

116TH CONGRESS  
2D SESSION

# H. R. 6398

To provide for the expedited procurement of equipment needed to combat  
COVID–19 under the Defense Production Act of 1950.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2020

Mr. CROW (for himself, Ms. PORTER, Mr. SEAN PATRICK MALONEY of New York, Ms. PRESSLEY, Ms. BARRAGÁN, Mrs. NAPOLITANO, Mr. LARSON of Connecticut, Mrs. FLETCHER, Mr. SUOZZI, Mr. NEGUSE, Ms. FRANKEL, Mr. MCGOVERN, Mr. KHANNA, Mr. CASTRO of Texas, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. RASKIN, Mr. ROUDA, Mr. COX of California, Ms. ROYBAL-ALLARD, Mr. POCAN, Mr. NADLER, Mrs. HAYES, Ms. KUSTER of New Hampshire, Mr. MALINOWSKI, and Mr. KILMER) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure, 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

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## A BILL

To provide for the expedited procurement of equipment needed to combat COVID–19 under the Defense Production Act of 1950.

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 “Frontline Health Care  
5 Workers Assistance Act”.

1 **SEC. 2. EXPEDITED PROCUREMENT OF EQUIPMENT NEED-**  
2 **ED TO COMBAT COVID-19.**

3 (a) REPORT REQUIRED.—Not later than 7 days after  
4 the date of the enactment of this Act, the National Re-  
5 sponse Coordination Center of the Federal Emergency  
6 Management Agency, in coordination with the Defense  
7 Logistics Agency and the Department of Veterans Affairs,  
8 and in consultation with the Department of Health and  
9 Human Services, shall submit to Congress and the Presi-  
10 dent a report that includes—

11 (1) an assessment of the need across the United  
12 States for equipment necessary to prevent, identify,  
13 and mitigate cases of coronavirus disease 2019  
14 (commonly known as “COVID-19”), including per-  
15 sonal protective equipment and ventilators;

16 (2) an identification of the industry sectors and  
17 manufacturers most ready to fulfill purchase orders  
18 for such equipment; and

19 (3) an identification of government and pri-  
20 vately owned stockpiles of equipment not included in  
21 the Strategic National Stockpile that could be re-  
22 paired or refurbished.

23 (b) PURCHASE ORDERS.—

24 (1) IMMEDIATE PURCHASES.—Not later than  
25 24 hours after the enactment of this Act, the Presi-  
26 dent shall issue a “DX” rated priority purchase

1 order pursuant to Department of Defense Directive  
2 4400.1 to procure 300,000,000 N95 respirators and  
3 facemasks under authorities provided by the Defense  
4 Production Act of 1950 (50 U.S.C. 4501 et seq.).

5 (2) ADDITIONAL PURCHASES.—Not later than 7  
6 days after receiving the report required by sub-  
7 section (a), the President shall issue “DX” rated  
8 priority purchase orders pursuant to Department of  
9 Defense Directive 4400.1 to procure equipment iden-  
10 tified under paragraph (1) of that subsection under  
11 authorities provided by the Defense Production Act  
12 of 1950 (50 U.S.C. 4501 et seq.).

13 (c) WAIVER OF CERTAIN REQUIREMENTS.—The re-  
14 quirements of sections 301(d)(1)(A), 302(d)(1), and sub-  
15 paragraphs (B) and (C) of section 303(a)(6) of the De-  
16 fense Production Act of 1950 (50 U.S.C. 4531(d)(1)(A),  
17 4532(d)(1), and 4533(a)(6)) are waived for purposes of  
18 this section.

19 (d) FUNDING.—Amounts available in the Defense  
20 Production Act Fund under section 304 of the Defense  
21 Production Act of 1950 (50 U.S.C. 4534) shall be avail-  
22 able for purchases made under this section.

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