

116TH CONGRESS
2D SESSION

S. 3827

To amend the Public Health Service Act to authorize the use of the Strategic National Stockpile to enhance medical supply chain elasticity and establish and maintain domestic reserves of critical medical supplies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2020

Mr. TILLIS (for himself, Mr. BENNET, and Mrs. HYDE-SMITH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to authorize the use of the Strategic National Stockpile to enhance medical supply chain elasticity and establish and maintain domestic reserves of critical medical supplies, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Medical Supplies for
5 Pandemics Act of 2020”.

1 **SEC. 2. SUPPLY CHAIN FLEXIBILITY MANUFACTURING**
2 **PILOT.**

3 (a) IN GENERAL.—Section 319F–2(a)(3) of the Pub-
4 lic Health Service Act (42 U.S.C. 247d–6b(a)(3)) is
5 amended—

6 (1) in subparagraph (I), by striking “and” at
7 the end;

8 (2) in subparagraph (J), by striking the period
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(K) enhance medical supply chain elas-
13 ticity and establish and maintain domestic re-
14 serves of critical medical supplies (including
15 personal protective equipment, ancillary medical
16 supplies, and other applicable supplies required
17 for the administration of drugs, vaccines and
18 other biological products, medical devices, and
19 diagnostic tests) by—

20 “(i) creating incentives for manufac-
21 turers of medical supplies—

22 “(I) to increase emergency stock
23 of critical medical supplies; and

24 “(II) to geographically diversify
25 production of such supplies;

1 “(ii) purchasing, leasing, or entering
2 into joint ventures with respect to, facili-
3 ties and equipment for the production of
4 medical supplies; and

5 “(iii) working with distributors of
6 medical supplies to manage the domestic
7 reserves established under this subpara-
8 graph by refreshing and replenishing stock
9 of critical medical supplies.”.

10 (b) REPORTING; SUNSET.—Section 319F-2(a) of the
11 Public Health Service Act (42 U.S.C. 247d-6b(f)) is
12 amended by adding at the end the following:

13 “(6) REPORTING.—Not later than September
14 30, 2022, the Secretary shall submit to the Com-
15 mittee on Energy and Commerce of the House of
16 Representatives and the Committee on Health, Edu-
17 cation, Labor, and Pensions of the Senate a report
18 on the details of each purchase, lease, or joint ven-
19 ture entered into under paragraph (3)(K), including
20 the amount expended by the Secretary on each such
21 purchase, lease, or joint venture.

22 “(7) SUNSET.—The authority to make pur-
23 chases, leases, or joint ventures pursuant to para-
24 graph (3)(K) shall cease to be effective on Sep-
25 tember 30, 2023.”.

1 (c) FUNDING.—Section 319F–2(f) of the Public
2 Health Service Act (42 U.S.C. 247d–6b(f)) is amended by
3 adding at the end the following:

4 “(3) SUPPLY CHAIN ELASTICITY.—

5 “(A) IN GENERAL.—For the purpose of
6 carrying out subsection (a)(3)(K), there is au-
7 thorized to be appropriated \$500,000,000 for
8 each of fiscal years 2020 through 2023, to re-
9 main available until expended.

10 “(B) RELATION TO OTHER AMOUNTS.—

11 The amount authorized to be appropriated by
12 subparagraph (A) for the purpose of carrying
13 out subsection (a)(3)(K) is in addition to any
14 other amounts available for such purpose.”.

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