

**AMENDMENT TO THE AMENDMENT IN THE NA-
TURE OF A SUBSTITUTE TO COMMITTEE
PRINT RELATING TO PUBLIC HEALTH
OFFERED BY M__ . _____**

Page 3, line 14, strike “In addition” and insert the following: “(a) IN GENERAL.—In addition”.

Page 4, after line 25, add the following:

1 (b) ADDITIONAL USES OF FUNDS.—Funds made
2 available under subsection (a) may be used carry out the
3 following with respect to the Strategic National Stockpile
4 under section 319F–2(a) of the Public Health Service Act
5 (42 U.S.C. 247d–6b(a)):

6 (1) transfer to any Federal department or
7 agency, on a reimbursable basis, any drugs, vaccines
8 and other biological products, medical devices, and
9 other supplies in the Stockpile, if—

10 (A) the transferred supplies are less than
11 one year from expiry;

12 (B) the stockpile is able to replenish the
13 supplies, as appropriate; and

1 (C) the Secretary decides the transfer is in
2 the best interest of the United States Govern-
3 ment;

4 (2) enter into contracts for the procurement of
5 equipment maintenance services for the Stockpile;

6 (3) enhance medical supply chain elasticity and
7 establish and maintain domestic reserves of critical
8 medical supplies (including personal protective
9 equipment, ancillary medical supplies, and other ap-
10 plicable supplies required for the administration of
11 drugs, vaccines and other biological products, and
12 other medical devices (including diagnostic tests))
13 by—

14 (A) increasing emergency stock of critical
15 medical supplies;

16 (B) geographically diversifying domestic
17 production of such medical supplies, as appro-
18 priate;

19 (C) entering into cooperative agreements
20 or partnerships with respect to manufacturing
21 lines, facilities, and equipment for the domestic
22 production of such medical supplies; and

23 (D) managing, either directly or through
24 cooperative agreements with manufacturers and
25 distributors, domestic reserves established

1 under this subparagraph by refreshing and re-
2 plenishing stock of such medical supplies;

3 (4) conduct a study to investigate the feasibility
4 of establishing user fees to offset certain Federal
5 costs attributable to the procurement of single-
6 source materials for the Strategic National Stockpile
7 and distributions of such materials from the Stock-
8 pile and consider, in conducting such study, to the
9 extent information is available—

10 (A) whether entities receiving such dis-
11 tributions generate profits from those distribu-
12 tions;

13 (B) any Federal costs attributable to such
14 distributions;

15 (C) whether such user fees would provide
16 the Secretary with funding to potentially offset
17 procurement costs of such materials for the
18 Strategic National Stockpile; and

19 (D) any other issues the Secretary identi-
20 fies as relevant;

21 (5) establish a pilot program consisting of
22 awarding grants to States to expand or maintain a
23 strategic stockpile of commercially available drugs,
24 devices, personal protective equipment, and other
25 products deemed by the State to be essential in the

1 event of a public health emergency for use by States
2 to—

3 (A) acquire commercially available prod-
4 ucts determined by the Secretary to be nec-
5 essary for inclusion in the State's strategic
6 stockpile;

7 (B) store, maintain, and distribute prod-
8 ucts in such stockpile; and

9 (C) conduct planning in connection with
10 such activities;

11 (6) in consultation with the Administrator of
12 the Federal Emergency Management Agency—

13 (A) not later than April 1, 2021, issue a
14 report to the Committee on Energy and Com-
15 merce of the House of Representatives and the
16 Committee on Health, Education, Labor, and
17 Pensions of the Senate regarding all State,
18 local, Tribal, and territorial requests for sup-
19 plies from the Strategic National Stockpile re-
20 lated to COVID-19; and

21 (B) not less than every 30 days thereafter
22 through the end of the emergency period (as
23 such term is defined in section 1135(g)(1)(B)
24 of the Social Security Act (42 U.S.C. 1320b-

1 5(g)(1)(B))), submit to such committees an up-
2 dated version of such report; and
3 (7) not later than April 1, 2021, develop and
4 implement improved, transparent processes for the
5 use and distribution of drugs, vaccines and other bi-
6 ological products, medical devices, and other supplies
7 (including personal protective equipment, ancillary
8 medical supplies, and other applicable supplies re-
9 quired for the administration of drugs, vaccines and
10 other biological products, medical devices, and diag-
11 nostic tests) in the Strategic National Stockpile.

