

119TH CONGRESS
2^D SESSION

H. R. 7552

To amend the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 to impose sanctions on foreign countries in response to acts concerning chemical or biological programs that cause injury to other foreign countries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2026

Mr. MOORE of Alabama (for himself, Mr. SMITH of New Jersey, and Mr. MOOLENAAR) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 to impose sanctions on foreign countries in response to acts concerning chemical or biological programs that cause injury to other foreign countries, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Countering Beijing’s
3 Weaponization of Fentanyl Act” or the “CBW Fentanyl
4 Act”.

5 **SEC. 2. PURPOSES.**

6 Section 302 of the Chemical and Biological Weapons
7 Control and Warfare Elimination Act of 1991 (22 U.S.C.
8 5601) is amended—

9 (1) by redesignating paragraphs (2), (3), and
10 (4) as paragraphs (3), (4), and (5), respectively;

11 (2) by striking “that use chemical” and insert-
12 ing the following: “that—

13 “(A) use chemical”;

14 (3) by striking “law or use” and inserting the
15 following: “law;

16 “(B) use”; and

17 (4) by striking “nationals, and to impose” and
18 inserting the following: “nationals; or

19 “(C) commit an act concerning a chemical
20 or biological program that results in injury or
21 damages to another country; and

22 “(2) to impose”.

23 **SEC. 3. PRESIDENTIAL REPORTING REQUIREMENTS.**

24 Section 306 of the Chemical and Biological Weapons
25 Control and Warfare Elimination Act of 1991 (22 U.S.C.
26 5604) is amended—

1 (1) in the section heading, by inserting before
2 the period the following: “**OR ACTS CONCERNING**
3 **A CHEMICAL OR BIOLOGICAL PROGRAM**”;

4 (2) in subsection (a)—

5 (A) in paragraph (1)—

6 (i) by striking “Whenever” and insert-
7 ing the following:

8 “(A) DETERMINATION REGARDING CHEM-
9 ICAL OR BIOLOGICAL WEAPONS.—Whenever”;

10 and

11 (ii) by adding at the end the fol-
12 lowing:

13 “(B) DETERMINATION REGARDING CHEM-
14 ICAL OR BIOLOGICAL PROGRAM.—Whenever
15 credible information becomes available to the
16 President indicating a substantial possibility
17 that, on or after the date of the enactment of
18 the Countering Beijing’s Weaponization of
19 Fentanyl Act, an individual who is an official,
20 employee, or agent of a foreign governmental
21 entity has committed a covered act, the Presi-
22 dent shall, not later than 60 days after the re-
23 ceipt of that information by the President, de-
24 termine whether the individual committed a
25 covered act. The President shall impose the

1 sanctions described in section 310 with respect
2 to the individual if the President determines
3 that the individual has committed a covered
4 act.”;

5 (B) in paragraph (2)—

6 (i) by redesignating subparagraphs
7 (A) through (E) as clauses (i) through (v),
8 respectively, and by moving such clauses,
9 as so redesignated, 2 ems to the right;

10 (ii) by striking “In making the deter-
11 mination under paragraph (1)” and insert-
12 ing the following:

13 “(A) CONSIDERATIONS REGARDING CHEM-
14 ICAL OR BIOLOGICAL WEAPONS.—In making the
15 determination under paragraph (1)(A)”;

16 (iii) by adding at the end the fol-
17 lowing:

18 “(B) CONSIDERATIONS REGARDING CHEM-
19 ICAL OR BIOLOGICAL PROGRAM.—In making a
20 determination under paragraph (1)(B) with re-
21 spect to whether an individual who is an offi-
22 cial, employee, or agent of a foreign govern-
23 mental entity has committed a covered act, the
24 President shall consider the following:

1 “(i) Physical and circumstantial evi-
2 dence available relevant to the possibility
3 that the individual committed a covered
4 act.

5 “(ii) Whether evidence exists that the
6 chemical or biological program associated
7 with the covered act has a civilian or mili-
8 tary purpose or application.

9 “(iii) Whether the foreign govern-
10 mental entity attempted to conceal or with-
11 hold information regarding the covered act
12 from a relevant international organization
13 or the government of a foreign country
14 other than the foreign country most closely
15 associated with the entity.

16 “(iv) Whether, and to what extent,
17 the foreign governmental entity and the
18 government of the foreign country most
19 closely associated with the foreign govern-
20 mental entity have voluntarily disclosed
21 substantive information regarding the cov-
22 ered act to relevant international organiza-
23 tions.

