

116TH CONGRESS
2D SESSION

H. R. 6410

To direct the President to use authority under the Defense Production Act of 1950 to ensure an adequate supply of equipment necessary for limiting the spread of COVID-19.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2020

Mr. LARSON of Connecticut introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To direct the President to use authority under the Defense Production Act of 1950 to ensure an adequate supply of equipment necessary for limiting the spread of COVID-19.

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. FINDINGS.**

4 Congress makes the following findings:

5 (1) The global shortage of medical supplies due
6 to the COVID-19 pandemic has paralyzed healthcare
7 systems around the world and threatens to collapse
8 the United States healthcare system.

1 (2) There are approximately 160,000 ventila-
2 tors in the United States.

3 (3) It has been estimated that as many as
4 742,000 could be needed.

5 (4) The Department of Health and Human
6 Services estimated that healthcare providers may
7 need 3,500,000,000 face masks to meet potential
8 long-term need.

9 **SEC. 2. USE OF DEFENSE PRODUCTION ACT AUTHORITY**
10 **FOR EQUIPMENT NECESSARY FOR LIMITING**
11 **SPREAD OF COVID-19.**

12 (a) IN GENERAL.—Immediately upon the enactment
13 of this Act, the President shall—

14 (1) determine under section 101(b) of the De-
15 fense Production Act of 1950 (50 U.S.C. 4511(b))
16 that—

17 (A) medical equipment described in para-
18 graph (3)(B) is scarce and critical material es-
19 sential to the national defense; and

20 (B) the requirements of the national de-
21 fense for such equipment cannot be met without
22 exercising the authorities provided by the De-
23 fense Production Act of 1950 (50 U.S.C. 4501
24 et seq.);

1 (2) identify private sector capacity to produce
2 such equipment; and

3 (3) exercise the authorities provided by the De-
4 fense Production Act of 1950 to the extent nec-
5 essary—

6 (A) to mitigate, where possible, the de-
7 pendency of the United States on overseas
8 sources of supply of each such materials during
9 the global shortage; and

10 (B) to ensure the immediate adequacy of
11 productive capacity and supply of ventilators,
12 N-95 masks and other essential personal pro-
13 tective equipment needed to address the
14 COVID-19 crisis, including at least—

15 (i) 600,000 ventilators; and

16 (ii) 300,000,000 N-95 masks.

17 (b) REPORTS.—Beginning on the date of the declara-
18 tion of a national pandemic or the declaration of a public
19 health emergency and ending on the date that is 7 days
20 after the termination of such pandemic or emergency, the
21 head of the agency coordinating the National response to
22 the pandemic or emergency, shall submit to Congress
23 weekly reports on—

24 (1) the status of the production of equipment,
25 ventilators, and medical protective gear;

1 (2) available resources; and
2 (3) the plan for the distribution of equipment,
3 ventilators, and medical protective gear.

4 (c) TERMINATION.—This section, and authorities
5 carried out pursuant to this section, shall terminate on
6 the date on which the national emergency declared under
7 the National Emergencies Act (50 U.S.C. 1601 et seq.),
8 relating to the COVID-19 outbreak, terminates.

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