

119TH CONGRESS
1ST SESSION

H. R. 5187

To establish in the Department of Defense a program to support the expansion of domestic bioindustrial manufacturing capacity.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2025

Mr. KHANNA (for himself, Mr. GARAMENDI, and Mr. DAVIS of North Carolina) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To establish in the Department of Defense a program to support the expansion of domestic bioindustrial manufacturing capacity.

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. BIOINDUSTRIAL COMMERCIALIZATION PRO-**
4 **GRAM.**

5 (a) IN GENERAL.—Not later than one year after the
6 date of the enactment of this Act, the Secretary of Defense
7 may establish a program to support the expansion of the
8 domestic capacity for bioindustrial manufacturing of crit-
9 ical biomanufactured products at a commercial level

1 through awards to eligible entities for establishing, up-
2 grading, and retooling of eligible bioindustrial manufac-
3 turing facilities.

4 (b) AWARDS.—

5 (1) IN GENERAL.—An entity seeking an award
6 under the program shall submit to the Secretary an
7 application at such time, in such manner, and con-
8 taining such information as the Secretary deter-
9 mines appropriate.

10 (2) COMPETITIVE AWARDS.—The Secretary
11 shall make each award under the program to an eli-
12 gible entity in a competitive manner.

13 (3) AWARD CRITERIA.—In selecting eligible en-
14 tities to receive awards under the program, the Sec-
15 retary shall consider the following criteria:

16 (A) The potential of the technology of such
17 eligible entity to improve domestic resilience
18 and protect critical supply chains for critical
19 biomanufactured products.

20 (B) How the technology of such eligible en-
21 tity could help meet the demand for the capa-
22 bilities required by the next generation of
23 warfighters.

24 (C) The ability of the eligible bioindustrial
25 manufacturing facility with respect to which

1 such eligible entity is seeking such award to be
2 repurposed and the range of products that such
3 eligible bioindustrial manufacturing facility is
4 capable of producing.

5 (D) Whether the eligible bioindustrial man-
6 ufacturing facility with respect to which such
7 eligible entity is seeking such award supports
8 the goal of wide geographic distribution of bio-
9 industrial manufacturing facility across the
10 United States.

11 (E) Whether the eligible bioindustrial man-
12 ufacturing facility with respect to which such
13 eligible entity is seeking such award is located
14 in geographic proximity to sources of input ma-
15 terials for the production of critical biomanufac-
16 tured products or areas with established
17 biomanufacturing capabilities.

18 (F) Such additional considerations that the
19 Secretary deems appropriate.

20 (4) USE OF AWARD FUNDS.—A recipient of an
21 award under the program may use funds received
22 under such award for the establishment, upgrading,
23 or retooling of one or more eligible bioindustrial
24 manufacturing facilities to produce critical biomanu-
25 factured products, including the development of

1 business or technical plans related to such establish-
2 ment, upgrading, or retooling.

3 (c) OVERSIGHT.—If the Secretary establishes the
4 program, the Secretary shall establish reporting require-
5 ments for recipients of awards under the program which
6 shall include requirements for period reports on the fol-
7 lowing:

8 (1) The progress of the recipient in estab-
9 lishing, upgrading, or retooling the eligible bioindus-
10 trial manufacturing facility with respect to which
11 such recipient received such award.

12 (2) The estimated timeline and funding require-
13 ments for the recipient to begin biomanufacturing at
14 the eligible bioindustrial manufacturing facility de-
15 scribed in paragraph (1).

16 (3) The products, including the critical bio-
17 manufactured products, that are or will be produced
18 at the eligible bioindustrial manufacturing facility
19 described in paragraph (1).

20 (4) The progress of the recipient in entering
21 into an agreement with the Department of Defense
22 or an element thereof to provide critical biomanufac-
23 tured products, that are or will be produced at the
24 eligible bioindustrial manufacturing facility described

1 in paragraph (1) once such eligible bioindustrial
2 manufacturing facility begins biomanufacturing.

3 (d) REPORTS TO CONGRESS.—

4 (1) INITIAL REPORT.—Not later than 90 days
5 after the date of the enactment of this Act, the Sec-
6 retary shall submit to the Committees on Armed
7 Services of the House of Representatives and Senate
8 a report on the plan of the Secretary for allocating
9 amounts appropriated to the Department of Defense
10 to fund the program.

11 (2) ANNUAL REPORTS.—Not later than one
12 year after the date of the enactment of this Act, and
13 annually thereafter, the Secretary shall submit to
14 the Committees on Armed Services of the House of
15 Representatives and Senate a report on the activities
16 under the program, including—

17 (A) a list of the awards made under the
18 program as of the date on which the report is
19 submitted, including, for each such award—

20 (i) the name of the entity that re-
21 ceived the award;

22 (ii) the location of the eligible bio-
23 industrial manufacturing facility with re-
24 spect to which such entity received the
25 award;

1 (iii) the amount of the award,
2 disaggregated by the initial amount of the
3 award and any additional amounts pro-
4 vided under the award;

5 (iv) an explanation of the criteria sup-
6 porting making the award to such entity,
7 including a description of any notable tech-
8 nologies of such entity relevant to the
9 award;

10 (v) if applicable, an explanation of the
11 rational for providing additional amounts
12 under the award; and

13 (vi) to the extent practicable, and ex-
14 planation of the effects of the award;

15 (B) an identification of amounts available
16 to the Department of Defense for making
17 awards under the program as of the date on
18 which the report is submitted and an expla-
19 nation of any plans for the use of such
20 amounts;

21 (C) an explanation of the communication
22 between the Secretary and eligible entities seek-
23 ing an award under the program regarding re-
24 quirements and timelines for such awards; and

1 (D) an explanation of how the establish-
2 ment, upgrading, or retooling of the eligible bio-
3 industrial manufacturing facility for which
4 awards were made under the program aligns
5 with priorities and needs of the Department of
6 Defense and national security.

7 (e) SUNSET.—

8 (1) IN GENERAL.—Except as provided by para-
9 graph (2), this section shall terminate on the date
10 that is 10 years after the date of the enactment of
11 this Act.

12 (2) EXTENSION.—The Secretary may change
13 the date on which this section terminates to a date
14 that is later than the date on which this section
15 would terminate under paragraph (1) if the Presi-
16 dent determines that the continuation of the pro-
17 gram is necessary to meet national economic and na-
18 tional security needs.

19 (f) DEFINITIONS.—In this section:

20 (1) The term “biomanufacturing” means the
21 utilization of biological systems to develop new and
22 advance existing products, tools, and processes at
23 commercial scale.

24 (2) The term “critical biomanufactured prod-
25 uct” means a chemical, material, and other product

1 that is manufactured using biomanufacturing and is
2 relevant to the Department of Defense.

3 (3) The term “eligible bioindustrial manufac-
4 turing facility” means a bioindustrial manufacturing
5 facility that—

6 (A) is or, if not yet established, will be lo-
7 cated in the United States; and

8 (B) is or, pursuant to an award under the
9 program, will produce critical biomanufactured
10 products.

11 (4) The term “eligible entity” means an entity
12 that—

13 (A) is a private entity;

14 (B) applied for an award under the pro-
15 gram in accordance with subsection (b)(1); and

16 (C) meets such other criteria for eligibility
17 for an award under the program as determined
18 by the Secretary.

19 (5) The term “program” means the program
20 established under subsection (a).

21 (6) The term “Secretary” means the Secretary
22 of Defense.

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