

H.R. 1715: Mr. BACHUS, Mr. MANZULLO, and Mr. RUSH.

H.R. 1788: Mr. DELAHUNT and Mr. SHAYS.

H.R. 1812: Mr. RADANOVICH.

H.R. 1858: Mr. HINOJOSA.

H.R. 1895: Mr. McDERMOTT, Mr. MILLER of California, Mr. GONZALEZ, Mr. HOYER, Mr. DELAUNO, Mr. STARK, Mr. FALCOMA, Ms. KAPTUR, Mr. ENGEL, Mr. FROST, and Mr. KUCINICH.

H.R. 1951: Mr. BARCIA of Michigan, Mr. QUINN, and Ms. HARMAN.

H.R. 2019: Mr. PETRI, Mr. HILLEARY, Mr. WAMP, Mr. NEY, Ms. PRYCE of Ohio, Mrs. EMERSON, and Mr. OXLEY.

H.R. 2020: Mr. BORSKI and Mr. FATTAH.

H.R. 2052: Mr. OWENS and Mr. NADLER.

H.R. 2088: Mr. CALVERT.

H.R. 2094: Mr. ACKERMAN.

H.R. 2228: Ms. HARMAN.

H.R. 2365: Mr. GILMAN and Ms. SLAUGHTER.

H.R. 2409: Mr. MORAN of Kansas and Mr. NEAL of Massachusetts.

H.R. 2526: Mr. BENTSEN.

H.R. 2537: Mr. BILBRAY.

H.R. 2549: Mr. HINCHEY, Mr. DELAHUNT, Mr. HOLDEN, Mrs. MORELLA, and Mr. BRYANT.

H.R. 2593: Mr. MALONEY of Connecticut.

H.R. 2670: Mr. LOBIONDO, Mr. DELAHUNT, Mr. PASCRELL, and Mr. FALCOMA.

H.R. 2689: Mr. GILCHRIST and Mrs. CUBIN.

H.R. 2695: Ms. NORTON and Mr. CUMMINGS.

H.R. 2699: Mr. LAMPSON and Ms. PELOSI.

H.R. 2754: Mr. OBERSTAR, Mr. YATES, Mr. BERMAN, Mr. LAMPSON, and Mrs. MINK of Hawaii.

H.R. 2775: Mr. KLINK, Mr. WELDON of Pennsylvania, Mr. FOX of Pennsylvania, Mr. PITTS, and Mr. McDADE.

H.R. 2828: Mr. DAVIS of Virginia and Mr. DIAZ-BALART.

H.R. 2829: Mr. KENNEDY of Massachusetts, Mr. MILLER of California, Mr. QUINN, Mr. TALENT, and Mr. WOLF.

H.R. 2837: Mr. BERUTER.

H.R. 2888: Mrs. MYRICK.

H.R. 2908: Mrs. MINK of Hawaii, Mr. DEFAZIO, Mr. DREIER, Mr. HOSTETTLER, Mr. RAHALL, Mr. KING of New York, Mr. PETERSON of Pennsylvania, and Ms. WOOSLEY.

H.R. 2912: Mr. HILLEARY, Mr. BRYANT, and Ms. DANNER.

H.R. 2914: Mrs. ROUKEMA.

H.R. 2925: Mr. TORRES.

H.R. 2931: Mr. COYNE and Mr. HOLDEN.

H.R. 2938: Mr. FROST.

H.R. 2990: Mr. BENTSEN, Mr. MURTHA, Mr. SABO, Mr. HOLDEN, Ms. BROWN of Florida, Mr. KILDEE, Mr. BARCIA of Michigan, Mr. CLEMENT, Mr. BORSKI, Mr. WAXMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Ms. DEGETTE, Mr. BOB SCHAFER, Mr. TIERNEY, Ms. CHRISTIAN-GREEN, Mr. DEUTSCH, Mr. OLVER, Mr. McINNIS, Mr. MEEHAN, Mr. MOAKLEY, and Ms. ESHOO.

