

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 6624  
OFFERED BY MR. DAVIDSON OF OHIO**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Biological Intellectual  
3 Property Protection Act of 2026”.

**4 SEC. 2. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) the People’s Republic of China is con-  
7 ducting a campaign to access and exploit sensitive  
8 United States data and intellectual property to mod-  
9 ernize its military, intelligence, and other security  
10 apparatuses, enable human rights abuses, and de-  
11 velop dual-use strategic technologies;

12 (2) access by the People’s Republic of China to  
13 sensitive United States data and intellectual prop-  
14 erty poses grave and direct threats to the United  
15 States;

16 (3) efforts to access such data and intellectual  
17 property are especially problematic given the PRC’s  
18 military-civil fusion strategy, through which the

1 PRC compels civilian Chinese companies and re-  
2 search institutions to support its military and intel-  
3 ligence activities;

4 (4) the law of the People’s Republic of China  
5 requires that all citizens of the People’s Republic of  
6 China cooperate with national security priorities, en-  
7 abling the modernization of the People’s Liberation  
8 Army, including through—

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

13 (B) the National Intelligence Law of 2017,  
14 which states that “all organizations and citizens  
15 shall support, assist, and cooperate with na-  
16 tional intelligence work”;

17 (C) the Data Security Law of 2021, which  
18 states that “where a public security organ or  
19 national security organ needs to obtain data for  
20 the sake of national security or for investigating  
21 crimes in accordance with the law . . . the rel-  
22 evant organizations and individuals shall co-  
23 operate”; and

24 (D) the Counterespionage Law, revised in  
25 2023, which states that citizens of the People’s

1 Republic of China “have the duty to maintain  
2 the security, honor and interests of the state,  
3 and shall not engage in any act that endangers  
4 the security, honor or interests of the state”;

5 (5) the export of novel synthetic DNA and  
6 RNA sequences provides insight into the designs and  
7 research of biotechnology entities, leading to a high  
8 potential for intellectual property theft by foreign  
9 adversaries; and

10 (6) the United States should therefore review  
11 and control the export of synthetic DNA and RNA  
12 sequences to foreign adversaries.

13 **SEC. 3. 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 year  
18 after the date of the enactment of this Act, the Secretary  
19 of Commerce shall, except as provided for in subsection  
20 (b), 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 se-  
5 quence” 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 term  
15 “foreign entity of concern” means—

16 (A) a government entity of a foreign coun-  
17 try 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 join-  
2 ing nucleic acid molecules and can replicate in  
3 a living cell, such as recombinant nucleic acids;

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

10 (C) molecules that result from the replica-  
11 tion of molecules described in subparagraph (A)  
12 or (B).

