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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To restrict the export to foreign entities of concern of United States intellectual property and sensitive information related to synthetic biology, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DAVIDSON introduced the following bill; which was referred to the Committee on _____

A BILL

To restrict the export to foreign entities of concern of United States intellectual property and sensitive information related to synthetic biology, 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 “Biological Intellectual
5 Property Protection Act of 2025”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) the People’s Republic of China is con-
2 ducting a systematic campaign to access and exploit
3 sensitive United States data and intellectual prop-
4 erty to modernize its military, intelligence, and other
5 security apparatuses, enable human rights abuses,
6 and develop dual-use strategic technologies;

7 (2) access by the People’s Republic of China to
8 sensitive United States data and intellectual prop-
9 erty poses grave and direct threats to United States
10 national security;

11 (3) the efforts of the People’s Republic of China
12 to access such data and intellectual property are
13 supported by a military-civil fusion strategy, through
14 which the People’s Republic of China increases the
15 size of its military-industrial complex by compelling
16 civilian Chinese companies and research institutions
17 to support its military and intelligence activities,
18 which results in ostensibly private and civilian com-
19 panies that access United States capital supporting
20 the modernization of the People’s Liberation Army;

21 (4) the law of the People’s Republic of China
22 requires that all citizens of the People’s Republic of
23 China cooperate with national security priorities, en-
24 abling the modernization of the People’s Liberation
25 Army, including through—

1 (A) the National Security Law of 2015,
2 which states that citizens of the People’s Re-
3 public of China “shall have duties and obliga-
4 tions to maintain national security”;

5 (B) the National Intelligence Law of 2017,
6 which states that “all organizations and citizens
7 shall support, assist, and cooperate with na-
8 tional intelligence work”;

9 (C) the Data Security Law of 2021, which
10 states that “where a public security organ or
11 national security organ needs to obtain data for
12 the sake of national security or for investigating
13 crimes in accordance with the law . . . the rel-
14 evant organizations and individuals shall co-
15 operate”; and

16 (D) the Counterespionage Law, revised in
17 2023, which states that citizens of the People’s
18 Republic of China “have the duty to maintain
19 the security, honor and interests of the state,
20 and shall not engage in any act that endangers
21 the security, honor or interests of the state”;

22 (5) the export of novel synthetic DNA and
23 RNA sequences provides insight into the designs and
24 research of biotechnology entities, leading to a high

1 potential for intellectual property theft by foreign
2 adversaries; and

3 (6) the United States should therefore control
4 the export of synthetic DNA and RNA sequences to
5 foreign adversaries.

6 **SEC. 3. LICENSE REQUIREMENT TO PROTECT UNITED**
7 **STATES INTELLECTUAL PROPERTY AND SEN-**
8 **SITIVE INFORMATION RELATED TO SYN-**
9 **THETIC BIOLOGY.**

10 Part I of the Export Control Reform Act of 2018 (50
11 U.S.C. 4811 et seq.) is amended by inserting after section
12 1758 the following:

13 **“SEC. 1758A. LICENSE REQUIREMENT TO PROTECT UNITED**
14 **STATES INTELLECTUAL PROPERTY AND SEN-**
15 **SITIVE INFORMATION RELATED TO SYN-**
16 **THETIC BIOLOGY.**

17 “(a) LICENSE REQUIREMENT.—Not later than 1
18 year after the date of the enactment of this section, the
19 Secretary shall, except as provided for in subsection (b),
20 require a license for the export, reexport, or in-country
21 transfer to a foreign entity of concern of a digital sequence
22 of synthetic DNA or RNA designed by humans or artifi-
23 cial intelligence systems.

24 “(b) EXCEPTION.—The requirement for a license
25 under subsection (a) shall not apply with respect to infor-

1 mation described in section 734.3(b) of the Export Admin-
2 istration Regulations.

3 “(c) DEFINITIONS.—In this section:

4 “(1) DIGITAL SEQUENCE.—The term ‘digital
5 sequence’ means a binary file or other digital rep-
6 resentation containing symbols representing the
7 identity, order, and any chemical modification for
8 each position in a DNA or RNA molecule.

9 “(2) FOREIGN COUNTRY OF CONCERN.—The
10 term ‘foreign country of concern’ has the meaning
11 given that term in section 10612(a) of the Research
12 and Development, Competition, and Innovation Act
13 (42 U.S.C. 19221(a)).

14 “(3) FOREIGN ENTITY OF CONCERN.—The
15 term ‘foreign entity of concern’ means—

16 “(A) a government entity of a foreign
17 country of concern;

18 “(B) a foreign person subject to the juris-
19 diction of, or organized under the laws of, a for-
20 eign country of concern; or

21 “(C) a foreign person owned, directed, or
22 controlled by an entity described in subpara-
23 graph (A) or (B).

24 “(4) SYNTHETIC DNA OR RNA.—The term ‘syn-
25 thetic DNA or RNA’ means—

1 “(A) molecules that are constructed by
2 joining nucleic acid molecules and can replicate
3 in a living cell, such as recombinant nucleic
4 acids;

5 “(B) nucleic acid molecules that are chemi-
6 cally or by other means synthesized, including
7 such molecules that are chemically or otherwise
8 modified but can base pair with naturally occur-
9 ring nucleic acid molecules, such as synthetic
10 nucleic acids; or

11 “(C) molecules that result from the rep-
12 lication of molecules described in subparagraph
13 (A) or (B).”.