H.R. 3039: Mr. KENNEDY of Massachusetts.

H.R. 3048: Mr. EVANS, Ms. WOOLSEY, Mr. SANDLIN, and Mr. WALSH.

H.R. 3097: Mr. SPENCE, Mr. NEY, Mr. McINTYRE, Mr. LEWIS of Kentucky, and Mr. NUSSLE.

H.R. 3107: Mr. UNDERWOOD.

H.R. 3110: Mr. DAVIS of Virginia, Mr. WOLF, and Mr. McINTOSH.

H.R. 3131: Mr. PALLONE.

H.R. 3211: Mr. SESSIONS, Mr. STEARNS, Mr. JENKINS, Mr. WATTS of Oklahoma, Mr. FRANKS of New Jersey, Mr. HOLDEN, Mr. SKELTON, Mr. CUNNINGHAM, Mr. METCALF, Mr. FOSSELLA, Mr. SCARBOROUGH, Mr. BISHOP, Mr. PASTOR, Mrs. KELLY, Ms. HARMAN, Mr. GIBBONS, Mr. BARTLETT of Maryland, Mr. PORTMAN, and Mr. BUNNING of Kentucky.

H.R. 3217: Mr. SHAW, Mr. NUSSLE, Mr. CHRISTENSEN, and Mr. MORAN of Virginia.

H.R. 3234: Mr. BURTON of Indiana.

H.R. 3240: Ms. FURSE, Mr. LEWIS of Georgia, Mr. FROST, and Mr. FRANK of Massachusetts.

H.R. 3246: Mr. McINTOSH, Mr. PAUL, and Mr. STUMP.

H.R. 3248: Mr. SCARBOROUGH, Mr. SKEEN, and Mr. RADANOVICH.

H.R. 3259: Mr. BOUCHER.

H.R. 3262: Mr. McHALE and Mr. UNDERWOOD.

H.R. 3265: Mr. NORWOOD, Mr. McINTYRE, Mr. VISCLOSKEY, Mr. MORAN of Virginia, Mr. BUYER, Ms. DUNN of Washington, Mr. REDMOND, Mr. CLEMENT, Mr. METCALF, Mr. BURR of North Carolina, Mr. INGLIS of South Carolina, Ms. WOOLSEY, Mr. GIBBONS, Mr. CHABOT, Mr. BONILLA, Mrs. LINDA SMITH of Washington, Mr. GOODLING, Mr. McINTOSH, and Mr. HANSEN.

H.R. 3269: Mr. DAVIS of Illinois, Mr. BONIOR, Mr. BROWN of California, Mr. FORD, Mr. STARK, and Mr. UNDERWOOD.

H.R. 3279: Mr. ROMERO-BARCELO, Mr. McDERMOTT, Mr. KLECZKA, Ms. STABENOW, Mr. BOYD, Mr. FROST, Ms. FURSE, Ms. WOOLSEY, Mr. HOLDEN, Mr. BONIOR, Mr. KENNEDY of Rhode Island, Mr. RUSH, and Mr. WEXLER.

H.R. 3295: Mr. SABO, Mr. HALL of Ohio, Mr. KILDEE, Mr. TRAFICANT, Mr. SANDERS, Mr. WATTS of Oklahoma, Mr. STUMP, and Mr. ACKERMAN.

H.R. 3331: Mr. SOLOMON, Mr. ROHRBACHER, Mr. WATTS of Oklahoma, Mr. ISTOOK, Mr. JONES, and Mr. CANNON.

H.R. 3336: Mr. HASTINGS of Florida and Mr. DIAZ-BALART.

H.R. 3399: Mr. ENGLISH of Pennsylvania.

H.R. 3400: Mr. ABERCROMBIE, Mr. BROWN of California, Mr. CLAY, Mr. ALLEN, Mr. MCGOVERN, and Mr. VENTO.

