

119TH CONGRESS
2D SESSION

S. 4355

To require the Department of Health and Human Services to release documents, communications, and other information relating to most favored nation pricing agreements and other private or confidential drug pricing deals struck with manufacturers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2026

Mr. WYDEN (for himself, Mr. WELCH, Ms. WARREN, Mr. GALLEGRO, Mr. MERKLEY, Mr. LUJÁN, Ms. BALDWIN, Mr. WHITEHOUSE, Mr. KELLY, Mr. SANDERS, Mr. WARNER, Ms. SMITH, Ms. HASSAN, Ms. CORTEZ MASTO, Mr. BENNET, Mr. WARNOCK, Ms. HIRONO, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To require the Department of Health and Human Services to release documents, communications, and other information relating to most favored nation pricing agreements and other private or confidential drug pricing deals struck with manufacturers, 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 “Drug Deal Disclosure
5 Act”.

1 **SEC. 2. RELEASE OF INFORMATION RELATING TO MOST-FA-**
2 **VORED-NATION PRICING AGREEMENTS.**

3 (a) PUBLIC RELEASE OF INFORMATION.—

4 (1) IN GENERAL.—Not later than 30 days after
5 the date of enactment of this Act, the Secretary of
6 Health and Human Services (referred to in this Act
7 as the “Secretary”), subject to subsections (b) and
8 (c), shall make publicly available in a centralized,
9 searchable, and downloadable format all records,
10 documents, communications, meeting notes, memo-
11 randa, directives, logs, metadata, contracts, and
12 agreements as provided by the Department of
13 Health and Human Services, or any other Federal
14 department, agency, or office that possesses such in-
15 formation to which the Secretary does not have di-
16 rect access, that relate to any agreement, including
17 any agreement described in paragraph (2) or (3), be-
18 tween an Executive Office of the President, the De-
19 partment of Health and Human Services, the De-
20 partment of Commerce, or another Federal depart-
21 ment, agency, or office and any drug manufacturer
22 entered into on or after January 20, 2025, that in-
23 cludes any of the following provisions:

24 (A) That the manufacturer or any of its
25 subsidiaries shall offer reduced prices on any of
26 its drugs to levels that make reference to the

1 prices paid for drugs in nations other than the
2 United States, including under the Medicare
3 program under title XVIII of the Social Secu-
4 rity Act (42 U.S.C. 1395 et seq.) and the Med-
5 icaid program under title XIX of such Act (42
6 U.S.C. 1396 et seq.).

7 (B) That the manufacturer or any of its
8 subsidiaries shall offer or expand its offerings
9 of direct-to-consumer drug sales or discounts on
10 its drugs through the website of such manufac-
11 turer or subsidiary, partnerships with other en-
12 tities, or any government-sponsored platform,
13 including TrumpRx.

14 (C) That goods imported or produced by
15 the manufacturer or any of its subsidiaries shall
16 be excluded or exempt from any duties or other
17 import restrictions.

18 (D) That the manufacturer or any of its
19 subsidiaries shall further invest money or re-
20 sources into the United States or repatriate rev-
21 enue made in nations other than the United
22 States.

23 (E) That the manufacturer or any of its
24 subsidiaries shall receive special treatment, such
25 as an exemption from, or specialized predeter-

1 mined conditions of participation for, any dem-
2 onstration project proposed or implemented by
3 the Center for Medicare and Medicaid Innova-
4 tion, including the Global Benchmark for Effi-
5 cient Drug Pricing “GLOBE” Model, and the
6 Guarding U.S. Medicare Against Rising Drug
7 Costs “GUARD” Model.

8 (F) That the manufacturer or any of its
9 subsidiaries shall contribute to, or be guaran-
10 teed purchasing agreement for, the Strategic
11 National Stockpile established under section
12 319F–2 of the Public Health Service Act (42
13 U.S.C. 247d–6b).

14 (G) That the manufacturer or any of its
15 subsidiaries shall receive a Commissioner’s Na-
16 tional Priority Review Voucher through the
17 pilot program of the Food and Drug Adminis-
18 tration.

19 (2) AGREEMENTS.—The agreements described
20 in this paragraph, and for which public disclosure is
21 required under paragraph (1), include the agree-
22 ments publicly announced by an Executive Office of
23 the President or the applicable drug manufacturer,
24 as follows:

25 (A) AbbVie Inc. on January 12, 2026.

1 (B) Amgen Inc. on December 19, 2025.

2 (C) AstraZeneca plc. on October 10, 2025.

3 (D) Boehringer Ingelheim Pharma-
4 ceuticals, Inc. on December 19, 2025.

