

116TH CONGRESS
2D SESSION

H. R. 7288

To direct the Secretary of Health and Human Services and other Federal officials to compile into a searchable database information relating to Federal support for biomedical research and development related to COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2020

Mr. DOGGETT (for himself, Mr. ROONEY of Florida, Ms. SCHAKOWSKY, Ms. DELAURO, Mr. DEFazio, Mr. POCAN, and Ms. JAYAPAL) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, Veterans' Affairs, Science, Space, and Technology, the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Health and Human Services and other Federal officials to compile into a searchable database information relating to Federal support for biomedical research and development related to COVID–19, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Taxpayer Research
3 and Coronavirus Knowledge Act of 2020”.

4 **SEC. 2. DATABASE.**

5 (a) IN GENERAL.—The Secretary of Health and
6 Human Services, the Director of the National Institutes
7 of Health, the Assistant Secretary for Preparedness and
8 Response of the Department of Health and Human Serv-
9 ices, the Director of the Biomedical Advanced Research
10 and Development Authority, the Secretary of Defense, the
11 Secretary of Veterans Affairs, the Director of the National
12 Institute of Allergy and Infectious Diseases, and such
13 other Federal officials as the Secretary of Health and
14 Human Services determines to be relevant, acting in co-
15 ordination, shall—

16 (1) compile into a searchable database informa-
17 tion relating to Federal support (before or after the
18 date of enactment of this Act) for biomedical re-
19 search and development related to COVID–19 (in-
20 cluding biomedical research and development relat-
21 ing to a product or therapy that was later modified
22 or repurposed to be used for COVID–19); and

23 (2) make such database available on the public
24 website of the Department of Health and Human
25 Services.

1 (b) COVERED INFORMATION.—The information relat-
2 ing to Federal support referred to in subsection (a)(1) in-
3 cludes all contracts, funding agreements, licensing ar-
4 rangements, other transactions, and other arrangements
5 entered into by the Federal Government and tax benefits
6 provided with respect to research and development, and
7 manufacturing, of a drug (including biological products),
8 cell or gene therapy, or medical device intended to be man-
9 ufactured, used, designed, developed, modified,
10 repurposed, licensed, or procured to diagnose, mitigate,
11 prevent, treat, or cure COVID–19, including but not lim-
12 ited to the following:

13 (1) Licensing agreements pursuant to section
14 207 of title 35, United States Code.

15 (2) Cooperative research and development
16 agreements and licensing agreements pursuant to
17 section 3710a of title 15, United States Code.

18 (3) Funding agreements, as defined under sec-
19 tion 201 of title 35, United States Code.

20 (4) Other transactions entered into pursuant to
21 the following statutes:

22 (A) Section 319L of the Public Health
23 Service Act (42 U.S.C. 247d–7e).

1 (B) Section 105 of the National Institutes
2 of Health Reform Act of 2006 (42 U.S.C.
3 284n).

4 (C) Section 480 of the Public Health Serv-
5 ice Act (42 U.S.C. 287a).

6 (D) Section 421 of the Public Health Serv-
7 ice Act (42 U.S.C. 285b-3).

8 (E) Section 2371 of title 10, United States
9 Code.

10 (5) Tax credits and deductions associated
11 with—

12 (A) qualified clinical testing expenses, as
13 defined under section 45C of title 26, United
14 States Code;

15 (B) qualified research expenses, as defined
16 under section 41 of title 26, United States
17 Code; and

18 (C) charitable contributions, as defined
19 under section 170(c) of title 26, United States
20 Code, to patient assistance programs.

21 (c) INFORMATION REQUIRED.—Notwithstanding any
22 other provision of law, the Federal officials referred to in
23 subsection (a) shall include in the database under sub-
24 section (a), with regard to each contract, funding agree-
25 ment, licensing arrangement, other transaction, other ar-

1 rangement, or tax benefit described in subsection (b), at
2 least the following information:

3 (1) The agency, program, institute, or other
4 Federal Government entity providing the Federal
5 support.

6 (2) The amount and period of Federal financial
7 support with an itemized breakdown.

8 (3) Other Federal nonfinancial support, includ-
9 ing but not limited to the use of Federal personnel,
10 Federal facilities, and Federal equipment.

11 (4) The grant number, if applicable.

12 (5) Associated clinical trial data, upon trial
13 completion.

14 (6) Associated patents and patent applications,
15 specifying—

16 (A) any Federal ownership in such patents
17 and patent applications;

18 (B) the expiration date of such patents
19 and filing dates of such patent applications; and

20 (C) the numbers of such patents and pat-
21 ent applications.

22 (7) Associated periods of marketing exclusivity
23 under Federal law and the durations of such peri-
24 ods.

1 (8) The corporation, nonprofit organization,
2 academic institution, person, or other entity receiv-
3 ing the Federal support.

4 (9) Any products (including repurposed prod-
5 ucts) approved, authorized, or cleared for marketing,
6 or for which marketing approval, authorization, or
7 clearance is being sought, the development of which
8 was aided by Federal support, including—

9 (A) the names of such products;

10 (B) the prices of such products; and

11 (C) the current and anticipated manufac-
12 turing capacity to produce such products.

13 (10) The full terms of the contract, funding
14 agreement, licensing arrangement, other transaction,
15 or other arrangement described in subsection (b).

16 (d) **FORMAT OF INFORMATION.**—The database under
17 subsection (a) shall be—

18 (1) searchable and filterable according to the
19 categories of information described in subsection (c);
20 and

21 (2) presented in a user-friendly format.

22 (e) **TIMING.**—The database under subsection (a)
23 shall be—

24 (1) made publicly available not later than 1
25 month of the date of enactment of this Act; and

1 (2) updated not less than every 2 weeks.

2 (f) DISCLOSURE.—

3 (1) IN GENERAL.—Notwithstanding any other
4 provision of law, to the extent necessary for an offi-
5 cial referred to in subsection (a) to carry out this
6 section, such official may require entities receiving
7 Federal support referred to in subsection (a)(1) to
8 disclose to the official any information relating to
9 such Federal support and required to be included in
10 the database under subsection (a).

11 (2) PENALTY FOR NONDISCLOSURE.—If an en-
12 tity that is required to disclose information pursuant
13 to paragraph (1) fails to disclose such information
14 within a reasonable period of time or within two
15 weeks of the official requesting such information,
16 whichever is sooner, then such entity and all execu-
17 tive officers employed by such entity shall no longer
18 be eligible for the receipt of Federal support in the
19 form of a contract, funding agreement, licensing ar-
20 rangement, other transaction, or other arrangement.

○