The Bioindustrial Infrastructure for Open Scale-up, Commercialization, and Accelerated Launch Ecosystems (BIO-SCALE) Act of 2026

Overview

The **Bioindustrial Infrastructure for Open Scale-up, Commercialization, and Accelerated Launch Ecosystems (BIO-SCALE) Act** (**H.R. 8918**) would direct the Secretary of Commerce, through the Assistant Secretary for Economic Development, to establish at least three nonprofit, product-agnostic precommercial scale-up facilities. These facilities would enable and accelerate the scaling of non-pharmaceutical biotechnologies, including through coordination with other relevant facilities such as those under the Department of Defense (DOD) and Department of Energy (DOE).

Background

The National Security Commission on Emerging Biotechnology (NSCEB) assessed in April 2025 that a major roadblock for U.S. biotechnology innovators is proving that their products and processes will work at commercial scale, thus showing investors a path to financial return.

The United States is a great place to scale industrial biotechnology— we have abundant feedstocks, reliable utilities, extensive transportation infrastructure, and proximity to consumers—but we lack sufficient biomanufacturing capacity to make here what we innovate here. Because of this, many U.S. companies are choosing to scale-up abroad.

American innovators need access to a network of domestic precommercial biomanufacturing facilities that integrate state-of-the-art infrastructure to help mature their technologies. These should be designed and run as user facilities, where companies can pay a fee to access infrastructure and expertise.

Congress should authorize the creation of Department of Commerce (DOC) facilities that innovators can use in the United States to prove that their lab inventions work at precommercial scale. The DOC's cross-sector mandate and ability to align both public- and private-sector resources make it uniquely suited to oversee a new, integrated network of regionally distributed, product-agnostic, and open-access scale-up facilities to meet the needs of the sector and drive U.S. biotechnology leadership forward.

H.R. 8918

Sponsor:
Rep. Jim Baird
(R-IN-04)

Original Co-Sponsor:
Rep. Chrissy Houlahan
(D-PA-06)

Available for Senate introduction

Congress established the National Security Commission on Emerging Biotechnology (NSCEB) to assess biotechnology's national security impact and recommend strategies to ensure American leadership.

Read the NSCEB's April 2025 report at https://www.biotech.senate.gov/final-report

Legislative Details

01 Implementation Plan

Congress would require the Secretary of Commerce to submit a plan detailing criteria for an open competition, such as site selection, cost-sharing plans, approach to stakeholder engagement, and integration with existing infrastructure.

02 Goals and Activities

These facilities would accelerate and de-risk the scaling of biotechnologies; strengthen U.S. biotechnology leadership through innovation, economic growth, workforce development, and job creation; establish a secure digital infrastructure to enable interoperable data systems; and provide unique capabilities to maintain U.S. competitiveness.

03 Oversight and Coordination

This bill would mandate that the Secretary of Commerce oversee facility development; ensure open access; engage in cost-sharing and partnerships with the public and private sectors; and coordinate on site selection with federal and local entities.

04 Intellectual Property

This bill stipulates that federal employee IP contributions would be considered part of the public domain. Non-federal contributions would retain IP rights, per the individual's contract.

05 Proposal Solicitation & Facility Selection

The selection of facility proposals would be based on geographic range, proximity to feedstocks, infrastructure needs, and existing capacity.

06 Use of Funds

These facilities would have 2-3 years for fund expenditure, based on whether a facility already has existing infrastructure and resources.

07 Sunset and Continuation

Authorization for this bill would end 10 years after its enactment. Facilities could continue operating if they demonstrate success, as deemed by the Secretary of Commerce.

08 Cost

This bill would authorize $345 million for FY 2026-28 and $117 million for FY 2029-30.

Interested in leading or co-sponsoring this bill?

Please contact ideas@biotech.senate.gov