

stand to gain significantly if the principles of the resolution I am presenting today are upheld.

I urge my fellow colleagues to join me in Japan to honor its commitments under the 1986 Market-Oriented Sector-Selective, MOSS, Agreement on Medical Equipment and Pharmaceuticals by supporting this resolution.

S. CON. RES. 67

Whereas the revolution in medical technology has improved our ability to respond to emerging threats and prevent, identify, treat, and cure a broad range of diseases and disabilities, and has the proven potential to bring even more valuable advances in the future;

Whereas medical technology has driven dramatic productivity gains for the benefit of patients, providers, employers, and our economy;

Whereas investment from the United States medical technology industry produces the majority of the \$220,000,000,000 global business in development of medical devices, diagnostic products, and medical information systems, allowing patients to lead longer, healthier, and more productive lives;

Whereas the United States medical technology industry supports almost 350,000 Americans in high-value jobs located in every State, and was historically a key industry, as it was a net contributor to the United States balance of trade with Japan, which was a trade surplus of over \$7,000,000,000 in 2001, and continued to be a surplus until 2005, when the trade balance became a trade deficit of \$1,300,000,000, due in part to changes in the policies of Japan that impact medical devices;

Whereas Japan is one of the most important trading partners of the United States;

Whereas United States products account for roughly 1/2 of the global market, but garner only a 1/4 share of Japan's market;

Whereas Japan has made little progress in implementing its commitments to cut product review times and improve their reimbursement system in bilateral consultations on policy changes under the Market-Oriented Sector-Selective (MOSS) Agreement on Medical Equipment and Pharmaceuticals, signed on January 9, 1986, between the United States and Japan;

Whereas, although regulatory reviews in Japan remain among the lengthiest in the world and Japan needs to accelerate patient access to safe and beneficial medical technologies, recently adopted measures actually increase regulatory burdens on manufacturers and delay access without enhancing patient safety;

Whereas the general cost of doing business in Japan is the highest in the world and is driven significantly higher by certain factors in the medical technology sector, and inefficiencies in Japanese distribution networks and hospital payment systems and unique regulatory burdens drive up the cost of bringing innovations to Japanese consumers and impede patient access to life-saving and life-enhancing medical technologies;

Whereas artificial government price caps such as the foreign average price policy adopted by the Government of Japan in 2002 restrict patient access and fail to recognize the value of innovation;

Whereas less than 1/10 of 1 percent of the tens of thousands of medical technologies introduced in Japan in the last 10 years received new product pricing;

Whereas the Government of Japan has adopted artificial price caps that are targeted toward technologies predominately marketed by companies from the United

States and is considering further cuts to these products; and

Whereas these discriminatory pricing policies will allow the Japanese Government to take advantage of research and development from the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) urges Japan to honor its commitments under the Market-Oriented Sector-Selective (MOSS) Agreement on Medical Equipment and Pharmaceuticals, signed on January 9, 1986, between the United States and Japan (in this resolution referred to as the "MOSS Agreement"), by—

(A) reducing regulatory barriers to the approval and adoption of new medical technologies; and

(B) meeting or exceeding agency performance goals for premarket approvals and adopting an appropriate, risk-based postmarket system consistent with globally accepted practices;

(2) urges Japan to honor its commitments under the MOSS Agreement to improve the reimbursement environment for medical technologies by actively promoting pricing policies that encourage innovation for the benefit of Japanese patients and the Japanese economy and eliminating reimbursement policies based on inappropriate comparisons to markets outside Japan; and

(3) urges Japan to honor its commitments under the MOSS Agreement by—

(A) implementing fair and open processes and rules that do not disproportionately harm medical technology products from the United States; and

(B) providing opportunities for consultation with trading partners.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2672. Mr. HARKIN (for himself, Mr. JEFFORDS, Mr. KENNEDY, Mr. BINGAMAN, Ms. STABENOW, Ms. MIKULSKI, Mr. LAUTENBERG, Mr. ROCKEFELLER, Mr. AKAKA, Mr. KERRY, Mr. PRYOR, Mr. CARPER, Mr. KOHL, Mr. LEAHY, and Mr. LEVIN) proposed an amendment to the joint resolution H.J. Res. 72, Official Title Not Available.

SA 2673. Mrs. HUTCHISON (for Mr. SHELBY) proposed an amendment to the bill H.R. 4133, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.

SA 2674. Mr. MCCONNELL (for Mr. BROWNBACK) proposed an amendment to the bill S. 1462, to promote peace and accountability in Sudan, and for other purposes.

SA 2675. Mr. MCCONNELL (for Mr. PRYOR) proposed an amendment to the bill H.R. 358, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, and for other purposes.

SA 2676. Mr. MCCONNELL (for Mr. SUNUNU) proposed an amendment to the bill S. 1047, to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively to improve circulation of the \$1 coin, to create a new bullion coin, and for other purposes.

TEXT OF AMENDMENTS

SA 2672. Mr. HARKIN (for himself, Mr. JEFFORDS, Mr. KENNEDY, Mr. BINGAMAN, Ms. STABENOW, Ms. MIKULSKI, Mr. LAUTENBERG, Mr. ROCKEFELLER, Mr. AKAKA, Mr. KERRY, Mr. PRYOR, Mr. CARPER, Mr. KOHL, Mr.

LEAHY, and Mr. LEVIN) proposed an amendment to the joint resolution H.J. Res. 72, Official Title Not Available; as follows:

At the end of the resolution, insert the following:

SEC. 2. COMMUNITY SERVICES BLOCK GRANT ACT.

Notwithstanding section 101 of Public Law 109-77, for the period beginning on October 1, 2005 and ending on December 17, 2005, the amount appropriated under that Public Law to carry out the Community Services Block Grant Act shall be based on a rate for operations that is not less than the rate for operations for activities carried out under such Act for fiscal year 2005.

SA 2673. Mrs. HUTCHISON (for Mr. SHELBY) proposed an amendment to the bill H.R. 4133, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program; as follows:

On page 2 line 12, strike "8,500,000,000" and insert "18,500,000,000".

At the end insert the following:

"SEC. 3 EMERGENCY SPENDING.

"The Amendment made under section 2 is designated as emergency spending, as provided under section 402 of H. Con. Res. 95 (109th Congress)."

SA 2674. Mr. MCCONNELL (for Mr. BROWNBACK) proposed an amendment to the bill S. 1462, to promote peace and accountability in Sudan, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Darfur Peace and Accountability Act of 2005".

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) GOVERNMENT OF SUDAN.—

(A) IN GENERAL.—The term "Government of Sudan" means the National Congress Party, formerly known as the National Islamic Front, government in Khartoum, Sudan, or any successor government formed on or after the date of the enactment of this Act (including the coalition National Unity Government agreed upon in the Comprehensive Peace Agreement for Sudan), except that such term does not include the regional Government of Southern Sudan.

(B) OFFICIALS OF THE GOVERNMENT OF SUDAN.—The term "Government of Sudan", when used with respect to an official of the Government of Sudan, does not include an individual—

(i) who was not a member of such government prior to July 1, 2005; or

(ii) who is a member of the regional Government of Southern Sudan.

(3) COMPREHENSIVE PEACE AGREEMENT FOR SUDAN.—The term "Comprehensive Peace Agreement for Sudan" means the peace agreement signed by the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) in Nairobi, Kenya, on January 9, 2005.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) On July 22, 2004, the House of Representatives and the Senate declared that