

# CAPITOL STREET

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December 17, 2025

## **BIOSECURE Passes House & Senate**

Companies Can Still Be Named But Can Contest

Relevant Companies



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### »» Our Take & Next Up

**BIOSECURE heads to the president's desk after the Senate voted to advance the 2026 *National Defense Authorization Act* (77-20).** Recall, the updated bill includes a watered-down version of the *BIOSECURE Act*, which we have said has a 70%+ chance of passage by year end. The provision bars federal agencies from contracting with Chinese biotech companies of concern, but no longer names certain entities like WuXi (our take [here](#)). Though the Pentagon recently recommended Congress add WuXi and seven other Chinese firms to the 1260H risk list ([here](#)).

**A similar measure ending most U.S.-China academic research collaborations (*SAFE Research Act*) was not included in the final *NDAA* bill ([here](#)).** Also not included in *NDAA* is the *GAIN AI Act*, which would prioritize sales of AI chips in the US. However, the final bill does include the *FIGHT China Act*, which targets US investments in technologies with military applications (AI, chips, quantum computing, and hypersonics).

### »» Key Points

**WuXi is among eight Chinese firms that the Pentagon recently recommended Congress add to the 1260H risk list ([here](#)).** WuXi entities are not named at this time; however, the DoD 1260 list does not allow companies to contest their designation, despite the more watered down *BIOSECURE* language (described below). There are no other life sciences companies identified by the Pentagon in its recent letter. The other firms include technology specialists Alibaba, Baidu and RoboSense as well as manufacturers BYD, Eoptolink, Hua Hong Semiconductor and Zhongji Innolight.

**The *BIOSECURE Act* contains new protections for companies, though companies like WuXi can still be listed as a company of concern (over time).** The legislation, first introduced in 2024, is intended to bar federal agencies from contracting with Chinese biotechnology providers that pose a national security threat (companies of concern). *BIOSECURE* was previously included in earlier versions of the House and Senate *NDAA*. The current bill text addressed issues that stalled the original bill last year (our analysis [here](#), [here](#) and [here](#)).

The final **BIOSECURE** language does not name “companies of concern” until a company has time to review & contest (over a year from bill enactment) the designation. The 2024 (original) **BIOSECURE Act** named the first list of companies of concern (BGI, MGI, Complete Genomics, WuXi AppTec, WuXi Biologics). It also didn’t include a process for companies to contest the designation, which was a major sticking point for Sen. Rand Paul (R-KY), Rep. James McGovern (D-MA), and others.

**Under the new language, biotech “companies of concern” would be named by the White House Office of Management and Budget (OMB) a year after enactment.**

- When a biotech company is labeled a “company of concern,” it would get a notice explaining why, how it can contest the designation within 90 days, and what steps might remove the label.
- Congress would be notified both when the designation is made and when the company submits its arguments. The designation wouldn’t be made public until the review is complete.
- The bill also provides safe harbor for services and products that were formerly produced by the biotech companies of concern and establishes a five-year grandfathering period for services contracted before **BIOSECURE** goes into effect.

**However, companies on DoD’s “1260H” list, including BGI/MGI, do not have the right to appeal.** The 1260H list identifies Chinese military-linked companies operating in the U.S. and must be updated at least annually (last updated in January [here](#)). Over time, the U.S. could take more steps against these companies beyond just naming them.

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