

116TH CONGRESS  
2D SESSION

# H. R. 6878

To direct the Secretary of Health and Human Services to develop and implement improved, transparent processes for the use and distribution of supplies in the Strategic National Stockpile, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2020

Ms. SLOTKIN introduced the following bill; which was referred to the  
Committee on Energy and Commerce

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## A BILL

To direct the Secretary of Health and Human Services to develop and implement improved, transparent processes for the use and distribution of supplies in the Strategic National Stockpile, 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. IMPROVED, TRANSPARENT PROCESSES FOR**  
4 **THE STRATEGIC NATIONAL STOCKPILE.**

5 (a) IN GENERAL.—Not later than January 1, 2021,  
6 the Secretary of Health and Human Services, in collabora-  
7 tion with the Assistant Secretary for Preparedness and  
8 Response and the Director of the Centers for Disease Con-

1 trol and Prevention, shall develop and implement im-  
2 proved, transparent processes for the use and distribution  
3 of drugs, vaccines and other biological products, medical  
4 devices, and other supplies (including personal protective  
5 equipment, ancillary medical supplies, and other applicable  
6 supplies required for the administration of drugs, vaccines  
7 and other biological products, medical devices, and diag-  
8 nostic tests) in the Strategic National Stockpile under sec-  
9 tion 319F–2 of the Public Health Service Act (42 U.S.C.  
10 247d–6b) (in this section referred to as the “Stockpile”).

11 (b) PROCESSES.—The processes developed under  
12 subsection (a) shall include—

13 (1) the form and manner in which States, local-  
14 ities, Tribes, and territories are required to submit  
15 requests for supplies from the Stockpile;

16 (2) the criteria used by the Secretary of Health  
17 and Human Services in responding to such requests,  
18 including the reasons for fulfilling or denying such  
19 requests;

20 (3) what circumstances result in prioritization  
21 of distribution of supplies from the Stockpile to  
22 States, localities, Tribes, or territories;

23 (4) clear plans for future, urgent communica-  
24 tion between the Secretary and States, localities,

1 Tribes, and territories regarding the outcome of  
2 such requests; and

3 (5) any differences in the processes developed  
4 under subsection (a) for geographically related emer-  
5 gencies, such as weather events, and national emer-  
6 gencies, such as pandemics.

7 (c) CLASSIFICATION.—The processes developed under  
8 subsection (a) shall be unclassified to the greatest extent  
9 possible consistent with national security. The Secretary  
10 of Health and Human Services may classify portions of  
11 such processes as necessary to protect national security.

12 (d) REPORT TO CONGRESS.—Not later than January  
13 1, 2021, the Secretary of Health and Human Services  
14 shall—

15 (1) submit a report to the Committee on En-  
16 ergy and Commerce of the House of Representatives  
17 and the Committee on Health, Education, Labor,  
18 and Pensions of the Senate regarding the improved,  
19 transparent processes developed under this section;

20 (2) include in such report recommendations for  
21 opportunities for communication (by telebriefing,  
22 phone calls, or in-person meetings) between the Sec-  
23 retary and States, localities, Tribes, and territories  
24 regarding such improved, transparent processes; and

1           (3) submit such report in unclassified form to  
2       the greatest extent possible, except that the Sec-  
3       retary may include a classified appendix if necessary  
4       to protect national security.

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