H.J. Res. 66: Mr. FALCOMA.

H.J. Res. 100: Mr. BERUTER, Mr. PICKETT, Mr. SPENCE, Mr. BILBRAY, and Mr. DEFAZIO.

H.J. Res. 114: Mr. MILLER of Florida, Mr. SOLOMON, Mr. METCALF, Mr. WATTS of Oklahoma, and Mr. LATHAM.

H. Con. Res. 12: Mr. DEFAZIO.

H. Con. Res. 83: Mr. VENTO.

H. Con. Res. 152: Mr. CRANE.

H. Con. Res. 203: Mr. WYNN.

H. Con. Res. 206: Mr. RILEY.

H. Con. Res. 211: Mr. HALL of Ohio, Mr. DUNCAN, Mr. GILMAN, Mr. RYUN, Mr. CLEMENT, and Mr. DOOLITTLE.

H. Con. Res. 212: Mr. ENSIGN, Mr. BOSWELL, Mr. LEACH, Mr. TRAFICANT, Mr. MATSUI, Mr. BOEHNER, Mr. SESSIONS, Mr. ISTOOK, and Mr. WATKINS.

H. Con. Res. 233: Ms. SLAUGHTER.

H. Res. 267: Mr. UPTON and Mr. MARTINEZ.

H. Res. 340: Mr. ALLEN.

H. Res. 361: Mr. GILMAN.

H. Res. 364: Mr. BERMAN, Mr. FOX of Pennsylvania, Mr. SALMON, and Mr. PAYNE.

#### ¶16.36 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsor was deleted from the public bill as follows:

H.R. 2495: Mr. GEJDESON.

#### WEDNESDAY, MARCH 11, 1998 (17)

The House was called to order by the SPEAKER.

#### ¶17.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, March 10, 1998.

Pursuant to clause 1, rule I, the Journal was approved.

#### ¶17.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

7913. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Patterson, Iowa) [MM Docket No. 97-187, RM-9149] received March 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7914. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Adequate and Well-Controlled Studies for Investigational Use and Approval of New Animal Drugs [Docket No. 97N-0141] received March 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7915. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with the United Kingdom (Transmittal No. DTC-43-98), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

7916. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with France and the United Kingdom (Transmittal No. DTC-35-98), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

7917. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Canada (Transmittal No. DTC-37-98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7918. A letter from the Vice President, Government Affairs, National Railroad Passenger Corporation, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

7919. A letter from the Administrator, Panama Canal Commission, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

7920. A letter from the Chairman, United States International Trade Commission, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

7921. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries (IAI), Ltd., Model 1121, 1121A, 1121B, 1123, 1124, 1124A Series Airplanes [Docket No. 97-NM-166-AD; Amendment 39-10370; AD 98-05-09] (RIN: 2120-AA64) received March 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7922. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aeromot-Industrial Mecanico Metalurgica Ltda. Model AMT-200 Powered Sailplanes [Docket No. 97-CE-66-AD; Amendment 39-10098; AD 97-15-07] (RIN: 2120-AA64) received March 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

#### ¶17.3 PROVIDING FOR THE CONSIDERATION OF H.R. 1432

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 383):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1432) to authorize a new trade and investment policy for sub-Saharan Africa. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed two hours, with one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations and one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendments printed in part 1 of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SNOWBARGER, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 227  
Nays ..... 190