24 “(v) Whether, and to what extent, the
25 government of that country is compliant

1 with the obligations of the country under
2 each covered treaty.”; and

3 (C) in paragraph (3)—

4 (i) by striking “Upon” and inserting
5 the following:

6 “(A) IN GENERAL.—Upon”;

7 (ii) by striking “If the determination
8 is” and inserting the following:

9 “(B) REPORT REQUIREMENTS.—

10 “(i) REQUIREMENTS FOR CHEMICAL
11 OR BIOLOGICAL WEAPONS DETERMINA-
12 TION.—If the determination is a deter-
13 mination under paragraph (1)(A)”;

14 (iii) by adding at the end the fol-
15 lowing:

16 “(ii) REQUIREMENTS FOR CHEMICAL
17 OR BIOLOGICAL PROGRAM DETERMINA-
18 TION.—If the determination is a deter-
19 mination under paragraph (1)(B) that an
20 individual has committed a covered act, the
21 report shall specify the sanctions to be im-
22 posed pursuant to section 310.”; and

23 (3) in subsection (b)—

24 (A) in paragraph (1)—

1 (i) by striking “whether a particular”
2 and inserting the following: “whether—
3 “(A) a particular”; and

4 (ii) by striking the period and insert-
5 ing the following: “; or

6 “(B) a particular individual, on or after
7 the date of the enactment of the Countering
8 Beijing’s Weaponization of Fentanyl Act, has
9 committed a covered act.”; and

10 (B) in paragraph (2)—

11 (i) by striking “Not later” and insert-
12 ing the following:

13 “(A) IN GENERAL.—Not later”;

14 (ii) by striking “whether the speci-
15 fied” and inserting the following: “wheth-
16 er—

17 “(i) the specified”;

18 (iii) by striking “nationals. This re-
19 port” and inserting the following: “nation-
20 als; or

21 “(ii) the specified individual, on or
22 after the date of the enactment of the
23 Countering Beijing’s Weaponization of
24 Fentanyl Act, has committed a covered
25 act.

1 “(B) REPORT CONTENTS.—Each report
2 provided under this paragraph”; and

3 (iv) by striking “subsection (a)(2)”
4 and inserting “subparagraph (A) or (B) of
5 subsection (a)(2), as applicable”.

6 **SEC. 4. REQUIRED SANCTIONS ON FOREIGN COUNTRIES IN**
7 **RESPONSE TO CERTAIN ACTS CONCERNING**
8 **CHEMICAL OR BIOLOGICAL PROGRAM.**

9 The Chemical and Biological Weapons Control and
10 Warfare Elimination Act of 1991 (22 U.S.C. 5601 et seq.)
11 is amended by adding at the end the following:

12 **“SEC. 310. SANCTIONS ON FOREIGN COUNTRIES IN RE-**
13 **SPONSE TO ACTS CONCERNING CHEMICAL**
14 **OR BIOLOGICAL PROGRAMS.**

15 “(a) INITIAL SANCTIONS.—If the President makes a
16 determination pursuant to section 306(a)(1)(B) with re-
17 spect to an individual who is an official, employee, or
18 agent of a foreign governmental entity, the President
19 shall, not later than 30 days of making the determination,
20 impose the following sanctions with respect to the foreign
21 country most closely associated with that entity:

22 “(1) Suspension of all scientific cooperative pro-
23 grams and agreements between the United States
24 and that country.

1 “(2) A prohibition on the export, reexport, or
2 in-country transfer of items classified under Cat-
3 egory 1 or Category 2 of the Commerce Control List
4 to or in that country.

5 “(3) A prohibition on the procurement of, or
6 entry into a contract to procure, a good or service
7 from a person operating in the chemical or biological
8 sectors of the economy of that country.

9 “(b) INTERMEDIATE APPLICATION OF SANCTIONS.—

10 “(1) REPORT TO CONGRESS.—Not later than
11 120 days after making a determination pursuant to
12 section 306(a)(1)(B) with respect to an individual
13 who is an official, employee, or agent of a foreign
14 governmental entity, the President shall submit to
15 the Committee on Foreign Affairs of the House of
16 Representatives and the Committee on Foreign Re-
17 lations of the Senate a report that states whether—

18 “(A) the foreign governmental entity or
19 the government of the foreign country most
20 closely associated with that entity—

21 “(i) has adequately addressed the cov-
22 ered act that was the basis for the deter-
23 mination;

24 “(ii) has voluntarily provided sub-
25 stantive information regarding the covered

1 act to the United States Government and
2 relevant international organizations; and

3 “(iii) has developed or is developing
4 measures to prevent the commission of
5 covered acts in the future; and

6 “(B) the government of that country is
7 compliant with the obligations of the country
8 under each covered treaty.

