

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To improve the bill.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**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.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by \_\_\_\_\_

Viz:

1       Beginning on page 2, strike line 15 and all that fol-  
2       lows through page 3, line 17, and insert the following:

3       (a) IN GENERAL.—The National Bio and Agro-De-  
4       fense Facility shall be a national security laboratory asset  
5       to provide integrated research, development, test and eval-  
6       uation infrastructure, and response capabilities for de-  
7       fending the United States against bio- and agro-terrorism  
8       threats.

9       (b) DUTIES.—Pursuant to subsection (a), the Sec-  
10       retary, the Secretary of Homeland Security, the Secretary  
11       of Health and Human Services, and the heads of other

1 appropriate Federal departments and agencies shall use  
2 the National Bio and Agro-Defense Facility to protect the  
3 food supply, agriculture, and public health of the United  
4 States, including by—

5           (1) integrating agricultural, zoonotic disease,  
6           and other appropriate research;

7           (2) addressing threats from high-consequence  
8           zoonotic disease agents, emerging foreign animal dis-  
9           eases, and animal transboundary diseases;

10           (3) addressing biological incidence threats;

11           (4) providing appropriate education and train-  
12           ing to address bio- and agro-defense threats and re-  
13           sponses;

14           (5) sharing data and related information with  
15           appropriate Federal departments or agencies, as re-  
16           quested by the heads of those departments or agen-  
17           cies, or as necessary, to support the production of  
18           biological material threat assessments; and

19           (6) coordinating, partnering, and sharing data  
20           and related information to enhance the carrying out  
21           of the duties of the National Bio and Agro-Defense  
22           Facility for the development of priority zoonotic ani-  
23           mal disease diagnostics, vaccines, drugs, and other  
24           countermeasures.

1           On page 3, strike lines 19 and 20 and insert the fol-  
2   lowing:

3   Pursuant to section 3, the Secretary, the Secretary of  
4   Homeland Security, the Secretary of Health and Human  
5   Services, and the heads of other appropriate Federal de-  
6   partments and agencies shall continually establish shared  
7   priorities for the research to be conducted in the National  
8   Bio and Agro-Defense Facility and carry out research and  
9   development objectives at the National Bio and Agro-De-  
10   fense Facility—

11           On page 3, line 24, strike “advance” and insert “ad-  
12   vanced”.

13           On page 4, beginning on line 2, strike “diseases; and”  
14   and all that follows through line 13 and insert the fol-  
15   lowing: “diseases;

16                   (3) to assist, as appropriate, with the develop-  
17           ment, and address vulnerability assessments, of the  
18           agriculture and food sectors; and

19                   (4) for such other purposes as the Secretary, in  
20           consultation with the Secretary of Homeland Secu-  
21           rity, the Secretary of Health and Human Services,  
22           and the heads of other appropriate Federal depart-  
23           ments and agencies, determines to be appropriate.

1 **SEC. 5. EVALUATION AND PLAN.**

2 (a) IN GENERAL.—Pursuant to section 4, not less  
3 frequently than biennially, the Secretary, in coordination  
4 with the Secretary of Homeland Security, the Secretary  
5 of Health and Human Services, and the heads of other  
6 appropriate Federal departments and agencies, shall—

7 (1) evaluate the work of the National Bio and  
8 Agro-Defense Facility;

9 (2) publish a strategic research plan for the  
10 National Bio and Agro-Defense Facility based on  
11 risk and threat assessments; and

12 (3) submit to the Committee on Agriculture,  
13 Nutrition, and Forestry of the Senate, the Com-  
14 mittee on Homeland Security and Governmental Af-  
15 fairs of the Senate, the Committee on Health, Edu-  
16 cation, Labor, and Pensions of the Senate, the Com-  
17 mittee on Agriculture of the House of Representa-  
18 tives, the Committee on Homeland Security of the  
19 House of Representatives, and the Committee on  
20 Energy and Commerce of the House of Representa-  
21 tives the strategic research plan described in para-  
22 graph (2).

