the United States, such as China,
20 Iran, and the Russian Federation, related to
21 biotechnology; and

22 (C) the current gaps and future scientific
23 and technological needs for adversaries of the
24 United States to be successful with respect to
25 biotechnology capabilities; and

1 (2) develop recommendations with respect to
2 useful indications of any advancement of such adver-
3 saries regarding such capabilities.

4 (c) RESPONSIBILITIES OF SECRETARY.—Under an
5 agreement between the Secretary and a federally funded
6 research and development center under this section, the
7 Secretary shall agree to—

8 (1) appoint appropriate Department of Defense
9 employees as liaisons to the center to support the
10 timely conduct of the assessment described in sub-
11 section (b)(1);

12 (2) provide the center with access to materials
13 relevant to the conduct of such assessment, con-
14 sistent with the protection of sources and methods
15 and other critically sensitive information; and

16 (3) ensure that appropriate members and staff
17 of the center have the necessary clearances, obtained
18 in an expedited manner, to conduct such assessment.

19 (d) REPORT.—

20 (1) IN GENERAL.—If the Secretary enters into
21 an agreement with a federally funded research and
22 development center under this section, not later than
23 October 1, 2025, the Secretary shall submit to the
24 congressional defense committees and the National
25 Security Commission on Emerging Biotechnology a

1 report that includes the findings and recommenda-
2 tions of the center developed pursuant to the assess-
3 ment described in subsection (b)(1).

4 (2) FORM OF REPORT.—The report under para-
5 graph (1) shall be submitted in unclassified form,
6 but may contain a classified annex.

7 (3) TRANSMITTAL TO OTHER DEPARTMENT EN-
8 TITIES.—The Secretary shall transmit to relevant of-
9 fices of the Department of Defense, including the of-
10 fices of the Under Secretary of Defense for Acquisi-
11 tion and Sustainment, the Under Secretary of De-
12 fense for Research and Engineering, the Under Sec-
13 retary of Defense for Policy, the Under Secretary of
14 Defense for Intelligence and Security, and the Office
15 of Net Assessment, a copy of the report under para-
16 graph (1).

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