9 “(2) SANCTIONS REQUIRED.—If the report re-
10 quired by paragraph (1) states that any action de-
11 scribed in paragraph (1) has not been taken by the
12 foreign governmental entity or the government of
13 the foreign country, as applicable, the President
14 shall impose not fewer than 2 of the following sanc-
15 tions with respect to the foreign country:

16 “(A) Termination of assistance provided to
17 the country pursuant to the Foreign Assistance
18 Act of 1961 (22 U.S.C. 2151 et seq.), except
19 for urgent humanitarian assistance, food, or
20 other agricultural commodities or products.

21 “(B) A prohibition on the export, reexport,
22 or in-country transfer of items controlled under
23 the Export Control Reform Act of 2018 (50
24 U.S.C. 4801 et seq.) to or in the country, in-
25 cluding items controlled for reasons related to

1 the national security interests of the United
2 States under the Export Administration Regu-
3 lations, except that such prohibition shall not
4 apply to a transaction subject to the reporting
5 requirements of title V of the National Security
6 Act of 1947 (50 U.S.C. 413 et seq.).

7 “(C) A prohibition on the issuance of a li-
8 cense for the export, reexport, or retransfer of
9 an item on the United States Munitions List
10 (established pursuant to section 38 of the Arms
11 Export Control Act (22 U.S.C. 2778)) if the li-
12 cense includes the country as a party.

13 “(3) ADDITIONAL SANCTIONS AUTHORIZED.—

14 “(A) IN GENERAL.—The President may
15 order the United States Government not to
16 issue a license or grant a specific permission or
17 authority under a provision of law described in
18 subparagraph (B) to export a good or service to
19 a foreign country subject to sanctions imposed
20 under paragraph (2).

21 “(B) PROVISIONS OF LAW DESCRIBED.—
22 The provisions of law described in this subpara-
23 graph are the following:

24 “(i) The Export Control Reform Act
25 of 2018 (50 U.S.C. 4801 et seq.).

1 “(ii) The Arms Export Control Act
2 (22 U.S.C. 2751 et seq.).

3 “(iii) The Atomic Energy Act of 1954
4 (42 U.S.C. 2011 et seq.).

5 “(iv) Any other statute that requires
6 the prior review and approval of the
7 United States Government as a condition
8 for the export of goods or services.

9 “(c) FINAL APPLICATION OF SANCTIONS.—

10 “(1) PRESIDENTIAL DETERMINATION.—Not
11 later than 210 days after making a determination
12 pursuant to section 306(a)(1)(B) with respect to an
13 individual who is an official, employee, or agent of
14 a foreign governmental entity, the President shall
15 submit to the Committee on Foreign Affairs of the
16 House of Representatives and the Committee on
17 Foreign Relations of the Senate a report that states
18 whether—

19 “(A) the foreign governmental entity or
20 the government of the foreign country most
21 closely associated with that entity—

22 “(i) has adequately addressed the cov-
23 ered act that was the basis for the deter-
24 mination;

1 “(ii) has voluntarily provided sub-
2 stantive information regarding the covered
3 act to the United States Government and
4 relevant international organizations; and

5 “(iii) has developed or is developing
6 measures to prevent the commission of
7 covered acts in the future; and

8 “(B) the government of the country is
9 compliant with the obligations of the country
10 under each covered treaty.

11 “(2) EFFECT OF DETERMINATION.—If the re-
12 port required by paragraph (1) states that any ac-
13 tion described in paragraph (1) has not been taken
14 by the foreign governmental entity or the govern-
15 ment of the foreign country, as applicable, the Presi-
16 dent shall prohibit any transaction that—

17 “(A) is—

18 “(i) in foreign commerce; or

19 “(ii) a transfer of credit or payment
20 by, through, or to a financial institution;

21 “(B) is subject to the jurisdiction of the
22 United States; and

23 “(C) involves a financial interest of the
24 country.

1 “(d) TERMINATION OF SANCTIONS.—The President
2 shall terminate each sanction imposed with respect to a
3 foreign country pursuant to this section if, on or after the
4 date that is 1 year after the first date on which the sanc-
5 tion was imposed, the President certifies to Congress
6 that—

7 “(1) the government of the country, or the for-
8 eign governmental entity of which the individual who
9 committed the covered act that was the basis for the
10 imposition of such sanctions was an official, em-
11 ployee, or agent—

12 “(A) has adequately addressed the act;

13 “(B) has made or is making restitution to
14 persons harmed by the covered act, including
15 United States nationals;

16 “(C) has voluntarily provided substantive
17 information regarding the covered act to the
18 United States Government and relevant inter-
19 national organizations; and

20 “(D) has developed or is developing meas-
21 ures to prevent the commission of covered acts
22 in the future; and

23 “(2) the government of the country is compliant
24 with the obligations of the country under each cov-
25 ered treaty.