¶17.4 [Roll No. 43]  
YEAS—227

Ackerman	Goodling	Packard
Allen	Goss	Pappas
Archer	Granger	Parker
Armey	Greenwood	Paul
Baker	Hall (OH)	Paxon
Barrett (NE)	Hamilton	Payne
Bartlett	Hansen	Pease
Bass	Hastert	Peterson (PA)
Bateman	Hastings (FL)	Petri
Becerra	Hastings (WA)	Pitts
Bentsen	Hayworth	Pombo
Bereuter	Hefley	Pomeroy
Berman	Herger	Porter
Bilbray	Hill	Portman
Bilirakis	Hobson	Pryce (OH)
Bilely	Hoekstra	Quinn
Blumenauer	Horn	Radanovich
Blunt	Houghton	Ramstad
Boehlert	Hulshof	Rangel
Boehner	Hutchinson	Regula
Brown (FL)	Hyde	Roemer
Bryant	Jackson-Lee	Rogan
Burr	(TX)	Rohrabacher
Burton	Jefferson	Ros-Lehtinen
Buyer	Jenkins	Roukema
Calvert	Johnson (CT)	Royce
Camp	Johnson, E. B.	Rush
Campbell	Johnson, Sam	Ryun
Cannon	Kasich	Salmon
Cardin	Kelly	Sanchez
Castle	Kilpatrick	Saxton
Chabot	Kim	Scarborough
Chenoweth	Kind (WI)	Schaefer, Dan
Christensen	King (NY)	Schaffer, Bob
Cook	Kingston	Sensenbrenner
Cox	Klug	Sessions
Coyne	Knollenberg	Shadegg
Crane	Kolbe	Shaw
Crapo	LaHood	Shays
Cubin	Largent	Shimkus
Davis (FL)	Latham	Shuster
Davis (VA)	LaTourrette	Skaggs
DeGette	Lazio	Skeen
DeLay	Leach	Skelton
Diaz-Balart	Levin	Smith (MI)
Dickey	Lewis (CA)	Smith (NJ)
Dicks	Linder	Smith (OR)
Doggett	Livingston	Smith (TX)
Dooley	Lofgren	Smith, Adam
Doolittle	Lowe	Smith, Linda
Dreier	Lucas	Snowbarger
Dunn	Manzullo	Solomon
Ehlers	Markey	Souder
Engel	Martinez	Stearns
English	Matsui	Stump
Ensign	McCarthy (NY)	Sununu
Eshoo	McCrery	Talent
Ewing	McDade	Tauscher
Farr	McDermott	Tauzin
Fawell	McHugh	Thomas
Fazio	McInnis	Thune
Foley	McIntosh	Tiahrt
Forbes	McKeon	Towns
Ford	McKinney	Upton
Fossella	McNulty	Vento
Fowler	Meek (FL)	Walsh
Fox	Meeke (NY)	Wamp
Franks (NJ)	Menendez	Watkins
Frelinghuysen	Mica	Watts (OK)
Galleghy	Moran (VA)	Weldon (FL)
Ganske	Morella	Weller
Gibbons	Nethercutt	White
Gilchrest	Neumann	Whitfield
Gillmor	Northup	Wolf
Gingrich	Nussle	Woolsey
Goodlatte	Oxley	Wynn

NAYS—190

Abercrombie	Boswell	Collins
Aderholt	Boucher	Combest
Andrews	Boyd	Condit
Bachus	Brown (CA)	Conyers
Baesler	Brown (OH)	Cooksey
Baldacci	Bunning	Costello
Ballenger	Callahan	Cramer
Barcia	Canady	Cummings
Barr	Carson	Cunningham
Barrett (WI)	Chambliss	Danner
Berry	Clay	Davis (IL)
Bishop	Clayton	Deal
Blagojevich	Clement	DeFazio
Bonilla	Clyburn	Delahunt
Bonior	Coble	DeLauro
Borski	Coburn	Deutsch

