

118TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To require the Secretary of State, in coordination with the Secretary of Health and Human Services, the Administrator of the United States Agency for International Development, and such other heads of departments and agencies as the Secretary of State considers appropriate, to formulate a strategy for the Federal Government to secure support from foreign countries, multilateral organizations, and other appropriate entities to facilitate the development and commercialization of qualified pandemic or epidemic products, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. KELLY (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

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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 “Saving Us from Pan-  
5 demic Era Resistance by Building a Unified Global Strat-  
6 egy Act of 2024” or the “SUPER BUGS Act of 2024”.

7 **SEC. 2. INTERNATIONAL STRATEGY FOR DEVELOPMENT**  
8 **AND COMMERCIALIZATION OF QUALIFIED**  
9 **PANDEMIC OR EPIDEMIC PRODUCTS.**

10 (a) STRATEGY.—

11 (1) IN GENERAL.—Not later than 540 days  
12 after the date of the enactment of this Act, the Sec-  
13 retary of State, in coordination with the Secretary of  
14 Health and Human Services, the Administrator of  
15 the United States Agency for International Develop-  
16 ment, and such other heads of departments and  
17 agencies as the Secretary of State considers appro-  
18 priate, shall—

19 (A) formulate a strategy for the Federal  
20 Government to secure support from foreign  
21 countries, multilateral organizations, and other  
22 appropriate entities to facilitate the develop-  
23 ment and commercialization of qualified pan-  
24 demic or epidemic products, including such

1 products to address antimicrobial resistant  
2 pathogens—

3 (i) with pandemic potential; or

4 (ii) that are priority pathogens; and

5 (B) submit such strategy to the appro-  
6 priate committees of Congress.

7 (2) CONTENTS.—The strategy required by  
8 paragraph (1) shall—

9 (A) provide for processes the Federal Gov-  
10 ernment is using and would use to enter into  
11 arrangements with foreign countries, multilat-  
12 eral organizations, and other appropriate enti-  
13 ties in certain circumstances to implement the  
14 strategy;

15 (B) strive to ensure that the arrangements  
16 described in subparagraph (A) promote equi-  
17 table contributions based on the budgets and  
18 technical expertise of participating countries,  
19 organizations, and other entities, as appro-  
20 priate;

21 (C) focus the arrangements described in  
22 subparagraph (A) on global priorities while ena-  
23 bling participating countries, organizations, and  
24 other entities to emphasize national or regional  
25 issues of importance;

1 (D) seek to ensure new and existing ar-  
2 rangements described in subparagraph (A) are  
3 harmonized with each other and with other rel-  
4 evant existing or planned efforts to amplify im-  
5 pact, address gaps, prevent duplication of ef-  
6 fort, and efficiently distribute funds;

7 (E) provide for collaboration so that the  
8 arrangements described in subparagraph (A)—

9 (i) allocate joint or individual respon-  
10 sibility across participating countries, orga-  
11 nizations, and other entities for the devel-  
12 opment and commercialization of par-  
13 ticular qualified pandemic or epidemic  
14 products; and

15 (ii) describe such collaboration;

16 (F) encourage the stewardship of qualified  
17 pandemic or epidemic products developed pur-  
18 suant to the strategy;

19 (G) ensure that priority actions are identi-  
20 fied in the arrangements described in subpara-  
21 graph (A) so that scarce domestic and inter-  
22 national funds are allocated to develop and  
23 commercialize qualified pandemic or epidemic  
24 products that can achieve the greatest positive  
25 impact on human health, including unprece-

1 dented approaches to preventing, treating, and  
2 diagnosing infectious diseases;

3 (H) consider approaches including—

4 (i) securing development, production,  
5 and distribution contracts with the private  
6 sector;

7 (ii) entering into public-private part-  
8 nerships;

9 (iii) implementing alternative payment  
10 models;

11 (iv) creating coverage and reimburse-  
12 ment pathways; and

13 (v) streamlining regulatory approval  
14 processes; and

15 (I) align with pandemic preparedness and  
16 response priorities of the United States, such as  
17 those articulated in—

18 (i) the National Strategy for Com-  
19 bating Antibiotic-Resistant Bacteria (dated  
20 September 2014); and

21 (ii) the National Biodefense Strategy  
22 and Implementation Plan (dated October  
23 2022) and the associated Action Plan  
24 (dated October 2022).

1 (b) ARRANGEMENTS.—The Secretary of State, in  
2 consultation with the Secretary of Health and Human  
3 Services, the Administrator of the United States Agency  
4 for International Development, and such other heads of  
5 departments and agencies as the Secretary of State con-  
6 siders appropriate, shall seek to enter into arrangements  
7 with foreign countries, multilateral organizations, and  
8 other appropriate entities to implement the strategy re-  
9 quired by subsection (a).

10 (c) DEFINITIONS.—In this section:

11 (1) APPROPRIATE COMMITTEES OF CON-  
12 GRESS.—The term “appropriate committees of Con-  
13 gress” means—

14 (A) the Committee on Foreign Relations  
15 and the Committee on Health, Education,  
16 Labor, and Pensions of the Senate; and

17 (B) the Committee on Foreign Affairs and  
18 the Committee on Energy and Commerce of the  
19 House of Representatives.

20 (2) PRIORITY PATHOGENS.—The term “priority  
21 pathogens” means pathogens identified in—

22 (A) the latest “Antibiotic Resistance  
23 Threats Report” of the Centers for Disease  
24 Control and Prevention (or any successor re-  
25 port); or

1                   (B) the latest global priority pathogens list  
2                   or fungal priority pathogens list of the World  
3                   Health Organization (or any successor list).

4                   (3) QUALIFIED PANDEMIC OR EPIDEMIC PROD-  
5                   UCT.—The term “qualified pandemic or epidemic  
6                   product” has the meaning given that term in section  
7                   319F–3(i) of the Public Health Service Act (42  
8                   U.S.C. 247d–6d(i)).