

119TH CONGRESS
1ST SESSION

H. R. 5747

To require the Secretary of Health and Human Services, acting through the Assistant Secretary for Preparedness and Response, to carry out a program under which the Secretary requires each covered distributor of a highly pathogenic agent to comply with certain logbook requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 14, 2025

Mr. COSTA (for himself and Mr. VALADAO) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Health and Human Services, acting through the Assistant Secretary for Preparedness and Response, to carry out a program under which the Secretary requires each covered distributor of a highly pathogenic agent to comply with certain logbook requirements, 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 “Preventing Illegal Lab-
5 oratories and Protecting Public Health Act of 2025”.

1 **SEC. 2. REQUIRING CERTAIN DISTRIBUTORS OF HIGHLY**
2 **PATHOGENIC AGENTS TO KEEP A LOGBOOK**
3 **OF SALES, LEASES, LOANS, AND OTHER**
4 **TRANSFERS.**

5 (a) PROGRAM.—The Secretary of Health and Human
6 Services, acting through the Administration for Strategic
7 Preparedness and Response, shall carry out a program
8 under which the Secretary requires each covered dis-
9 tributor of a highly pathogenic agent to comply with the
10 logbook requirements of subsection (c).

11 (b) LIST OF HIGHLY PATHOGENIC AGENTS.—

12 (1) DEVELOPMENT.—The Secretary shall de-
13 velop and maintain a list of all agents that meet the
14 definition of a highly pathogenic agent in subsection
15 (e).

16 (2) INITIAL LIST.—The Secretary shall develop
17 the initial list required by paragraph (1) not later
18 than 6 months after the date of enactment of this
19 Act.

20 (3) PERIODIC REVIEW.—The Secretary shall
21 annually review and update the list required by
22 paragraph (1).

23 (4) CONSULTATION; CONSIDERATION.—In de-
24 veloping and updating the list required by paragraph
25 (1), the Secretary shall—

(A) consult with relevant agencies, including the Centers for Disease Control and Prevention, the National Institutes of Health, the Department of Homeland Security, the Department of Agriculture, the Department of the Interior, and the Department of Defense;

(B) take into consideration the latest edition of “Biosafety in Microbiological and Biomedical Laboratories” published by the Centers for Disease Control and Prevention and the National Institutes of Health (or any successor to such publication); and

(C) take into consideration the latest edition of “NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules” published by the National Institutes of Health (or any successor to such publication).

(c) LOGBOOK REQUIREMENTS.—

(1) IN GENERAL.—Each covered distributor shall maintain, in accordance with such criteria and format as the Secretary may require, an electronic list (in this section referred to as a “logbook”) of the sales, leases, loans, or other transfers by such distributor of each highly pathogenic agent on the list under subsection (b).

1 (2) CONTENTS.—The covered distributor shall,
2 for each sale, lease, loan, or other transfer referred
3 to in paragraph (1), include in the logbook—

4 (A) the agent by name;

5 (B) the name, address, telephone number,
6 and email address of the purchaser;

7 (C) other relevant identifying business in-
8 formation of the purchaser, as deemed nec-
9 essary by the Secretary;

10 (D) a short description of—

11 (i) the purchaser's intended use of the
12 highly pathogenic agent; and

13 (ii) where the purchaser will house the
14 agent;

15 (E) the date and time of the sale, lease,
16 loan, or other transfer;

17 (F) the method, date, and time of transfer
18 of the highly pathogenic agent;

19 (G) a physical or electronic signature of
20 the purchaser; and

21 (H) such other data elements as the Sec-
22 retary may require.

23 (3) SALE REQUIREMENTS.—In the case of a
24 sale, lease, loan, or other transfer to which para-

graph (1) applies, the covered distributor shall not
sell the highly pathogenic agent unless—

(A) the prospective purchaser, in physical
form or electronically in compliance with the
Electronic Signatures in Global and National
Commerce Act (42 U.S.C. 7001 et seq.)—

(i) presents an identification card that
provides a photograph and is issued by a
State or the Federal Government, or a
document that, with respect to identifica-
tion, is considered acceptable for purposes
of sections 274a.2(b)(1)(v)(A) and
274a.2(b)(1)(v)(B) of title 8, Code of Fed-
eral Regulations (or successor regulations);
and

(ii) verifies by signature in the log-
book—

(I) the purchaser's name and ad-
dress;

(II) a short description of—

(aa) the purchaser's in-
tended use of the agent; and

(bb) where the purchaser
will house the agent;

1 (III) the date and time of the
2 sale, lease, loan, or other transfer;
3 and

4 (IV) the method, date, and time
5 of transfer of the agent; and

6 (B) the covered distributor—

7 (i) determines that the name entered
8 in the logbook corresponds to the name
9 provided on the identification card referred
10 to in subparagraph (A)(i), and that the in-
11 formation entered pursuant to subpara-
12 graph (A)(ii) is correct; and

13 (ii) enters in the logbook the name of
14 the highly pathogenic agent.

