

118TH CONGRESS
1ST SESSION

S. _____

To designate a laboratory as the National Biodefense Analysis and Countermeasures Center, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CARDIN (for himself and Mr. VAN HOLLEN) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To designate a laboratory as the National Biodefense Analysis and Countermeasures Center, 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 Biodefense
5 Analysis and Countermeasures Center Authorization Act
6 of 2023” or the “NBACC Authorization Act of 2023”.

1 **SEC. 2. NATIONAL BIODEFENSE ANALYSIS AND COUNTER-**
2 **MEASURES CENTER.**

3 (a) IN GENERAL.—Title III of the Homeland Secu-
4 rity Act of 2002 (6 U.S.C. 181 et seq.) is amended by
5 adding at the end the following:

6 **“SEC. 324. NATIONAL BIODEFENSE ANALYSIS AND COUN-**
7 **TERMEASURES CENTER.**

8 “(a) IN GENERAL.—The Secretary, acting through
9 the Under Secretary for Science and Technology, shall
10 designate the laboratory described in subsection (b) as an
11 additional laboratory pursuant to the authority under sec-
12 tion 308(c)(2), which shall be the lead Federal facility
13 dedicated to defending the United States against biological
14 threats by—

15 “(1) understanding the risks posed by inten-
16 tional, accidental, and natural biological events; and

17 “(2) providing the operational capabilities to
18 support the investigation, prosecution, and preven-
19 tion of biocrimes and bioterrorism.

20 “(b) LABORATORY DESCRIBED.—The laboratory de-
21 scribed in this subsection may be a federally funded re-
22 search and development center—

23 “(1) known, as of the date of enactment of this
24 section, as the National Biodefense Analysis and
25 Countermeasures Center;

26 “(2) that may include—

1 “(A) the National Bioforensic Analysis
2 Center, which conducts technical analyses in
3 support of Federal law enforcement investiga-
4 tions; and

5 “(B) the National Biological Threat Char-
6 acterization Center, which conducts experiments
7 and studies to better understand biological
8 vulnerabilities and hazards; and

9 “(3) transferred to the Department pursuant to
10 subparagraphs (A), (D), and (F) of section 303(1)
11 and section 303(2).

12 “(c) LABORATORY ACTIVITIES.—The National Bio-
13 defense Analysis and Countermeasures Center shall—

14 “(1) conduct studies and experiments to better
15 understand current and future biological threats and
16 hazards and pandemics;

17 “(2) provide the scientific data required to as-
18 sess vulnerabilities, conduct risk assessments, and
19 determine potential impacts to guide the develop-
20 ment of countermeasures;

21 “(3) conduct and facilitate the technical foren-
22 sic analysis and interpretation of materials recovered
23 following a biological attack, or in other law enforce-
24 ment investigations requiring evaluation of biological

1 materials, in support of the appropriate lead Federal
2 agency;

3 “(4) coordinate with other national laboratories
4 to enhance research capabilities, share lessons
5 learned, and provide training more efficiently;

6 “(5) collaborate with the Homeland Security
7 Enterprise, as defined in section 2200, to plan and
8 conduct research to address gaps and needs in bio-
9 defense; and

10 “(6) carry out other such activities as the Sec-
11 retary determines appropriate.

12 “(d) WORK FOR OTHERS.—The National Biodefense
13 Analysis and Countermeasures Center shall engage in a
14 continuously operating Work for Others program to make
15 the unique biocontainment and bioforensic capabilities of
16 the National Biodefense Analysis and Countermeasures
17 Center available to other Federal agencies.

18 “(e) FACILITY REPAIR AND ROUTINE EQUIPMENT
19 REPLACEMENT.—The National Biodefense Analysis and
20 Countermeasures Center shall—

21 “(1) perform regularly scheduled and required
22 maintenance of laboratory infrastructure; and

23 “(2) procure mission-critical equipment and ca-
24 pability upgrades.

25 “(f) FACILITY MISSION NEEDS ASSESSMENT.—

1 “(1) IN GENERAL.—To address capacity con-
2 cerns and accommodate future mission needs and
3 advanced capabilities, the Under Secretary for
4 Science and Technology shall conduct a mission
5 needs assessment, to include scoping for potential
6 future needs or expansion, of the National Bio-
7 defense Analysis and Countermeasures Center.

8 “(2) SUBMISSION.—Not later than 120 days
9 after the date of enactment of this section, the
10 Under Secretary for Science and Technology shall
11 provide the assessment conducted under paragraph
12 (1) to—

13 “(A) the Committee on Homeland Security
14 and Governmental Affairs and the Sub-
15 committee on Homeland Security Appropria-
16 tions of the Committee on Appropriations of the
17 Senate; and

18 “(B) the Committee on Homeland Security
19 and the Subcommittee on Homeland Security
20 Appropriations of the Committee on Appropria-
21 tions of the House of Representatives.

22 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated such sums as may be nec-
24 essary to support the activities of the laboratory des-
25 ignated under this section.

1 “(h) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion may be construed as affecting in any manner the au-
3 thorities or responsibilities of the Countering Weapons of
4 Mass Destruction Office of the Department.”.

5 (b) TECHNICAL AND CONFORMING AMENDMENT.—
6 The table of contents in section 1(b) of the Homeland Se-
7 curity Act of 2002 (Public Law 107–296; 116 Stat. 2135)
8 is amended by inserting after the item relating to section
9 323 the following:

“Sec. 324. National Biodefense Analysis and Countermeasures Center.”.