23 (b) CLASSIFIED INFORMATION.—The strategic re-  
24 search plan required under subsection (a)(2)—

25 (1) shall be published in an unclassified format  
26 that is publically available;

1 (2) shall be submitted under subsection (a)(3)  
2 in unclassified form; and

3 (3) may include in the submission under sub-  
4 section (a)(3) a classified annex for any sensitive or  
5 classified information, as necessary.

6 **SEC. 6. MEMORANDA OF AGREEMENT.**

7 Not later than 90 days after the date of enactment  
8 of this Act, the Secretary shall enter into memoranda of  
9 agreement with the Secretary of Homeland Security, the  
10 Secretary of Health and Human Services, and the heads  
11 of other appropriate Federal departments and agencies for  
12 the use, operation, and research of the National Bio and  
13 Agro-Defense Facility by those Secretaries and depart-  
14 ment and agency heads.

15 **SEC. 7. AVAILABILITY OF DATA AND CONGRESSIONAL**  
16 **BRIEFINGS.**

17 (a) IN GENERAL.—Every 6 months until

18 On page 4, lines 15 and 16, strike “submit” and in-  
19 sert “provide”.

20 On page 4, line 20, insert “and briefing” before “de-  
21 scribing”.

22 On page 5, strike lines 5 through 8 and insert the  
23 following:

24 (2) the status of completion of the memoranda  
25 of agreement under section 6; and

1           (3) the operations and mission of the National  
2           Bio and Agro-Defense Facility, including the coordi-  
3           nation and carrying out of—

4                   (A) the memoranda of agreement described  
5                   in paragraphs (1) and (2);

6                   (B) any successor memoranda of agree-  
7                   ment to the memoranda of agreement described  
8                   in paragraphs (1) and (2); or

9                   (C) any similar joint agreement or under-  
10                  standing between the Department of Agri-  
11                  culture

12           On page 5, line 13, strike “requirement” and insert  
13           “and briefing requirements”.

14           On page 5, line 15, strike “2” and insert “5”.

15           On page 5, strike lines 17 through 19 and insert the  
16           following:

17           **SEC. 8. BUDGET AND REPORT.**

18           (a) BUDGET.—Concurrently with each budget sub-  
19           mission to the Director of the Office of Management and  
20           Budget, the Secretary, the Secretary of Homeland Secu-  
21           rity, and the Secretary of Health and Human Services  
22           shall jointly submit to the Director of the Office of Man-  
23           agement and Budget an integrated budget plan for the  
24           defense of the United States food system, including the

1 operation and use of the National Bio and Agro-Defense  
2 Facility.

3 (b) REPORT.—Not later than 60 days after the date  
4 on which the budget of the United States Government is  
5 submitted by the President under section 1105 of title 31,  
6 United States Code, for each fiscal year, the Secretary,  
7 the Secretary of Homeland Security, and the Secretary of  
8 Health and Human Services shall jointly submit to Con-  
9 gress a report describing an integrated budget plan de-  
10 scribed in subsection (a), which shall be consistent with  
11 the budget submission of the President under that section  
12 for the defense of the United States food system, including  
13 the operation and use of the National Bio and Agro-De-  
14 fense Facility.

15 **SEC. 9. EFFECT.**

16 On page 5, line 21, strike “administrative jurisdiction  
17 over” and insert “responsibility for operations of”.

18 On page 5, lines 23 and 24, strike “administrative  
19 jurisdiction over” and insert “responsibility for operations  
20 of”.

21 On page 6, line 1, strike “6” and insert “7”.

22 On page 6, strike lines 4 through 7 and insert the  
23 following:

1 **SEC. 10. EFFECTIVE DATE.**

2 (a) IN GENERAL.—Except as provided in subsection  
3 (b), this Act shall take effect on the date on which the  
4 initial operating capability described in the memorandum  
5 of agreement described in section 7(a)(1) takes effect.

6 (b) EXCEPTIONS.—Sections 7 and 8 shall take effect  
7 on the date of enactment of this Act.