

**AMENDMENT TO THE RULES COMMITTEE PRINT**

**116-57**

**OFFERED BY MR. HILL OF ARKANSAS**

Add at the end the following:

1 **DIVISION F—SECURING AMER-**  
2 **ICA’S VACCINES FOR EMER-**  
3 **GENCIES ACT OF 2020**

4 **SEC. 6001. SHORT TITLE.**

5 This division may be cited as the “Securing Amer-  
6 ica’s Vaccines for Emergencies Act of 2020” or the  
7 “SAVE Act of 2020”.

8 **SEC. 6002. SECURING ESSENTIAL MEDICAL ARTICLES.**

9 (a) STATEMENT OF POLICY.—Section 2(b) of the De-  
10 fense Production Act of 1950 (50 U.S.C. 4502) is amend-  
11 ed—

12 (1) by redesignating paragraphs (3) through  
13 (8) as paragraphs (4) through (9), respectively; and

14 (2) by inserting after paragraph (2) the fol-  
15 lowing:

16 “(3) authorities under this Act should be used  
17 when appropriate to ensure the availability of med-  
18 ical articles essential to national defense, including  
19 through measures designed to secure the drug sup-

1       ply chain, and taking into consideration the impor-  
2       tance of United States competitiveness, scientific  
3       leadership and cooperation, and innovative capac-  
4       ity;”.

5       (b) **STRENGTHENING DOMESTIC CAPABILITY.**—Sec-  
6       tion 107 of the Defense Production Act of 1950 (50  
7       U.S.C. 4517) is amended—

8               (1) in subsection (a), by striking “and indus-  
9       trial resources” and inserting “industrial resources,  
10       and medical articles”; and

11              (2) in subsection (b)(1), by striking “and indus-  
12       trial resources” and inserting “industrial resources,  
13       and medical articles (including drugs to diagnose,  
14       cure, mitigate, treat, or prevent disease) essential to  
15       national defense”.

16       (c) **STRATEGY ON SECURING SUPPLY CHAINS FOR**  
17       **MEDICAL ARTICLES.**—Title I of the Defense Production  
18       Act of 1950 (50 U.S.C. 4511 et seq.) is amended by add-  
19       ing at the end the following:

20       **“SEC. 109. STRATEGY ON SECURING SUPPLY CHAINS FOR**  
21               **MEDICAL ARTICLES.**

22              “(a) **IN GENERAL.**—Not later than 120 days after  
23       the date of the enactment of this section, the President,  
24       in consultation with the Secretary of Health and Human  
25       Services, the Secretary of Commerce, the Secretary of

1 Homeland Security, and the Secretary of Defense, shall  
2 transmit a strategy to the appropriate Members of Con-  
3 gress that includes the following:

4           “(1) A detailed plan to use the authorities  
5 under this title and title III, or any other provision  
6 of law, to ensure the supply of medical articles (in-  
7 cluding drugs to diagnose, cure, mitigate, treat, or  
8 prevent disease) essential to national defense, to the  
9 extent necessary for the purposes of this Act.

10           “(2) An analysis of vulnerabilities to existing  
11 supply chains for such medical articles, and rec-  
12 ommendations to address the vulnerabilities.

13           “(3) Measures to be undertaken by the Presi-  
14 dent to diversify such supply chains, as appropriate  
15 and as required for national defense.

16           “(4) A discussion of—

17                   “(A) any significant effects resulting from  
18 the plan and measures described in this sub-  
19 section on the production, cost, or distribution  
20 of vaccines or any other drugs (as defined  
21 under section 201 of the Federal Food, Drug,  
22 and Cosmetic Act (21 U.S.C. 321));

23                   “(B) a timeline to ensure that essential  
24 components of the supply chain for medical ar-  
25 ticles are not under the exclusive control of a

1 foreign government in a manner that the Presi-  
2 dent determines could threaten the national de-  
3 fense of the United States; and

4 “(C) efforts to mitigate any risks resulting  
5 from the plan and measures described in this  
6 subsection to United States competitiveness,  
7 scientific leadership, and innovative capacity,  
8 including efforts to cooperate and proactively  
9 engage with United States allies.

10 “(b) PROGRESS REPORT.—Following submission of  
11 the strategy under subsection (a), the President shall sub-  
12 mit to the appropriate Members of Congress an annual  
13 progress report evaluating the implementation of the  
14 strategy, and may include updates to the strategy as ap-  
15 propriate. The strategy and progress reports shall be sub-  
16 mitted in unclassified form but may contain a classified  
17 annex.

18 “(c) APPROPRIATE MEMBERS OF CONGRESS.—The  
19 term ‘appropriate Members of Congress’ means the  
20 Speaker, majority leader, and minority leader of the  
21 House of Representatives, the majority leader and minor-  
22 ity leader of the Senate, the Chairman and Ranking Mem-  
23 ber of the Committees on Energy and Commerce and Fi-  
24 nancial Services of the House of Representatives, and the  
25 Chairman and Ranking Member of the Committees on

1 Banking, Housing, and Urban Affairs and Commerce,  
2 Science, and Transportation of the Senate.”.

3 **SEC. 6003. INVESTMENT IN SUPPLY CHAIN SECURITY.**

4 (a) IN GENERAL.—Section 303 of the Defense Pro-  
5 duction Act of 1950 (50 U.S.C. 4533) is amended by add-  
6 ing at the end the following:

7 “(h) INVESTMENT IN SUPPLY CHAIN SECURITY.—

8 “(1) IN GENERAL.—The President may make  
9 available to an eligible entity described in paragraph  
10 (2) payments to increase the security of supply  
11 chains and supply chain activities, if the President  
12 certifies to Congress not less than 30 days before  
13 making such a payment that the payment is impor-  
14 tant to meet national defense requirements of the  
15 United States.

16 “(2) ELIGIBLE ENTITY.—An eligible entity de-  
17 scribed in this paragraph is an entity that—

18 “(A) is organized under the laws of the  
19 United States or any jurisdiction within the  
20 United States; and

21 “(B) produces—

22 “(i) one or more critical components;

23 “(ii) critical technology; or

1                   “(iii) one or more products for the in-  
2                   creased security of supply chains or supply  
3                   chain activities.

4                   “(3) DEFINITIONS.—In this subsection, the  
5                   terms ‘supply chain’ and ‘supply chain activities’  
6                   have the meanings given those terms by the Presi-  
7                   dent by regulation.”.

8                   (b) REGULATIONS.—

9                   (1) IN GENERAL.—Not later than 90 days after  
10                  the date of the enactment of this Act, the President  
11                  shall prescribe regulations setting forth definitions  
12                  for the terms “supply chain” and “supply chain ac-  
13                  tivities” for the purposes of section 303(h) of the  
14                  Defense Production Act of 1950 (50 U.S.C.  
15                  4533(h)), as added by subsection (a).

16                  (2) SCOPE OF DEFINITIONS.—The definitions  
17                  required by paragraph (1)—

18                         (A) shall encompass—

19                                 (i) the organization, people, activities,  
20                                 information, and resources involved in the  
21                                 delivery and operation of a product or serv-  
22                                 ice used by the Government; or

23                                 (ii) critical infrastructure as defined  
24                                 in Presidential Policy Directive 21 (Feb-

1                   ruary 12, 2013; relating to critical infra-  
2                   structure security and resilience); and  
3                   (B) may include variations as determined  
4                   necessary and appropriate by the President for  
5                   purposes of national defense.

