

117TH CONGRESS
1ST SESSION

S. 887

To make certain improvements relating to the supply chain of the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2021

Mr. MORAN (for himself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To make certain improvements relating to the supply chain of the Department of Veterans Affairs, 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 “VA Supply Chain Re-
5 siliency Act”.

6 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS SUPPLY**
7 **CHAIN RESILIENCY.**

8 (a) REPORT ON CRITICAL ITEMS AND REQUIRE-
9 MENTS.—Not later than 90 days after the date of the en-
10 actment of this Act, the Secretary of Veterans Affairs

1 shall submit to the Committee on Veterans' Affairs of the
2 Senate and the Committee on Veterans' Affairs of the
3 House of Representatives a report containing each of the
4 following:

5 (1) A description of the items and types of
6 items the Secretary considers critical with respect
7 to—

8 (A) the ongoing response to the
9 Coronavirus 2019 (COVID-19) pandemic; and

10 (B) future epidemic, pandemic, emergency,
11 national emergency, or natural disaster sce-
12 narios.

13 (2) The quantities of the items described in
14 paragraph (1) that are available, as of the date of
15 the enactment of this Act, in inventories, emergency
16 caches, or other emergency inventories of the De-
17 partment of Veterans Affairs.

18 (3) The anticipated quantities of the items de-
19 scribed in paragraph (1) that would be necessary
20 under potential epidemic, pandemic, emergency, na-
21 tional emergency, or natural disaster scenarios the
22 Secretary determines to be relevant for planning
23 purposes.

24 (4) The assumptions and key planning factors
25 used by the Secretary to identify the items, types of

1 items, and necessary quantities of items for types of
2 scenarios, as described in paragraphs (1) and (3).

3 (b) PARTICIPATION IN WARSTOPPER PROGRAM.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Veterans Affairs and the Secretary of De-
7 fense shall enter into an agreement to provide for
8 the participation of the Department of Veterans Af-
9 fairs in the program known as the “Warstopper Pro-
10 gram” of the Defense Logistics Agency, or any suc-
11 cessor program.

12 (2) REQUIREMENTS.—Pursuant to the agree-
13 ment under paragraph (1), the Defense Logistics
14 Agency shall—

15 (A) ensure the maintenance and stability
16 of the items that are identified as critical in the
17 report required under subsection (a) and that
18 the Secretary of Veterans Affairs and the Sec-
19 retary of Defense determine are appropriate for
20 the Warstopper Program;

21 (B) establish guidance for the participation
22 of the Department of Veterans Affairs in the
23 Warstopper Program that includes an identi-
24 fication of the items and types of items that are

critical to the needs of the Department of Veterans Affairs; and

(C) use existing contracts and agreements and enter into new contracts and agreements, as necessary, with manufacturers and distributors to reserve the supply of such critical items rather than rely on holding physical inventories of such items.

(c) REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of this section.

(2) CONTENTS.—The report submitted under paragraph (1) shall contain each the following:

(A) An implementation plan for the participation of the Department of Veterans Affairs in the Warstopper Program, including milestones and timelines for related administrative, contracting, and readiness activities.

1 (B) For each of the items and associated
2 quantities identified in paragraphs (1) and (3)
3 of subsection (a)—

4 (i) the method by which the Secretary
5 of Veterans Affairs plans to ensure the De-
6 partment continues to have access to ade-
7 quate quantities of such items and types of
8 items, including in the Warstopper Pro-
9 gram and in regional, physical inventories;
10 and

11 (ii) justifications for the method or
12 methods identified under clause (i).

13 (3) UPDATES TO REPORT.—The Secretary shall
14 update the report required under paragraph (1) on
15 an annual basis for each of the two years following
16 the submission of the report under such paragraph
17 and submit such updates to the Committee on Vet-
18 erans' Affairs of the Senate and the Committee on
19 Veterans' Affairs of the House of Representatives.

20 (d) PROHIBITION ON EXCLUSIVE RELIANCE ON RE-
21 GIONAL INVENTORIES.—The Secretary of Veterans Af-
22 fairs shall ensure that the Department does not exclusively
23 rely on holding regional, physical inventories of critical
24 items in order to respond to greater than expected needs

- 1 for such items during epidemic, pandemic, emergency, na-
- 2 tional emergency, or natural disaster situations.