Dingell	LaFalce	Riley
Dixon	Lampson	Rivers
Doyle	Lantos	Rogers
Duncan	Lewis (GA)	Rothman
Edwards	Lewis (KY)	Roybal-Allard
Ehrlich	Lipinski	Sabo
Emerson	LoBiondo	Sanders
Etheridge	Luther	Sandlin
Evans	Maloney (CT)	Sanford
Everett	Maloney (NY)	Sawyer
Filner	Manton	Schumer
Frank (MA)	Mascara	Scott
Frost	McCarthy (MO)	Serrano
Gejdenson	McCollum	Sherman
Gephardt	McGovern	Sisisky
Gilman	McHale	Slaughter
Goode	McIntyre	Snyder
Goode	Meehan	Spence
Graham	Metcafe	Spratt
Green	Millender-Stark	Stabenow
Gutierrez	McDonald	Stark
Gutknecht	Miller (CA)	Stenholm
Hall (TX)	Miller (FL)	Stokes
Hefner	Minge	Strickland
Hilleary	Mink	Stupak
Hilliard	Moakley	Tanner
Hinchee	Mollohan	Taylor (MS)
Hinojosa	Moran (KS)	Taylor (NC)
Holden	Murtha	Thompson
Hooley	Myrick	Thornberry
Hostettler	Nadler	Thurman
Hoyer	Neal	Tierney
Hunter	Ney	Torres
Inglis	Norwood	Trafficant
Istook	Oberstar	Turner
Jackson (IL)	Obey	Velazquez
John	Olver	Viscosky
Johnson (WI)	Ortiz	Waters
Jones	Owens	Watt (NC)
Kanjorski	Pallone	Waxman
Kaptur	Pastor	Wexler
Kennedy (MA)	Pelosi	Weygand
Kennedy (RI)	Peterson (MN)	Wicker
Kennelly	Pickering	Wise
Kildee	Pickett	Yates
Klecicka	Price (NC)	Young (AK)
Klink	Rahall	Young (FL)
Kucinich	Reyes	

NOT VOTING—14

Barton	Gonzalez	Riggs
Brady	Harman	Rodriguez
Fattah	Pascrell	Schiff
Furse	Poshard	Weldon (PA)
Gekas	Redmond	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶17.5 AFRICAN GROWTH AND OPPORTUNITY

The SPEAKER pro tempore, Mr. BARRETT, pursuant to House Resolution 383 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1432) to authorize a new trade and investment policy for sub-Saharan Africa.

The SPEAKER pro tempore, Mr. BARRETT, by unanimous consent, designated Mr. SNOWBARGER as Chairman of the Committee of the Whole; and after some time spent therein,

The Committee rose informally to receive a message from the President.

The SPEAKER pro tempore, Mr. BE-REUTER, assumed the Chair.

¶17.6 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

¶17.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. WATERS:

In subsection (a) of section 4 (Eligibility Requirements), insert after paragraph (12) the following:

A country need not meet all the requirements set forth in paragraphs (1) through (12) in order to be eligible under this subsection.

It was decided in the { Yeas ..... 81  
negative ..... } Nays ..... 334

¶17.8 [Roll No. 44]

AYES—81

Abercrombie	Frank (MA)	Millender-
Barrett (WI)	Gejdenson	McDonald
Berman	Gephardt	Miller (CA)
Bishop	Gutierrez	Mink
Bonior	Hastings (FL)	Moran (VA)
Brown (CA)	Hefner	Nadler
Brown (FL)	Hilliard	Olver
Brown (OH)	Hoyer	Owens
Campbell	Jackson (IL)	Pastor
Carson	Jackson-Lee	Payne
Clay	(TX)	Pelosi
Clayton	Jefferson	Rangel
Clyburn	Johnson, E. B.	Rivers
Conyers	Kaptur	Roybal-Allard
Crane	Kennedy (MA)	Rush
Cummings	Kennedy (RI)	Sanders
Davis (IL)	Kildee	Scott
Davis (VA)	Kilpatrick	Serrano
DeFazio	Kucinich	Stark
Delahunt	Lewis (GA)	Stokes
DeLauro	Maloney (CT)	Thompson
Dixon	Markey	Thurman
Dooley	Martinez	Towns
Engel	Matsui	Velazquez
Farr	McKinney	Waters
Fattah	Meehan	Watt (NC)
Filner	Meek (FL)	Wynn
Ford	Meeks (NY)	

