

119TH CONGRESS
1ST SESSION

S. 1407

To ban the use of Federal funds for the purchase of drugs manufactured in the People’s Republic of China, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 10, 2025

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To ban the use of Federal funds for the purchase of drugs manufactured in the People’s Republic of China, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anyone But China
5 Safe Drug Act” or the “ABC Safe Drug Act”.

6 **SEC. 2. FEDERAL HEALTH PROGRAM PURCHASE OF DRUGS.**

7 (a) FEDERAL HEALTH PROGRAM PURCHASE OF
8 DRUGS.—

9 (1) IN GENERAL.—Notwithstanding any other
10 provision of law, with respect to the purchase of a

1 drug by the Department of Health and Human
2 Services, the Department of Veterans Affairs, the
3 Department of Defense, or any other Federal health
4 care program (as defined in section 1128B(f) of the
5 Social Security Act (42 U.S.C. 1320a–7b(b))), the
6 following shall apply:

7 (A) Beginning on January 1, 2028, such
8 agency or program may purchase only drugs for
9 which 60 percent or more of the active pharma-
10 ceutical ingredients are manufactured in coun-
11 tries described in paragraph (2).

12 (B) Beginning on January 1, 2030, such
13 agency or program may purchase only drugs for
14 which 100 percent of the active pharmaceutical
15 ingredients are manufactured in countries de-
16 scribed in paragraph (2).

17 (2) COUNTRIES DESCRIBED.—The countries de-
18 scribed in this paragraph are countries—

19 (A) other than People’s Republic of China;
20 and

21 (B) that meet the health and safety stand-
22 ards of the Food and Drug Administration.

23 (3) WAIVERS.—The Secretary of Health and
24 Human Services may issue waivers of the require-
25 ments under paragraph (1) for any agency or pro-

1 gram that is unable to meet such requirements and
2 demonstrates a need for the waiver. No waiver may
3 be issued under this paragraph for drugs that are
4 purchased on or after January 1, 2031.

5 (b) LABELING REQUIREMENT.—Section 502 of the
6 Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352)
7 is amended by adding at the end the following:

8 “(hh) If it is a drug and its labeling does not specify
9 the country of origin of each active ingredient contained
10 in the drug.”.

11 **SEC. 3. TEMPORARY 100 PERCENT EXPENSING FOR PHAR-**
12 **MACEUTICAL AND MEDICAL DEVICE MANU-**
13 **FACTURING PROPERTY.**

14 (a) IN GENERAL.—For purposes of section 168(k) of
15 the Internal Revenue Code of 1986, in the case of any
16 qualified pharmaceutical and medical device manufac-
17 turing property which is placed in service after December
18 31, 2024, and before January 1, 2031—

19 (1) such property shall be treated as a qualified
20 property (within the meaning of such section);

21 (2) the applicable percentage otherwise deter-
22 mined under section 168(k)(6) of such Code with re-
23 spect to such property shall be 100 percent; and

24 (3) paragraph (8) of such section shall not
25 apply.

1 (b) QUALIFIED PHARMACEUTICAL AND MEDICAL
2 DEVICE MANUFACTURING PROPERTY.—For purposes of
3 this section, the term “qualified pharmaceutical and med-
4 ical device manufacturing property” means any tangible
5 property placed in service in the United States as part
6 of the construction or expansion of property for the manu-
7 facture of drugs (as defined in section 201(g) of the Fed-
8 eral Food, Drug, and Cosmetic Act (21 U.S.C. 321(g))
9 or devices (as defined in section 201(h) of such Act (21
10 U.S.C. 321(h))).

11 (c) TERMINATION.—This section shall not apply to
12 any property placed in service after December 31, 2030.

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