

[SA 1920](#). Mr. SANDERS submitted an amendment intended to be proposed by him to the bill [S. 4049](#), to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_. ESTABLISHING A NATIONAL PROGRAM TO DISTRIBUTE FACE MASKS DURING THE COVID-19 EMERGENCY.

(a) Establishment of Program.--

(1) In general.--Not later than 30 days after the date of enactment of this Act, the President, acting through the Administrator, in coordination with the Secretary, the Postmaster General, and the heads of any other relevant Federal agencies, and in consultation with Governors and appropriate labor unions, shall establish a program to provide, and deliver through the United States Postal Service, a monthly supply of face masks, free of charge, to every individual and household in the United States, until the date described in paragraph (4).

(2) Additional deliveries.--In developing the program under paragraph (1), the President, acting through the Administrator, in coordination with the Secretary, shall work with States and units of local government to ensure a monthly supply of masks is provided to individuals who do not receive masks that are delivered to households by the United States Postal Service, including--

(A) all individuals who are experiencing homelessness; and

(B) all individuals who are living in group quarters, as defined by the Census Bureau for the purposes of the most recent decennial census.

(3) Prohibition on identification requirement.--The program developed under paragraph (1) shall not require any individual in the United States to provide identification or proof of citizenship in order to receive masks.

(4) Date described.--The date described in this subsection is the date on which no new cases of COVID-19 are reported in the United States for a period of not less than 14 consecutive days.

(b) Use of Authorities.--

(1) In general.--To carry out this section, the President shall make use of any and all available authorities at the disposal of the Federal Government to procure, manufacturer, and support the domestic manufacturing of face masks, including emergency authorities, such as the Defense Production Act of 1950 (50 U.S.C. 4511 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(2) Requirement.--Any face masks procured or manufactured for purposes of carrying out this section shall be purchased in accordance with Federal Acquisition Regulation guidance on fair and reasonable pricing.

(c) Funding.--

(1) Appropriation.--There is appropriated, out of amounts in the Treasury not otherwise appropriated, \$75,000,000,000 to the Administrator to carry out this section.

(2) Limitation.--No funds made available under this subsection shall be provided to--

(A) any person who is a Federal elected official or serving in a Senior Executive Service position; or

(B) any entity that is controlled in whole or in part by a Federal elected official or serving in a Senior Executive Service position.

(3) Emergency designation.--

(A) In general.--The amounts provided under this section are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(B) Designation in senate.--In the Senate, this section is designated as an emergency requirement pursuant to section 4112(a) of [H. Con. Res. 71](#) (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

(d) Reports to Congress.--Beginning 7 days after the date of enactment of this Act, and every 7 days thereafter until the date described in subsection (a)(4), the Administrator and the Secretary shall jointly submit to Congress a detailed report on the implementation of and activities authorized by this section, including--

(1) detailed plans to establish and implement the program required under this section;

(2) information on--

(A) the use of funds under this section;

(B) the current and projected supply of face masks, and the sources of such masks;

(C) the distribution of face masks by State, geographic area, and need;

(D) the prices paid by the Federal Government and to which suppliers such amounts were paid; and

(3) any other information requested by Congress.

(e) Effect on State Requests for PPE.--Any face masks delivered under this section shall not be taken into account for purposes of the Federal Government responding to State or health provider requests for personal protective equipment or other supplies related to COVID-19.

(f) Required Consultation.--The consultation with appropriate labor unions required under subsection (a)(1) shall include consultation with labor organizations representing employees of the United States Postal Service, including regarding the safety of such employees who carry out the activities authorized under this section.

(g) Excess Masks.--Any face masks in the possession of the Federal Emergency Management Agency or the Department of Health and Human Services for purposes of carrying out this section that have not been distributed as of the date described in subsection (a)(4) shall be added to the strategic national stockpile.

(h) Definitions.--In this section:

(1) Administrator.--The term ``Administrator'' means the Administrator of the Federal Emergency Management Agency.

(2) Face mask.--The term ``face mask'' means--

- (A) a surgical mask; or
  - (B) if there is a shortage of surgical masks, a tight-weave cloth mask.
- (3) Indian tribe.--The term ``Indian Tribe'' has the meaning given the term ``Indian tribe'' in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).
- (4) Monthly supply.--The term ``monthly supply'' means not less than 5 face masks per month per individual.
- (5) Secretary.--The term ``Secretary'' means the Secretary of Health and Human Services.
- (6) Senior executive service position.--The term ``Senior Executive Service position'' has the meaning given that term in section 3132(a) of title 5, United States Code.
- (7) United states.--The term ``United States'' means--
- (A) each of the several States of the United States;
  - (B) the District of Columbia;
  - (C) the Commonwealth of Puerto Rico;
  - (D) Guam;
  - (E) American Samoa;
  - (F) the Commonwealth of the Northern Mariana Islands;
  - (G) the Federated States of Micronesia;
  - (H) the Republic of the Marshall Islands;
  - (I) the Republic of Palau;
  - (J) the United States Virgin Islands; and
  - (K) each Indian Tribe.
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