15 (4) CONTENTS.—The covered distributor shall
16 include in the logbook, in accordance with criteria of
17 the Secretary, a notice to purchasers that entering
18 false statements or misrepresentations in the log-
19 book may subject the purchasers to criminal pen-
20 alties under section 1001 of title 18, United States
21 Code, which notice specifies the maximum fine and
22 term of imprisonment under such section.

23 (5) DURATION OF MAINTENANCE OF EN-
24 TRIES.—

1 (A) RETENTION PERIOD.—The covered
2 distributor shall maintain each entry in the log-
3 book for not fewer than three years after the
4 date on which the entry is made.

5 (B) SUCCESSOR ENTITY.—If ownership of
6 a covered distributor changes, the successor en-
7 tity shall assume custody of and responsibility
8 for all logbooks for the balance of the three-
9 year retention period required by subparagraph
10 (A).

11 (6) DISCLOSURE OF LOGBOOKS.—The Sec-
12 retary shall establish restrictions on disclosure of in-
13 formation in logbooks. Such regulations shall—

14 (A) provide for the disclosure of the infor-
15 mation as appropriate to the Secretary, Fed-
16 eral, State, local, Tribal, and territorial law en-
17 forcement agencies, and State health officials;
18 and

19 (B) prohibit accessing, using, or sharing
20 information in the logbooks for any purpose
21 other than—

22 (i) to ensure compliance with this sec-
23 tion;

24 (ii) to protect public health and safe-
25 ty; or

1 (iii) to protect national security.

2 (7) FOIA EXEMPTION.—Logbooks and any de-
3 rivative data are exempt from disclosure under sec-
4 tion 552(b)(3) of title 5, United States Code.

5 (d) FALSE STATEMENTS OR MISREPRESENTATIONS
6 BY PURCHASERS.—For purposes of section 1001 of title
7 18, United States Code, entering information in a logbook
8 shall be considered a matter within the jurisdiction of the
9 executive, legislative, or judicial branch of the Government
10 of the United States.

11 (e) DEFINITIONS.—In this section:

12 (1) The term “highly pathogenic agent”—

13 (A) subject to subparagraph (B), means a
14 pathogenic agent that meets the criteria of
15 “risk group 3” or any higher level risk groups
16 as such risk groups are defined in the latest
17 edition of “NIH Guidelines for Research Involving
18 Recombinant or Synthetic Nucleic Acid
19 Molecules” published by the National Institutes
20 of Health (or any successor to such publica-
21 tion); and

22 (B) excludes any biological agent or toxin
23 that is regulated under section 351A of the
24 Public Health Service Act (42 U.S.C. 262a) or

1 section 212 of the Agricultural Bioterrorism
2 Protection Act of 2002 (7 U.S.C. 8401).

3 (2) The term “covered distributor”—

4 (A) means an entity that sells, leases,
5 loans, or otherwise transfers for value or with-
6 out value a highly pathogenic agent, except that
7 such term does not include an employee or
8 agent of such a distributor; and

9 (B) includes a publicly funded repository
10 or biobank that sells, leases, loans, or otherwise
11 transfers a highly pathogenic agent, as de-
12 scribed in subparagraph (A).

13 (3) The term “Secretary” means the Secretary
14 of Health and Human Services, acting through the
15 Administration for Strategic Preparedness and Re-
16 sponse.

17 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed to supersede or otherwise affect
19 the Federal Select Agent Program under section 351A of
20 the Public Health Service Act (42 U.S.C. 262a) and sec-
21 tion 212 of the Agricultural Bioterrorism Protection Act
22 of 2002 (7 U.S.C. 8401).

1 **SEC. 3. EVALUATION OF HIGH-CONTAINMENT LABORA-**
2 **TORIES.**

3 (a) IN GENERAL.—The National Security Advisor, in
4 consultation with the Secretary of Health and Human
5 Services, the Secretary of Agriculture, the Secretary of
6 Defense, the Secretary of Homeland Security, the Sec-
7 retary of the Interior, the Director of National Intel-
8 ligence, and such other Federal officials as the National
9 Security Advisor determines appropriate, shall identify a
10 single Federal entity to oversee a periodic strategic evalua-
11 tion of high-containment laboratories in the United States.