5 (E) Bristol Myers Squibb on December 19,
6 2025.

7 (F) Eli Lilly & Company on November 6,
8 2025.

9 (G) EMD Serono Inc. on October 16,
10 2025.

11 (H) Genentech, Inc. on December 19,
12 2025.

13 (I) Gilead Sciences, Inc. on December 19,
14 2025.

15 (J) GSK plc. on December 19, 2025.

16 (K) Johnson & Johnson, Inc. on January
17 8, 2026.

18 (L) Merck & Co., Inc. on December 19,
19 2025.

20 (M) Novartis AG on December 19, 2025.

21 (N) Novo Nordisk Inc. on November 6,
22 2025.

23 (O) Pfizer Inc. on September 30, 2025.

24 (P) Sanofi S.A. on December 19, 2025.

1 (3) SUBSEQUENT AGREEMENTS.—If, after the
2 date of enactment of this Act, an Executive Office
3 of the President or any other Federal department,
4 agency, or office enters into an agreement with a
5 drug manufacturer or any of its subsidiaries that
6 meets the criteria described in paragraph (1), or
7 modifies or amends an agreement listed in para-
8 graph (2), not later than 30 days after the date of
9 ratification of such new agreement, the Secretary
10 shall disclose information about such agreement as
11 described in paragraph (1).

12 (b) PROHIBITED GROUNDS FOR WITHHOLDING.—No
13 record shall be withheld, delayed, or redacted on the basis
14 of reputational harm or political sensitivity, including to
15 any government official, public figure, or manufacturer.

16 (c) PERMITTED WITHHOLDINGS.—The Secretary
17 may withhold or redact the segregable portions of agree-
18 ments required to be disclosed under subsection (a)(1)
19 that include proprietary pricing information, pricing infor-
20 mation that manufacturers are legally prohibited from dis-
21 closing based on the law of a nation other than the United
22 States or as part of a settlement agreement or court direc-
23 tive, or information that is protected from disclosure
24 under other applicable law, provided that the Secretary—

1 (1) discloses whether the Secretary has been
2 provided access to confidential pricing information
3 by each individual manufacturer; and

4 (2) includes with any such redaction or with-
5 holding a written justification, and ensures that such
6 written justification is published in the Federal Reg-
7 ister and submitted to Congress.

8 **SEC. 3. REPORT TO CONGRESS.**

9 Not later than 15 days after the completion of the
10 release of agreements listed under section 2(a)(2), the Sec-
11 retary shall submit to the Committee on Finance and the
12 Committee on Health, Education, Labor, and Pensions of
13 the Senate and the Committee on Energy and Commerce,
14 the Committee on Education and Workforce, and the
15 Committee on Ways and Means of the House of Rep-
16 resentatives a report listing—

17 (1) all documents and information released and
18 withheld; and

19 (2) a summary of redactions and withholdings
20 made, including legal basis for such redactions and
21 withholdings.

22 **SEC. 4. CONGRESSIONAL BUDGET OFFICE AND GOVERN-**
23 **MENT ACCOUNTABILITY OFFICE ANALYSIS.**

24 Not later than 90 days after the completion of the
25 release of agreements listed under section 2(a)(2), the Di-

1 rector of the Congressional Budget Office and the Comp-
2 troller General of the United States, jointly, shall publish
3 a report on the economic and budgetary effects of all
4 agreements disclosed under section 2, including—

5 (1) the expected economic and budgetary con-
6 sequences of each such agreement;

7 (2) an analysis of direct cost savings that indi-
8 viduals in the United States have received and can
9 expect to receive, by insurance status, including un-
10 insured individuals, as a consequence of the agree-
11 ments;

12 (3) a budget analysis of the impacts of the
13 agreements on the Medicare program under title
14 XVIII of the Social Security Act (42 U.S.C. 1395 et
15 seq.), the Medicaid program under title XIX of such
16 Act (42 U.S.C. 1396 et seq.), and qualified health
17 plans offered through the American Health Benefit
18 Exchanges established under section 1311 or 1321
19 of the Patient Protection and Affordable Care Act
20 (42 U.S.C. 18031; 18041); and

21 (4) any impact, or expected impact, on—

22 (A) drug price competition (such as
23 through shifts from the use of generic drugs to
24 brand name drugs);

- 1 (B) section 1128B of the Social Security
2 Act (commonly referred to as the “Federal
3 Anti-Kickback Statute” (42 U.S.C. 1320a–7b));
4 and
5 (C) health plan formulary design (such as
6 cost shifting, adverse events for health plans,
7 and spending acceleration).

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