

116TH CONGRESS
2D SESSION

H. R. 6879

To enhance American production of certain medical supplies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2020

Ms. SLOTKIN (for herself and Mr. VAN DREW) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To enhance American production of certain 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 “Buy American Medical
5 Supply Chain Act of 2020”.

1 **SEC. 2. ENHANCING AMERICAN PRODUCTION OF CERTAIN**
2 **MEDICAL SUPPLIES.**

3 (a) **IN GENERAL.**—Notwithstanding section 1907 of
4 title 41, United States Code, a commercially available off-
5 the-shelf item procured for the Strategic National Stock-
6 pile under section 319F–2 of the Public Health Service
7 Act (42 U.S.C. 247d–6b) shall be considered manufac-
8 tured in the United States for the purposes of section
9 8302 of title 41, United States Code, if—

10 (1) the item is manufactured in the United
11 States; and

12 (2) the cost of all the components of such item
13 manufactured in the United States exceeds 50 per-
14 cent of the cost of all the components of such item.

15 (b) **APPLICABILITY.**—Subsection (a) applies with re-
16 spect to the procurement of items on or after the date
17 that is 90 days after the date of the enactment of this
18 Act.

19 (c) **DEFINITION.**—In this section, the term “commer-
20 cially available off-the-shelf item” has the meaning given
21 that term in section 104 of title 41, United States Code,
22 except that such term does not include an item that is
23 a drug, vaccine, or other biological product (as such terms
24 are used in section 319F–2 of the Public Health Service
25 Act (42 U.S.C. 247d–6b)).

1 **SEC. 3. PROGRAM TO MAINTAIN AMERICAN SURGE PRO-**
2 **DUCTION CAPACITY.**

3 (a) IN GENERAL.—The Secretary of Health and
4 Human Services shall establish and implement a program
5 to maintain United States industrial production capacity
6 for items in the Strategic National Stockpile under section
7 319F–2 of the Public Health Service Act (42 U.S.C.
8 247d–6b) at a level needed to ensure that domestic needs
9 can be met during a surge in worldwide demand due to
10 a pandemic or other widespread emergency.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated—

13 (1) \$25,000,000 for the period of fiscal years
14 2020 and 2021 to design the program under this
15 section; and

16 (2) \$500,000,000 for each of fiscal years 2021
17 through 2031 to carry out the program under this
18 section.

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