

117TH CONGRESS
1ST SESSION

S. _____

To amend the Public Health Service Act to authorize the use of the Strategic National Stockpile to enhance domestic 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

Mr. BENNET (for himself and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Public Health Service Act to authorize the use of the Strategic National Stockpile to enhance domestic 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 2021”.

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 domestic medical supply
13 chain elasticity and establish and maintain do-
14 mestic reserves of critical medical supplies (in-
15 cluding personal protective equipment, ancillary
16 medical supplies, testing supplies, and other ap-
17 plicable supplies required for the administration
18 of drugs, vaccines and other biological products,
19 medical devices, and diagnostic tests) by—

20 “(i) creating incentives for the domes-
21 tic manufacturing 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 industrial-based expansion ven-
3 tures with respect to, facilities and equip-
4 ment for the production of medical sup-
5 plies; and

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

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

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

24 “(7) SUNSET.—The authority to make pur-
25 chases, leases, or joint ventures pursuant to para-

1 graph (3)(K) shall cease to be effective on Sep-
2 tember 30, 2024.”.

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

6 “(3) SUPPLY CHAIN ELASTICITY.—

7 “(A) IN GENERAL.—For the purpose of
8 carrying out subsection (a)(3)(K), there is au-
9 thorized to be appropriated \$500,000,000 for
10 each of fiscal years 2021 through 2024, to re-
11 main available until expended.

12 “(B) RELATION TO OTHER AMOUNTS.—
13 The amount authorized to be appropriated by
14 subparagraph (A) for the purpose of carrying
15 out subsection (a)(3)(K) is in addition to any
16 other amounts available for such purpose.”.