NOES—334

Ackerman	Chabot	Fossella
Aderholt	Chambliss	Fowler
Allen	Christensen	Fox
Andrews	Clement	Franks (NJ)
Archer	Coble	Frelinghuysen
Armey	Coburn	Frost
Bachus	Collins	Gallegly
Baesler	Combest	Ganske
Baker	Condit	Gekas
Baldacci	Cook	Gibbons
Ballenger	Cooksey	Gilchrest
Barcia	Costello	Gillmor
Barr	Cox	Gilman
Barrett (NE)	Coyne	Goode
Bartlett	Cramer	Goodlatte
Barton	Crapo	Goodling
Bass	Cubin	Gordon
Bateman	Cunningham	Goss
Becerra	Danner	Graham
Bentsen	Davis (FL)	Granger
Bereuter	Deal	Green
Berry	DeGette	Greenwood
Bilbray	DeLay	Gutknecht
Bilirakis	Diaz-Balart	Hall (OH)
Blagojevich	Dickey	Hall (TX)
Biley	Dicks	Hamilton
Blumenauer	Dingell	Hansen
Blunt	Doggett	Hastert
Boehler	Doolittle	Hastings (WA)
Boehner	Doyle	Hayworth
Bonilla	Dreier	Hefley
Borski	Duncan	Herger
Boswell	Dunn	Hill
Boucher	Edwards	Hilleary
Boyd	Ehlers	Hinchey
Brady	Ehrlich	Hinojosa
Bryant	Emerson	Hobson
Bunning	English	Hoekstra
Burr	Ensign	Holden
Burton	Eshoo	Hooley
Buyer	Etheridge	Horn
Callahan	Evans	Hostettler
Calvert	Everett	Houghton
Camp	Ewing	Hulshof
Canady	Fawell	Hunter
Cannon	Fazio	Hutchinson
Cardin	Foley	Hyde
Castle	Forbes	Inglis

Istook	Morella	Shaw
Jenkins	Murtha	Shays
Johnson (CT)	Myrick	Sherman
Johnson (WI)	Neal	Shimkus
Johnson, Sam	Nethercutt	Shuster
Jones	Neumann	Sisisky
Kanjorski	Ney	Skaggs
Kasich	Northup	Skeen
Kelly	Norwood	Skelton
Kennelly	Nussle	Slaughter
Kim	Oberstar	Smith (MI)
Kind (WI)	Obey	Smith (NJ)
King (NY)	Ortiz	Smith (OR)
Kingston	Oxley	Smith (TX)
Klecza	Packard	Smith, Adam
Klink	Pallone	Smith, Linda
Klug	Pappas	Snowbarger
Knollenberg	Parker	Snyder
Kolbe	Pascrell	Solomon
LaFalce	Paul	Souder
LaHood	Paxon	Spratt
Lampson	Pease	Stabenow
Lantos	Peterson (MN)	Stearns
Largent	Peterson (PA)	Stenholm
Latham	Petri	Strickland
LaTourette	Pickering	Stump
Lazio	Pickett	Stupak
Leach	Pitts	Sununu
Levin	Pombo	Talent
Lewis (CA)	Pomeroy	Tanner
Lewis (KY)	Porter	Tauscher
Linder	Portman	Tauzin
Lipinski	Price (NC)	Taylor (MS)
Livingston	Pryce (OH)	Taylor (NC)
LoBiondo	Quinn	Thomas
Lofgren	Rahall	Thornberry
Lowey	Ramstad	Thune
Lucas	Regula	Tiahrt
Luther	Reyes	Tierney
Maloney (NY)	Riggs	Traficant
Manzullo	Riley	Turner
Mascara	Roemer	Upton
McCarthy (MO)	Rogan	Vento
McCarthy (NY)	Rogers	Visclosky
McColum	Rohrabacher	Walsh
McCrery	Ros-Lehtinen	Wamp
McDade	Rothman	Watkins
McDermott	Roukema	Watts (OK)
McGovern	Royce	Weldon (FL)
McHale	Ryun	Weldon (PA)
McHugh	Sabo	Weller
McInnis	Salmon	Wexler
McIntosh	Sanchez	Weygand
McIntyre	Sandlin	White
McKeon	Sanford	Whitefield
McNulty	Sawyer	Wicker
Menendez	Saxton	Wise
Metcalf	Scarborough	Wolf
Mica	Schaefer, Dan	Woolsey
Miller (FL)	Schaffer, Bob	Yates
Minge	Schumer	Young (AK)
Moakley	Sensenbrenner	Young (FL)
Mollohan	Sessions	
Moran (KS)	Shadegg	

