AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 2356 OFFERED BY MR. MCCAUL OF TEXAS

Amend section 304 to read as follows:

SEC. 304. DUAL-USE TERRORIST RISKS FROM SYNTHETIC BIOLOGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the field of synthetic biology has the potential to facilitate enormous gains in fundamental discovery, public health, and biotechnological applications, but that it also presents inherent dual-use homeland security risks that must be managed.

(b) ASSESSMENT OF RISK.—Not less frequently than once every two years, the Secretary of Homeland Security, acting through the Under Secretary for Science and Technology, shall undertake a risk assessment of the dual-use and other risks associated with synthetic biology.

(c) ESTABLISHMENT OF GUIDANCE.—Not later than six months after the date of the enactment of this Act, the Secretary shall develop and provide to the heads of all departments and agencies that fund life sciences research, guidance on compliance with United States laws, arms control agreements to which the United States is a

party or signatory, and individual department and agency policy, including consideration of—

(1) best practices for establishing a department or agency process that achieves compliance for department or agency research, development, or acquisition projects in the life sciences;

(2) the types of projects that should be assessed;

(3) at what stage or stages such projects should be assessed; and

(4) means for preventing the release of homeland or national security information.

(d) RESEARCH AND DEVELOPMENT.—Based upon the findings of the risk assessment undertaken in accordance with subsection (b), the Under Secretary may conduct research into the risks and ways to mitigate such risks of synthetic biology, including—

(1) determining the current capability of synthetic nucleic acid providers to effectively differentiate a legitimate customer from a potential terrorist or other malicious actor;

(2) determining the current capability of synthetic nucleic acid providers to effectively screen orders for sequences of homeland security concern; and

(3) making recommendations regarding screening software, protocols, and other remaining capability gaps uncovered by such risk assessment.