AMENDMENT TO RULES COMMITTEE PRINT 118–10
OFFERED BY MS. JAYAPAL OF WASHINGTON

Page 1033, after line 14, insert the following:

SEC. 1859. REQUIREMENTS FOR NONEXCLUSIVE LICENSING OF CERTAIN INTERVENTIONS OF THE DEPARTMENT OF DEFENSE RELATING TO COVID–19.

For any vaccine or other medical intervention relating to the Coronavirus Disease 2019 (COVID–19) owned by the Department of Defense, including such a vaccine or other intervention developed by the Walter Reed Army Institute for Research, that is approved or authorized for emergency use under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or licensed under section 351 of the Public Health Service Act (42 U.S.C. 262), the Secretary of Defense shall—

(1) in granting licenses pursuant to a technology transfer agreement, prioritize granting to manufacturers determined qualified by the Secretary nonexclusive licenses to manufacture such vaccination or other intervention;
(2) in entering into contracts for production of the vaccine or other intervention for distribution and use in the United States, to the extent practicable, prioritize contracts providing for production of such vaccine or other intervention at a Government-owned, contractor-operated facility; and

(3) grant to the COVID–19 Technology Access Pool of the World Health Organization, or any successor to such pool—

(A) intellectual property rights with respect to such vaccine or other intervention; or

(B) other intervention and clinical, manufacturing, and other data relevant to regulatory authorization and manufacturing of such vaccine or other intervention that is held by the United States Government; and

(4) take such steps as may be necessary to ensure that any contractor of the Department of Defense distributing such vaccine or other intervention pursuant to a contract with the Department provides equitable access and fair pricing with respect to such vaccine or other intervention.