

116TH CONGRESS
2D SESSION

S. 3942

To establish the position of Chief Pharmaceutical and Medical Supply Chain Negotiator in the Office of the United States Trade Representative, to be responsible for conducting trade negotiations and enforcing trade agreements related to acts, policies, and practices of foreign governments that fail to appropriately reward United States innovation with respect to pharmaceuticals, to advance domestic production of life-saving medicines, and to secure the United States medical supply chain to eliminate reliance on foreign governments, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2020

Mrs. LOEFFLER introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To establish the position of Chief Pharmaceutical and Medical Supply Chain Negotiator in the Office of the United States Trade Representative, to be responsible for conducting trade negotiations and enforcing trade agreements related to acts, policies, and practices of foreign governments that fail to appropriately reward United States innovation with respect to pharmaceuticals, to advance domestic production of life-saving medicines, and to secure the United States medical supply chain to eliminate reliance on foreign governments, 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 “Securing America’s
 5 Medical Supply Chain and Advancing the Production of
 6 Life Saving Medicines Act”.

7 **SEC. 2. CHIEF PHARMACEUTICAL AND MEDICAL SUPPLY**
 8 **CHAIN NEGOTIATOR.**

9 (a) IN GENERAL.—Section 141 of the Trade Act of
 10 1974 (19 U.S.C. 2171) is amended—

11 (1) in subsection (b)(2)—

12 (A) by striking “and one Chief Innovation
 13 and Intellectual Property Negotiator” and in-
 14 serting “one Chief Innovation and Intellectual
 15 Property Negotiator, and one Chief Pharma-
 16 ceutical and Medical Supply Chain Negotiator”;

17 (B) by striking “or the Chief Innovation
 18 and Intellectual Property Negotiator” and in-
 19 serting “the Chief Innovation and Intellectual
 20 Property Negotiator, or the Chief Pharma-
 21 ceutical and Medical Supply Chain Negotiator”;
 22 and

23 (C) by striking “and the Chief Innovation
 24 and Intellectual Property Negotiator” and in-
 25 serting “the Chief Innovation and Intellectual

1 Property Negotiator, and the Chief Pharma-
 2 ceutical and Medical Supply Chain Negotiator”;
 3 and

4 (2) in subsection (c), by adding at the end the
 5 following new paragraph:

6 “(7) The principal function of the Chief Pharma-
 7 ceutical and Medical Supply Chain Negotiator shall be to
 8 conduct trade negotiations and to enforce trade agree-
 9 ments relating to United States pharmaceutical products
 10 and services and medical supply chains. The Chief Phar-
 11 maceutical and Medical Supply Chain Negotiator shall be
 12 a vigorous advocate on behalf of United States pharma-
 13 ceutical and medical supply chain interests. The Chief
 14 Pharmaceutical and Medical Supply Chain Negotiator
 15 shall perform such other functions as the United States
 16 Trade Representative may direct.”.

17 (b) COMPENSATION.—Section 5314 of title 5, United
 18 States Code is amended by striking “Chief Innovation and
 19 Intellectual Property Negotiator, Office of the United
 20 States Trade Representative.” and inserting the following:

21 “Chief Innovation and Intellectual Property Nego-
 22 tiator, Office of the United States Trade Representative.

23 “Chief Pharmaceutical and Medical Supply Chain
 24 Negotiator, Office of the United States Trade Representa-
 25 tive.”.

1 (c) REPORT REQUIRED.—Not later than one year
2 after the appointment of the first Chief Pharmaceutical
3 and Medical Supply Chain Negotiator pursuant to para-
4 graph (2) of section 141(b) of the Trade Act of 1974, as
5 amended by subsection (a), and annually thereafter, the
6 United States Trade Representative shall submit to the
7 Committee on Finance of the Senate and the Committee
8 on Ways and Means of the House of Representatives a
9 report describing in detail—

10 (1) enforcement actions taken by the Trade
11 Representative during the one-year period preceding
12 the submission of the report to ensure the protection
13 of United States pharmaceutical products and serv-
14 ices and medical supply chains; and

15 (2) other actions taken by the Trade Represent-
16 ative to advance United States pharmaceutical prod-
17 ucts and services and medical supply chain interests.

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