1 “(e) WAIVER.—

2 “(1) IN GENERAL.—The President may, for pe-
3 riods of not more than 180 days, waive the imposi-
4 tion of sanctions required under this section if the
5 President certifies to the Committee on Foreign Af-
6 fairs of the House of Representatives and the Com-
7 mittee on Foreign Relations of the Senate that the
8 waiver is vital to the national security interests of
9 the United States.

10 “(2) SUNSET.—The President may not exercise
11 the authority described in paragraph (1) on or after
12 the date that is 5 years after the date of the enact-
13 ment of the Countering Beijing’s Weaponization of
14 Fentanyl Act.

15 **“SEC. 311. DEFINITIONS.**

16 “In this title:

17 “(1) CHEMICAL OR BIOLOGICAL PROGRAM.—
18 The term ‘chemical or biological program’ means a
19 program to produce, develop, or distribute—

20 “(A) a chemical or biological weapon;

21 “(B) benzylfentanyl;

22 “(C) 4-anilinopiperidine; or

23 “(D) norfentanyl precursors.

24 “(2) COMMERCE CONTROL LIST.—The term
25 ‘Commerce Control List’ means the list maintained

1 by the Bureau of Industry and Security of the De-
2 partment of Commerce and set forth in Supplement
3 No. 1 to part 774 of the Export Administration
4 Regulations.

5 “(3) COVERED ACT.—The term ‘covered act’
6 means an act by an individual who is an official, em-
7 ployee, or agent of a foreign governmental entity,
8 if—

9 “(A) the individual knew or should have
10 known that the act would result in injury or
11 damages to a foreign country other than the
12 foreign country most closely associated with
13 that entity; and

14 “(B) the act concerns a chemical or bio-
15 logical program that is owned, controlled, or di-
16 rected by, or subject to the jurisdiction of, that
17 entity.

18 “(4) COVERED TREATY.—The term ‘covered
19 treaty’ means—

20 “(A) the Convention on the Prohibition of
21 the Development, Production and Stockpiling of
22 Bacteriological and Toxin Weapons and on
23 Their Destruction, done at Washington, Lon-
24 don, and Moscow, April 10, 1972 (commonly

1 referred to as the ‘Biological Weapons Conven-
2 tion’); and

3 “(B) the Convention on the Prohibition of
4 the Development, Production, Stockpiling and
5 Use of Chemical Weapons and on Their De-
6 struction, done at Geneva September 3, 1992,
7 and entered into force April 29, 1997 (com-
8 monly referred to as the ‘Chemical Weapons
9 Convention’).

10 “(5) EXPORT ADMINISTRATION REGULA-
11 TIONS.—The term ‘Export Administration Regula-
12 tions’ means the regulations set forth in subchapter
13 C of chapter VII of title 15, Code of Federal Regu-
14 lations (or successor regulations).

15 “(6) FOREIGN GOVERNMENTAL ENTITY.—The
16 term ‘foreign governmental entity’ means—

17 “(A) the government of a foreign country;

18 “(B) the government of a political subdivi-
19 sion of a foreign country;

20 “(C) an agency or instrumentality of a for-
21 eign state, as such term is defined in section
22 1603(b) of title 28, United States Code;

23 “(D) an entity that is directly or indirectly
24 controlled or beneficially owned by a govern-
25 ment described in subparagraph (A) or (B);

1 “(E) an entity that acts on behalf of or as
2 an agent of such a government; or

3 “(F) an entity that—

4 “(i) receives significant material sup-
5 port from a such a government; and

6 “(ii) is engaged in—

7 “(I) the provision of commercial
8 services;

9 “(II) shipping;

10 “(III) manufacturing;

11 “(IV) producing; or

12 “(V) exporting.”.

13 **SEC. 5. CONFORMING AMENDMENT.**

14 Section 307(a) of the Chemical and Biological Weap-
15 ons Control and Warfare Elimination Act of 1991 (22
16 U.S.C. 5605(a)) is amended, in the matter preceding
17 paragraph (1), by striking “section 306(a)(1)” and insert-
18 ing “section 306(a)(1)(A)”.

○