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(Original Signature of Member)

116TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To require the President to use authorities under the Defense Production Act of 1950 to require emergency production of the supplies necessary for distributing and administering the COVID–19 vaccine, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. CRIST introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To require the President to use authorities under the Defense Production Act of 1950 to require emergency production of the supplies necessary for distributing and administering the COVID–19 vaccine, 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 “COVID–19 Vaccine  
5 Distribution and Production Act”.

1 **SEC. 2. EMERGENCY PRODUCTION OF THE SUPPLIES NEC-**  
2 **CESSARY FOR EQUITABLY DISTRIBUTING AND**  
3 **ADMINISTERING THE COVID-19 VACCINE.**

4 (a) IN GENERAL.—Not later than 1 day after the  
5 date of the enactment of this section, the President shall—

6 (1) determine under section 101(b) of the De-  
7 fense Production Act of 1950 (50 U.S.C. 4511(b))  
8 that—

9 (A) supplies necessary for equitably dis-  
10 tributing and administering the COVID-19 vac-  
11 cine are a scarce and critical material essential  
12 to the national defense; and

13 (B) the requirements of the national de-  
14 fense for the supplies necessary for equitably  
15 distributing and administering the COVID-19  
16 vaccine cannot be met without exercising the  
17 authorities provided by the Defense Production  
18 Act of 1950 (50 U.S.C. 4501 et seq.);

19 (2) identify private sector capacity to produce  
20 the supplies necessary for equitably distributing and  
21 administering the COVID-19 vaccine; and

22 (3) exercise the authorities provided by the De-  
23 fense Production Act of 1950 (50 U.S.C. 4501 et  
24 seq.) to the extent necessary—

1 (A) to require emergency production of the  
2 supplies necessary for equitably distributing  
3 and administering the COVID–19 vaccine; and

4 (B) to establish a fair and reasonable price  
5 for the sale of the supplies produced pursuant  
6 to subparagraph (A).

7 (b) COORDINATION.—The President shall coordinate  
8 and direct the equitable distribution of the supplies pro-  
9 duced under subsection (a)(3)(A) based on—

10 (1) requests submitted to the President by the  
11 Governors of the States; and

12 (2) the needs of the States, as determined  
13 based on the populations of each State.

14 (c) FUNDING.—Amounts available in the Defense  
15 Production Act Fund under section 304 of the Defense  
16 Production Act of 1950 (50 U.S.C. 4534) shall be avail-  
17 able to carry out this section.

18 (d) TERMINATION.—

19 (1) IN GENERAL.—This section shall terminate  
20 on the date on which there are no remaining re-  
21 quests under subsection (b)(1).

22 (2) DISPOSITION OF UNUSED SUPPLIES NEC-  
23 ESSARY FOR EQUITABLY DISTRIBUTING OR ADMIN-  
24 ISTERING THE COVID–19 VACCINE.—Any supplies  
25 produced pursuant to subsection (a)(3)(A) using

1 amounts from the Defense Production Act Fund and  
2 unused as of the date described in paragraph (1)  
3 shall be deposited in the Strategic National Stock-  
4 pile under section 319F–2 of the Public Health  
5 Service Act (42 U.S.C. 247d–6b), including any  
6 such supplies authorized for emergency use under  
7 section 564 of the Federal Food, Drug, and Cos-  
8 metic Act (21 U.S.C. 360bbb–3).

9 (e) DEFINITIONS.—In this section:

10 (1) COVID–19 VACCINE.—The term “COVID-  
11 19 vaccine” means a vaccine to prevent or mitigate  
12 COVID–19 that the Food and Drug Administration  
13 licenses or authorizes for emergency use.

14 (2) STATE.—The term “State” includes the  
15 District of Columbia, the Commonwealth of Puerto  
16 Rico, the Virgin Islands, Guam, American Samoa,  
17 and the Commonwealth of the Northern Mariana Is-  
18 lands.