

AMENDMENT

OFFERED BY M .

In the section 1192(d)(1) proposed to be added to the Social Security Act by section 101(a), insert “subject to paragraph (4),” after “For purposes of this part,”.

Add at the end of the section 1192(d) proposed to be added to the Social Security Act by section 101(a), the following paragraph:

1 “(4) EXCEPTION.—The term ‘negotiation-eli-
2 ble drug’ shall not include any drug or biological
3 product of a manufacturer if the manufacturer is de-
4 veloping a countermeasure or novel antiviral to
5 treat, control, or eliminate pandemic influenza.”.

