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July 10, 2024

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Ave SW
Washington, DC 20250

Dear Secretary Vilsack,

We write to express alarm at the recent U.S. Department of Agriculture (USDA) positive determination of the People's Republic of China (PRC) agriculture biotech firm Qi Biodesign's genetically engineered soybeans which will enable future sales in the United States.¹ As you know, the PRC has consistently refused to abide by its own commitments to facilitate the regulatory approval of U.S. agriculture biotechnology, forcing some U.S. agriculture biotech firms to wait years for PRC government approval.² Despite this reality, USDA appears to have facilitated Qi Biodesign's regulatory status review in a matter of weeks, raising questions about the level of due diligence and motivation behind the rapid review.

Qi Biodesign (齐禾生科) is a PRC agriculture biotech firm specializing in gene editing backed by several PRC state-operated funds, including CAS Star (中科创星) which is directly controlled by the Chinese Academy of Sciences.³ Qi Biodesign and other firms like it, play a critical role to General Secretary Xi Jinping's desire to achieve self-reliance in agricultural

¹ U.S. Department of Agriculture. May 29, 2024. "Regulatory Status Review of soybean developed using genetic engineering for loss of function of seed specific FAD2 alleles." <https://www.aphis.usda.gov/sites/default/files/24-116-02rsr-response.pdf>

² U.S. Trade Representative. January 15, 2020. "Economic and Trade Agreement Between the United States of American and the People's Republic of China, Fact Sheet." https://ustr.gov/sites/default/files/files/agreements/phase%20one%20agreement/Phase_One_Agreement-Commodity_Fact_Sheet-Ag_Biotech.pdf

³ Qi Biodesign. September 15, 2023. "Two years of unity, moving forward with confidence – written on the occasion of the second anniversary of Qi Biodesign." <https://shorturl.at/fSAKD>

technology at the clear expense of U.S. farmers and companies.⁴ Furthermore, the PRC's well-documented theft of U.S. intellectual property has repeatedly extended to theft of U.S. agriculture technology, through cyber attacks and outright theft of physical seeds. Given that the Chinese Communist Party sees a direct nexus between agriculture and national security, USDA should be vigilant to protect U.S. farmers from exploitation by the PRC.

Make no mistake, Qi Biodesign and other PRC firms like it are directly supported by the PRC government with the explicit purpose to replicate and replace U.S. agriculture biotechnology. While the PRC is clear-eyed about its desire to never allow its agriculture industry to be reliant on foreign technology, it appears the USDA is approving PRC agriculture biotechnology without concern for U.S. supply chains or trade negotiations. USDA's clearance of Qi Biodesign's products undermines years of hard-nosed U.S. trade demands and could make U.S. farmers complicit in the PRC's desire to replace them.

We realize USDA is involved in efforts to reform its biotechnology program and alleviate RSR backlogs. To be clear, we generally do not have concerns with these regulatory reform efforts. However, we are deeply troubled USDA would swiftly grant RSR for a PRC firm, allowing it to jump to the head of the queue despite the extensive concerns detailed above, while U.S. companies continue to face extensive delay. As such, we ask that you immediately revisit the regulatory status review of Qi Biodesign and ask for a briefing from USDA on the following questions.

1. What steps, if any, does USDA take to protect U.S. supply chains from foreign adversaries when making regulatory decisions?
2. What steps, if any, does USDA take to ensure reciprocity between nations prior to greenlighting another countries' technology?
3. What was the complete timeline of USDA's regulatory status review of Qi Biodesign products?
4. Was USDA's completion of the regulatory status review of Qi Biodesign's products discussed as part of the U.S.-PRC Joint Committee on Cooperation in Agriculture?
5. Did USDA consult with USTR prior to completing the review of Qi Biodesign's products?
6. Will USDA suspend review of PRC-based company submissions until the PRC's Phase 1 commitments in agriculture biotechnology are actually met?

Thank you. We kindly request a response to these questions and a commitment to arrange a briefing between the Select Committee and USDA, no later than August 1, 2024.

⁴ Reuters. December 25, 2022. "China must raise self-reliance in agricultural technology, Xi says." <https://www.reuters.com/world/china/china-must-raise-self-reliance-agricultural-technology-xi-says-2022-12-25/>

Sincerely,



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Chairman



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Member of Congress



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Member of Congress



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Member of Congress



Ashley Hinson
Member of Congress



Ben Cline
Member of Congress

Cc:

The Honorable Antony Blinken, U.S. Secretary of State
The Honorable Katherine Tai, Ambassador, U.S. Trade Representative