12 (b) TOPICS.—Each strategic evaluation under sub-
13 section (a) shall include—

14 (1) an assessment of—

15 (A) the number, location, and mission of
16 high-containment laboratories;

17 (B) the capacity of such existing labora-
18 tories to effectively meet national goals to
19 counter threats to biosafety and biosecurity;

20 (C) the physical security measures at high-
21 containment laboratories;

22 (D) the aggregate risks associated with—

23 (i) such existing laboratories; and

24 (ii) expanding the numbers and facili-
25 ties of such laboratories; and

1 (E) the type of oversight needed for high-
2 containment laboratories; and

3 (2) up-to-date national standards, developed by
4 the Federal entity identified under subsection (a)—

5 (A) are developed by the Federal entity
6 identified under subsection (a) in consultation
7 with members of the scientific community, for
8 the design, construction, commissioning, oper-
9 ation, and long-term maintenance of high-con-
10 tainment laboratories; and

11 (B) take into consideration applicable reg-
12 ulations and guidance for high-containment lab-
13 oratories.

14 (c) REPORTING.—Upon completion of each strategic
15 evaluation under subsection (a), the Federal entity identi-
16 fied under subsection (a) shall submit to the President and
17 the Congress a report on the results of such evaluation
18 and include in each such report recommendations on—

19 (1) addressing gaps in Federal oversight of
20 high-containment laboratories; and

21 (2) utilizing high-containment laboratories for
22 protecting public health and ensuring biosafety and
23 biosecurity in the United States.

24 (d) PUBLIC HEALTH BIOSAFETY AND BIOSECURITY
25 TEAM.—

1 (1) IN GENERAL.—The Federal entity identified
2 under subsection (a) shall maintain a team, to be
3 known as the Public Health Biosafety and Biosecu-
4 rity Team, to serve as a single point of contact for
5 State, local, Tribal, and territorial agencies regard-
6 ing questions relating to laboratory biosafety and
7 biosecurity.

8 (2) ESTABLISHMENT.—The Federal entity
9 identified under subsection (a) shall establish the
10 Public Health and Biosecurity Team, as required by
11 paragraph (1), not later than one year after such of-
12 ficial is first designated.

13 (3) DUTIES.—The Public Health Biosafety and
14 Biosecurity Team shall be the single point of contact
15 in the Federal Government for State, local, Tribal,
16 and territorial agencies on—

17 (A) issues related to—

18 (i) oversight of high-containment lab-
19 oratories;

20 (ii) the impact of high-containment
21 laboratories on public health; or

22 (iii) connecting State, local, Tribal,
23 and territorial officials with the relevant
24 Federal agency or agencies on matters re-
25 lated to high-containment laboratories; and

1 (B) other issues as determined necessary
2 by the Federal entity identified under sub-
3 section (a).

4 (e) FEASIBILITY STUDY.—

5 (1) IN GENERAL.—The Federal entity identified
6 under subsection (a) shall conduct a feasibility study
7 on establishing and maintaining a database on exist-
8 ing high-containment laboratories in the United
9 States for the purpose of making such database ac-
10 cessible to Federal, State, local, Tribal, and terri-
11 torial officials.

12 (2) DATABASE DESCRIBED.—The database to
13 be studied under paragraph (1) should be designed
14 to include, with respect to each high-containment
15 laboratory, the following information:

16 (A) The identity of the owners of the lab-
17 oratory.

18 (B) The address of the laboratory.

19 (C) The status of any licensing or certifi-
20 cation of the laboratory required under Federal,
21 State, local, Tribal, or territorial law.

22 (D) Any legal violations by, and discipli-
23 nary action taken against, the laboratory.

24 (E) Such additional information as the
25 Federal entity identified under subsection (a)

1 determines appropriate to protect biosafety and
2 biosecurity.

3 (3) REPORT TO CONGRESS.—Upon completion
4 of the feasibility study under this subsection, the
5 Federal entity identified under subsection (a) shall
6 submit to the Congress a report on the results of
7 such study.

8 (f) DEFINITION.—In this section, the term “high-
9 containment laboratory” means laboratories that are suit-
10 able for “biosafety level 3” or any higher biosafety level
11 procedures as defined in the latest edition of “Biosafety
12 in Microbiological and Biomedical Laboratories” published
13 by the Centers for Disease Control and Prevention and
14 the National Institutes of Health (or any successor to such
15 publication).

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