

116TH CONGRESS  
2D SESSION

# H. R. 8604

To direct the Secretary of Health and Human Services to maintain an internet clearinghouse of information on suppliers of personal protective equipment needed to prevent the spread of COVID–19 or any other pathogen triggering a public health emergency declaration, including information on the quality and availability of such equipment, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2020

Mr. KIM (for himself and Mr. SCHNEIDER) 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 maintain an internet clearinghouse of information on suppliers of personal protective equipment needed to prevent the spread of COVID–19 or any other pathogen triggering a public health emergency declaration, including information on the quality and availability of such equipment, 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 “Protecting Essential  
3 Workers Act”.

4 **SEC. 2. NATIONAL COVID-19 PERSONAL PROTECTIVE**  
5 **EQUIPMENT CLEARINGHOUSE.**

6 (a) **IN GENERAL.**—Beginning not later than 2  
7 months after the date of enactment of this Act, the Sec-  
8 retary of Health and Human Services shall establish and  
9 maintain an internet clearinghouse of information on sup-  
10 pliers of personal protective equipment needed to prevent  
11 the spread of COVID-19 or any other pathogen triggering  
12 a public health emergency declaration.

13 (b) **REQUIREMENTS.**—Subject to subsection (c), the  
14 internet clearinghouse established under subsection (a)  
15 shall—

16 (1) identify available personal protective equip-  
17 ment by—

18 (A) conducting outbound sourcing to iden-  
19 tify manufacturers and distributors of personal  
20 protective equipment;

21 (B) soliciting information from manufac-  
22 turers and distributors of available personal  
23 protective equipment;

24 (C) verifying manufacturer and distributor  
25 regulatory status;

1 (D) verifying supporting documentation of  
2 supplier registration, factory, and product cer-  
3 tifications;

4 (E) collecting information on product pric-  
5 ing, minimum order quantities, lead time, sup-  
6 ply resilience, and availability; and

7 (F) verifying product prices to ensure that  
8 no price violates antiprice gouging laws;

9 (2) provide transparent information about per-  
10 sonal protective equipment availability, dissemina-  
11 tion, and procurement opportunities by making  
12 available information collected pursuant to para-  
13 graph (1); and

14 (3) be established in a manner that allows the  
15 information collected to be available to the public  
16 and government, including—

17 (A) health care providers;

18 (B) workers deemed essential by public of-  
19 ficials during the COVID–19 pandemic and any  
20 subsequent pandemics triggering public health  
21 emergency declarations;

22 (C) any State, local, or Tribal government;

23 and

24 (D) local emergency operations centers and  
25 health departments.

1           (c) INCLUSION OF SUPPLIERS ONLY ON VOLUNTARY  
2 BASIS.—The Secretary may include in the internet clear-  
3 inghouse established under subsection (a) information  
4 with respect to a supplier (including any manufacturer or  
5 distributor) only if the supplier agrees to be referenced  
6 in the clearinghouse, in which case the supplier shall agree  
7 to provide to the Secretary the information listed in sub-  
8 section (b)(1).

9           (d) DEFINITIONS.—In this section:

10           (1) The term “personal protective equip-  
11 ment”—

12                   (A) means equipment designated to protect  
13 individuals from the spread of infection or ill-  
14 ness, as determined by the Secretary; and

15                   (B) includes any such disinfecting wipes,  
16 helmets, gloves, face shields, hand sanitizer,  
17 goggles, facemasks, protective clothing, and res-  
18 pirators.

19           (2) The term “State” means the 50 States, the  
20 District of Columbia, the Commonwealth of Puerto  
21 Rico, the United States Virgin Islands, Guam, the  
22 Commonwealth of the Northern Mariana Islands,  
23 and American Samoa.

1           (3) The term “Tribal”, with respect to a de-  
2           partment of health (or health department), in-  
3           cludes—

4                   (A) Indian Tribes that—

5                           (i) are operating 1 or more health fa-  
6                           cilities pursuant to an agreement under the  
7                           Indian Self-Determination and Education  
8                           Assistance Act (25 U.S.C. 5301 et seq.);

9                           or

10                           (ii) receive services from a facility op-  
11                           erated by the Indian Health Services; and

12                   (B) Tribal organizations (as the term  
13                   “tribal organization” is defined in section 4 of  
14                   the Indian Self-Determination and Education  
15                   Assistance Act (25 U.S.C. 5304)) and Urban  
16                   Indian organizations (as defined in section 4 of  
17                   the Indian Health Care Improvement Act (25  
18                   U.S.C. 1603)).

19           (e) AUTHORIZATION OF APPROPRIATIONS.—There  
20           are authorized to be appropriated such sums as may be  
21           necessary to carry out this section, to be derived exclu-  
22           sively from unobligated amounts in the Public Health and  
23           Social Emergency Fund.

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