

117TH CONGRESS
1ST SESSION

H. R. 346

To establish a program providing grants to certain small business concerns to modify or reallocate their productive facilities to begin or increase production of certain medical supplies critical to addressing the COVID–19 pandemic, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 2021

Ms. DAVIDS of Kansas introduced the following bill; which was referred to the Committee on Small Business

A BILL

To establish a program providing grants to certain small business concerns to modify or reallocate their productive facilities to begin or increase production of certain medical supplies critical to addressing the COVID–19 pandemic, 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 “Shoring Up Personal
5 Protective and Lifesaving Indispensable Equipment Stock-
6 pile Act” or the “SUPPLIES Act”.

1 **SEC. 2. INCREASING PRODUCTION OF CRITICAL MEDICAL**
2 **SUPPLIES.**

3 (a) **ESTABLISHMENT.**—Not later than 15 days after
4 the date of enactment of this Act, the Administrator of
5 the Small Business Administration shall establish a pro-
6 gram to provide grants to modify or reallocate the produc-
7 tive facilities of small business concerns to produce a cov-
8 ered good that is critically needed to address the national
9 emergency related to the COVID–19 pandemic.

10 (b) **APPLICATION.**—A small business concern seeking
11 a grant under this section shall submit to the Adminis-
12 trator an application at such time, in such manner, and
13 containing such information as the Administration may
14 reasonably require.

15 (c) **ELIGIBILITY.**—A small business concern that has
16 not begun modifications or reallocations of the productive
17 facilities of such concern before the date on which the na-
18 tional emergency was declared is eligible to receive a grant
19 under this section to modify or reallocate such productive
20 facilities.

21 (d) **GRANT TERMS.**—

22 (1) **MATCHING REQUIREMENT.**—

23 (A) **IN GENERAL.**—A small business con-
24 cern receiving a grant under this section shall
25 provide non-Federal matching funds equal to
26 not less than 25 percent of the grant.

1 (B) IN-KIND SUPPORT.—The non-Federal
2 matching funds described in subparagraph (A)
3 may include in-kind support.

4 (2) SALE REQUIREMENTS.—With respect to
5 covered goods produced by a grant recipient during
6 the period of the national emergency as a result of
7 a modification or reallocation of productive facilities
8 using grant amounts, such grant recipient, and any
9 parent company or affiliate of such recipient, shall—

10 (A) prioritize the domestic sale of any such
11 covered goods; and

12 (B) sell such covered goods at a price that
13 does not grossly exceed the average price of
14 such covered goods for the 90-day period end-
15 ing on January 31, 2020, for the region in
16 which the grant recipient sells such covered
17 goods, except to the extent that the price rea-
18 sonably reflects additional production costs.

19 (e) PRIORITIES.—In making grants under this Act,
20 the Administrator shall prioritize applications based on—

21 (1) the expected date by which the applicant
22 will begin or increase production of covered goods;

23 (2) the expected number of covered goods that
24 will be produced as a result of a modification or re-

1 allocation of productive facilities using grant
2 amounts; and

3 (3) such other criteria that the Administrator
4 determines to be appropriate.

5 (f) GRANT PERIOD.—Grants under this section may
6 only be made during the period of the national emergency.

7 (g) RULEMAKING.—Not later than 15 days after the
8 date of enactment of this Act, the Administrator shall
9 issue rules to carry out this Act.

10 (h) REPORTS.—

11 (1) INTERIM REPORT.—Not later than 6
12 months after the date of enactment of this Act, the
13 Administrator shall submit to the Committee on
14 Small Business of the House of Representatives and
15 the Committee on Small Business and Entrepre-
16 neurship of the Senate a report on the grants made
17 under this Act, including—

18 (A) the total number and dollar amount of
19 such grants;

20 (B) a list of the recipients of such grants;
21 and

22 (C) with respect to each such grant, how
23 grant funds are being used.

24 (2) FINAL REPORT.—Not later than 1 year
25 after the date of enactment of this Act, the Adminis-

1 trator shall submit to the Committee on Small Busi-
2 ness of the House of Representatives and the Com-
3 mittee on Small Business and Entrepreneurship of
4 the Senate a report evaluating the effect of the pro-
5 gram established under subsection (a) on the re-
6 sponse to the COVID–19 pandemic, including—

7 (A) a description of any covered goods pro-
8 duced by a grant recipient as a result of a
9 modification or reallocation of productive facili-
10 ties using grant amounts;

11 (B) the total number of each such covered
12 good produced;

13 (C) a list of purchasers of more than 500
14 covered goods produced as a result of a modi-
15 fication or reallocation of productive facilities
16 using grant amounts;

17 (D) a description of the overall effect that
18 the manufacturing of covered goods by grant
19 recipients had in meeting the increased demand
20 for such covered goods resulting from the
21 COVID–19 pandemic; and

22 (E) recommendations for continuing or im-
23 proving the program.

1 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated \$100,000,000 through Sep-
3 tember 30, 2021, to carry out this Act.

4 (j) DEFINITIONS.—In this section:

5 (1) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of the Small Busi-
7 ness Administration.

8 (2) COVERED GOOD.—The term “covered good”
9 means invasive or multifunction ventilators, N95
10 respirators, surgical masks, surgical gowns, sani-
11 tizing wipes, nasopharyngeal swabs, viral transport
12 media, procedure masks, hand sanitizer, face shields,
13 or nitrile exam gloves.

14 (3) NATIONAL EMERGENCY.—The term “na-
15 tional emergency” means the national emergency de-
16 clared by the President under the National Emer-
17 gencies Act (50 U.S.C. 1601 et seq.) with respect to
18 COVID–19.

19 (4) SMALL BUSINESS CONCERN.—The term
20 “small business concern” has the same meaning as
21 under section 3 of the Small Business Act (15
22 U.S.C. 632).

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