

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

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 SENATE OF THE UNITED STATES

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Ms. BALDWIN introduced the following bill; which was read twice and referred  
to the Committee on \_\_\_\_\_

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## A BILL

To provide for the expedited procurement of equipment need-  
ed 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. EXPEDITED PROCUREMENT OF EQUIPMENT**  
4 **NEEDED TO COMBAT COVID-19.**

5 (a) REPORT REQUIRED.—Not later than 7 days after  
6 the date of the enactment of this Act, the National Re-  
7 sponse Coordination Center of the Federal Emergency  
8 Management Agency, in coordination with the Defense  
9 Logistics Agency and in consultation with the Department

1 of Health and Human Services, shall submit to Congress  
2 and the President a report that includes—

3 (1) an assessment of the need across the United  
4 States for equipment necessary to prevent, identify,  
5 and mitigate cases of coronavirus disease 2019  
6 (commonly known as “COVID-19”), including per-  
7 sonal protective equipment and ventilators;

8 (2) an identification of the industry sectors and  
9 manufacturers most ready to fulfill purchase orders  
10 for such equipment; and

11 (3) an identification of government and pri-  
12 vately owned stockpiles of equipment not included in  
13 the Strategic National Stockpile that could be re-  
14 paired or refurbished.

15 (b) PURCHASE ORDERS.—

16 (1) IMMEDIATE PURCHASES.—Not later than  
17 24 hours after the enactment of this Act, the Presi-  
18 dent shall issue a “DX” rated priority purchase  
19 order pursuant to Department of Defense Directive  
20 4400.1 to procure 300,000,000 N95 respirators and  
21 facemasks under authorities provided by the Defense  
22 Production Act of 1950 (50 U.S.C. 4501 et seq.).

23 (2) ADDITIONAL PURCHASES.—Not later than 7  
24 days after receiving the report required by sub-  
25 section (a), the President shall issue “DX” rated

1 priority purchase orders pursuant to Department of  
2 Defense Directive 4400.1 to procure equipment iden-  
3 tified under paragraph (1) of that subsection under  
4 authorities provided by the Defense Production Act  
5 of 1950 (50 U.S.C. 4501 et seq.).

6 (c) WAIVER OF CERTAIN REQUIREMENTS.—The re-  
7 quirements of sections 301(d)(1)(A), 302(d)(1), and sub-  
8 paragraphs (B) and (C) of section 303(a)(6) of the De-  
9 fense Production Act of 1950 (50 U.S.C. 4531(d)(1)(A),  
10 4532(d)(1), and 4533(a)(6)) are waived for purposes of  
11 this section.

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