

**AMENDMENT TO H.R. 8800**  
**OFFERED BY MS. TOKUDA OF HAWAII**

Add at the appropriate place in title VII the following new section:

1 **SEC. 7\_\_\_ . PROTECTION OF SUPPLY CHAIN OF CERTAIN**  
2 **DRUGS.**

3 (a) REQUIREMENT.—Chapter 55 of title 10, United  
4 States Code, is amended by adding at the end the following new section:

6 **“§ 1110c. Protection of supply chain of certain drugs**

7 “(a) CONTRACT AUTHORITY.—(1) The Secretary  
8 may enter into contracts (known as ‘drug supply reliability  
9 contracts’) to acquire covered drugs and critical drugs  
10 that are manufactured without dependence upon an active  
11 pharmaceutical ingredient, a key starting material, an excipient,  
12 a reagent, or a solvent from the People’s Republic  
13 of China.

14 “(2) The Secretary may include in a contract under  
15 paragraph (1) a premium to cover the costs of ensuring  
16 that the drug covered by such contract does not include  
17 an active pharmaceutical ingredient, a key starting material,  
18 an excipient, a reagent, or a solvent, used in the man-

1 ufacture of such drug from the People's Republic of  
2 China.

3 “(3) The Secretary may extend a contract under  
4 paragraph (1) for a period of not more than five years.

5 “(b) DEFINITIONS.—In this section:

6 “(1) The term ‘covered drug’ means the fol-  
7 lowing:

8 “(A) Penicillin.

9 “(B) Amoxicillin.

10 “(2) The term ‘critical drug’ means drugs not  
11 covered by paragraph (1) that, if unavailable, would  
12 threaten the health and safety of members of the  
13 armed forces, as determined by the Secretary.”.

14 (b) REPORT.—Not later than 180 days after the date  
15 of the enactment of this Act, the Secretary of Defense  
16 shall submit to the congressional defense committees (as  
17 defined in section 101 of title 10, United States Code)  
18 a report that includes the following:

19 (1) The list of critical drugs covered by section  
20 1110c of title 10, United States Code, as added by  
21 subsection (a).

22 (2) A plan for carrying out subsection (a) of  
23 such section 1110c.

