

116TH CONGRESS
1ST SESSION

S. 2695

To authorize the Secretary of Agriculture to provide for the defense of United States agriculture and food through the National Bio and Agro-Defense Facility, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 24, 2019

Mr. ROBERTS (for himself and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To authorize the Secretary of Agriculture to provide for the defense of United States agriculture and food through the National Bio and Agro-Defense Facility, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Bio and
5 Agro-Defense Facility Act of 2019”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) ANIMAL.—The term “animal” has the
2 meaning given the term in section 10403 of the Ani-
3 mal Health Protection Act (7 U.S.C. 8302).

4 (2) SECRETARY.—The term “Secretary” means
5 the Secretary of Agriculture.

6 (3) TRANSBOUNDARY DISEASE.—The term
7 “transboundary disease” has the meaning given the
8 term in section 12203(a) of the Agriculture Im-
9 provement Act of 2018 (7 U.S.C. 8914(a)).

10 (4) VETERINARY COUNTERMEASURE.—The
11 term “veterinary countermeasure” has the meaning
12 given the term in section 10403 of the Animal
13 Health Protection Act (7 U.S.C. 8302).

14 **SEC. 3. NATIONAL BIO AND AGRO-DEFENSE FACILITY.**

15 (a) IN GENERAL.—The Secretary shall carry out the
16 relevant responsibilities of the Secretary under Homeland
17 Security Presidential Directive 9 (relating to the defense
18 of United States agriculture and food) and the national
19 biodefense strategy developed under section 1086 of the
20 National Defense Authorization Act for Fiscal Year 2017
21 (6 U.S.C. 104) by acting, as appropriate, through the Na-
22 tional Bio and Agro-Defense Facility as a national secu-
23 rity laboratory asset of the national biodefense enterprise
24 to provide integrated research, development, and test and

1 evaluation infrastructure for defending against bio- and
2 agro-terrorism threats.

3 (b) DUTIES.—Pursuant to subsection (a), the Sec-
4 retary shall use the National Bio and Agro-Defense Facil-
5 ity—

6 (1) to integrate agricultural, zoonotic disease,
7 and public health research;

8 (2) to address threats from human pathogens,
9 high-consequence zoonotic disease agents, emerging
10 foreign animal diseases, and animal transboundary
11 diseases;

12 (3) to address biological incidence threats;

13 (4) to provide training; and

14 (5) to coordinate, partner, and share data and
15 information with the Secretary of Homeland Secu-
16 rity, including the support of the production of bio-
17 logical material threat assessments.

18 **SEC. 4. RESEARCH AND DEVELOPMENT.**

19 Pursuant to section 3, the Secretary shall carry out
20 research and development objectives—

21 (1) to develop veterinary countermeasures for
22 emerging foreign animal diseases and animal trans-
23 boundary diseases;

24 (2) to provide advance test, diagnostic, and
25 evaluation capability for threat detection, vulner-

1 ability assessment, and veterinary countermeasure
2 assessment for animal and zoonotic diseases; and

3 (3) for such other purposes as the Secretary de-
4 termines to be appropriate.

5 **SEC. 5. EVALUATION.**

6 Pursuant to section 4, not less frequently than bien-
7 nially, the Secretary, in coordination with the Secretary
8 of Homeland Security and the heads of other relevant
9 agencies, shall evaluate and update the strategic research
10 plan for the National Bio and Agro-Defense Facility based
11 on risk and threat assessments.

12 **SEC. 6. AVAILABILITY OF DATA.**

13 (a) CONGRESSIONAL REPORT.—Every 6 months until
14 the date described in subsection (b), the Secretary and the
15 Secretary of Homeland Security, as appropriate, shall sub-
16 mit to the Committees on Agriculture, Nutrition, and For-
17 estry and Homeland Security and Governmental Affairs
18 of the Senate and the Committees on Agriculture and
19 Homeland Security of the House of Representatives a re-
20 port describing—

21 (1) progress under each phase described in the
22 memorandum of agreement entitled “Memorandum
23 of Agreement Between the U.S. Department of Agri-
24 culture Marketing and Regulatory Programs, the
25 U.S. Department of Agriculture Research, Edu-

1 cation, and Economics, and the Department of
2 Homeland Security Science and Technology Direc-
3 torate” and dated June 20, 2019, that is not com-
4 pleted as of the date of enactment of this Act; and

5 (2) the operations and mission, including co-
6 ordination, under any successor memorandum of
7 agreement, or similar joint agreement or under-
8 standing, between the Department of Agriculture
9 and the Department of Homeland Security, or other
10 relevant agencies, that documents the biodefense
11 mission of the National Bio and Agro-Defense Facil-
12 ity.

13 (b) **TERMINATION.**—The reporting requirement
14 under subsection (a) shall terminate on the date that is
15 2 years after the date on which the National Bio and
16 Agro-Defense Facility attains full operating capability.

17 (c) **EFFECTIVE DATE.**—This section shall take effect
18 on the date of enactment of this Act.

19 **SEC. 7. EFFECT.**

20 (a) **IN GENERAL.**—Nothing in this Act requires the
21 Secretary to have administrative jurisdiction over the Na-
22 tional Bio and Agro-Defense Facility.

23 (b) **TRANSFER OF JURISDICTION.**—If administrative
24 jurisdiction over the National Bio and Agro-Defense Facil-
25 ity is transferred from the Secretary to another Federal

1 agency, any reference in this Act (other than section 6)
2 to the Secretary shall be deemed to be a reference to the
3 head of that Federal agency.

4 **SEC. 8. EFFECTIVE DATE.**

5 Except for section 6, this Act shall take effect on the
6 date on which all phases in the memorandum of agreement
7 described in section 6(a)(1) are completed.

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