

117TH CONGRESS
1ST SESSION

H. R. 387

To prevent doses of vaccines for COVID–19 from being wasted, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2021

Mr. BUDD (for himself and Mr. GARCIA of California) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prevent doses of vaccines for COVID–19 from being wasted, 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 “Vaccinate More Ameri-
5 cans Act of 2021”.

1 **SEC. 2. PHASED ALLOCATION INAPPLICABLE WHERE IT IS**
2 **REASONABLY NECESSARY TO PREVENT THE**
3 **EXPIRATION OF ANY DOSE OF VACCINE FOR**
4 **COVID-19.**

5 (a) **IN GENERAL.**—Where it is reasonably necessary
6 to prevent the expiration of any dose of vaccine for
7 COVID-19 purchased from the Federal Government, a
8 vaccine provider may—

9 (1) disregard any phased allocation of such dose
10 under applicable Federal, State, and local law; and

11 (2) administer such dose to an individual who
12 is in the next phased allocation group under applica-
13 ble Federal, State, and local law for which the vac-
14 cine provider can locate individuals available and
15 willing to receive the dose.

16 (b) **PREEMPTION.**—Subsection (a) preempts any
17 State or local law to the contrary.

18 (c) **RULE OF CONSTRUCTION.**—Nothing in sub-
19 section (a) shall be construed to override Federal, State,
20 or local law other than with respect to the phased alloca-
21 tion of dosing.

22 (d) **DEFINITION.**—In this section, the term “phased
23 allocation” means the prioritization of groups for the re-
24 ceipt of the vaccine for COVID-19 as determined by ap-
25 propriate public health authorities.

1 (e) SUNSET.—Subsection (a) shall cease to apply at
2 the end of the public health emergency declared for
3 COVID–19 under section 319 of the Public Health Service
4 Act (42 U.S.C. 247d), including renewals thereof.

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