

**AMENDMENT TO THE AMENDMENT OFFERED BY
MR. UPTON TO H.R. 6**

**(PAGE AND LINE NUMBERS REFER TO
UPTON__006)**

OFFERED BY MS. SCHAKOWSKY OF ILLINOIS

Page ____, after line ____, insert the following the following:

1 **Subtitle R—Improving Drug Cost**
2 **Transparency**

3 **SEC. 2321. IMPROVING DRUG COST TRANSPARENCY.**

4 Chapter V of the Federal Food, Drug, and Cosmetic
5 Act, as amended by section 2063, is further amended by
6 inserting after section 505H of such Act the following:

7 **“SEC. 505I. IMPROVING DRUG COST TRANSPARENCY.**

8 “(a) DISCLOSURE TO FDA.—In submitting an appli-
9 cation for approval of a drug under section 505 of this
10 Act or licensing of a biological product under section 351
11 of the Public Health Service Act, the sponsor of the drug
12 or biological product shall include in such application—

13 “(1) a statement of the total costs incurred for
14 research on, and development of, such drug or bio-
15 logical product;

1 “(2) a statement of the portion of such costs
2 funded by the National Institutes of Health; and

3 “(3) permission for the Secretary to make the
4 statements under paragraphs (1) and (2) publicly
5 available.

6 “(b) DISCLOSURE TO PUBLIC.—The Secretary shall
7 make each statement submitted under paragraph (1) or
8 (2) of subsection (a) publicly available.”.

