

119TH CONGRESS
2D SESSION

S. _____

To amend the Homeland Security Act of 2002 to provide for the protection of biotechnology and biomanufacturing infrastructure by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. HASSAN (for herself and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Homeland Security Act of 2002 to provide for the protection of biotechnology and biomanufacturing infrastructure by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, 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 “Protecting Bio-
5 technology and Biomanufacturing as Critical Infrastruc-
6 ture Act”.

1 **SEC. 2. BIOTECHNOLOGY AND BIOMANUFACTURING INFRA-**
2 **STRUCTURE.**

3 (a) IN GENERAL.—Section 2202 of the Homeland
4 Security Act of 2002 (6 U.S.C. 652) is amended—

5 (1) in subsection (c)—

6 (A) in paragraph (2), by inserting “and
7 biotechnology and biomanufacturing infrastruc-
8 ture owners and operators” after “international
9 entities”;

10 (B) in paragraph (5), by inserting before
11 the semicolon the following: “, and with respect
12 to critical infrastructure, including bio-
13 technology and biomanufacturing infrastruc-
14 ture, with no designated Sector-Specific Agency,
15 designate staff of the Agency to provide those
16 analyses, expertise, and other technical assist-
17 ance”;

18 (C) in paragraph (10), by inserting before
19 the semicolon the following: “, and for critical
20 infrastructure, including biotechnology and bio-
21 manufacturing infrastructure, with no des-
22 ignated Sector-Specific Agency, direct staff des-
23 ignated in accordance with paragraph (5) to
24 carry out that outreach and engagement, in-
25 cluding, as appropriate, convening relevant Sec-
26 tor-Specific Agencies”;

1 (D) in paragraph (13), by striking “and”
2 after the semicolon;

3 (E) by redesignating paragraph (14) as
4 paragraph (15); and

5 (F) by inserting after paragraph (13) the
6 following new paragraph:

7 “(14) take such actions as may be necessary to
8 ensure the protection of biotechnology and biomanu-
9 facturing infrastructure with no designated Sector-
10 Specific Agency; and”; and

11 (2) in subsection (e)(1)—

12 (A) in subparagraph (B), by adding at the
13 end the following new sentence: “With respect
14 to critical infrastructure, including bio-
15 technology and biomanufacturing infrastruc-
16 ture, with no designated Sector-Specific Agency,
17 such assessments shall be carried out in coordi-
18 nation with existing relevant Information Shar-
19 ing and Analysis Organizations, such as BIO-
20 ISAC and H-ISAC, and industry member asso-
21 ciations.”; and

22 (B) in subparagraph (E)—

23 (i) by inserting “biotechnology and
24 biomanufacturing infrastructure,” after

1 “emergency communications systems,”;
2 and

3 (ii) by adding at the end the following
4 new sentence: “Such comprehensive na-
5 tional plan shall be informed by the assess-
6 ments required under subparagraph (B).”.

7 (b) REPORTING.—

8 (1) IN GENERAL.—Not later than 45 days after
9 the date of the enactment of this Act, the Director
10 of the Cybersecurity and Infrastructure Security
11 Agency of the Department of Homeland Security
12 shall submit to the Committee on Homeland Secu-
13 rity of the House of Representatives and the Com-
14 mittee on Homeland Security and Governmental Af-
15 fairs of the Senate a work plan to protect bio-
16 technology and biomanufacturing infrastructure.
17 Such work plan shall include the following:

18 (A) An identification of biotechnology and
19 biomanufacturing infrastructure stakeholders,
20 including Information Sharing and Analysis Or-
21 ganizations.

22 (B) An outreach plan to ensure such
23 stakeholders are aware, if applicable, of their
24 protection under existing critical infrastructure
25 sectors.

1 (C) An action plan to ensure such stake-
2 holders are represented at appropriate consortia
3 and sector coordinating councils.

4 (D) An action plan to update, by Sep-
5 tember 30, 2026, strategic plans under section
6 2202(e)(1)(E) of the Homeland Security Act of
7 2002 (6 U.S.C. 652(e)(1)(E)) with input from
8 such stakeholders.

9 (2) IMPLEMENTATION REPORT.—Not later than
10 1 year after the submission of the work plan under
11 paragraph (1), the Director of the Cybersecurity and
12 Infrastructure Security Agency of the Department of
13 Homeland Security shall submit to the Committee
14 on Homeland Security of the House of Representa-
15 tives and the Committee on Homeland Security and
16 Governmental Affairs of the Senate a report on the
17 implementation of such work plan.

18 (3) REPORT ON THE PROTECTION OF EMERG-
19 ING BIOTECHNOLOGY AS CRITICAL INFRASTRUC-
20 TURE.—Not later than the earlier of 2 years after
21 the submission of the work plan under paragraph
22 (1), or the first evaluation and recommendation car-
23 ried out pursuant to subsection (b)(2) of section
24 9002 of the William M. (Mac) Thornberry National
25 Defense Authorization Act for Fiscal Year 2021 (6

1 U.S.C. 652a) that occurs after the date of the enact-
2 ment of this Act, the Director of the Cybersecurity
3 and Infrastructure Security Agency of the Depart-
4 ment of Homeland security shall submit to the Com-
5 mittee on Homeland Security of the House of Rep-
6 resentatives and the Committee on Homeland Secu-
7 rity and Governmental Affairs of the Senate a report
8 addressing whether there are any critical bio-
9 technology areas that remain unprotected.