NOT VOTING—15

Chenoweth	John	Rodriguez
Deutsch	Manton	Schiff
Furse	Poshard	Spence
Gonzalez	Radanovich	Torres
Harman	Redmond	Waxman

So the amendment was not agreed to.

¶17.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment, as modified, submitted by Mr. BEREUTER:

Add at the end of section 4 the following:

(e) DESIGNATION OF MOROCCO.—The President may designate Morocco as eligible to participate in programs, projects, or activities, or receive assistance or other benefits under this Act if the President determines that Morocco otherwise meets the requirements of this section and that the designation is in the national interest of the United States. If so designated, Morocco shall be deemed to be an eligible country in sub-Saharan Africa under subsection (a) for purposes of this Act, if, within 1 year after such designation, a law is enacted approving the designation.

It was decided in the { Yeas ..... 156  
negative ..... } Nays ..... 258

¶17.10 [Roll No. 45]

AYES—156

Armey	Gillmor	Northup
Barr	Gilman	Owens
Barrett (NE)	Goodlatte	Oxley
Bass	Goss	Pappas
Bateman	Graham	Paxon
Bereuter	Greenwood	Pease
Berman	Gutierrez	Peterson (PA)
Bilbray	Gutknecht	Petri
Bilirakis	Hall (OH)	Pickett
Blagojevich	Hall (TX)	Pitts
Bliley	Hamilton	Pomeroy
Blumenauer	Hastert	Portman
Boehler	Hastings (WA)	Pryce (OH)
Boehner	Hayworth	Quinn
Brown (CA)	Hill	Ramstad
Buyer	Hobson	Rivers
Callahan	Hoekstra	Rogan
Calvert	Horn	Ros-Lehtinen
Camp	Hostettler	Roukema
Campbell	Houghton	Ryun
Canady	Hoyer	Salmon
Cannon	Hyde	Saxton
Chabot	Johnson (CT)	Scarborough
Christensen	Kasich	Schaefer, Dan
Clement	Kelly	Schaffer, Bob
Coburn	Kim	Sensenbrenner
Cooksey	Kind (WI)	Sessions
Cox	Kingston	Shadegg
Crane	Klug	Shays
Davis (VA)	Knollenberg	Sherman
DeLay	LaFalce	Shimkus
Diaz-Balart	LaHood	Shuster
Doggett	Latham	Skaggs
Doolittle	LaTourette	Skeen
Dreier	Lazio	Smith (MI)
Dunn	Leach	Smith (NJ)
Ehlers	Lewis (CA)	Smith (OR)
Ehrlich	Lucas	Smith (TX)
English	Luther	Snowbarger
Eshoo	Manzullo	Snyder
Ewing	McCollum	Solomon
Fawell	McDade	Sununu
Foley	McHugh	Thune
Forbes	McInnis	Tiahrt
Fossella	McIntosh	Walsh
Fox	Mica	Watkins
Franks (NJ)	Miller (FL)	Wexler
Frelinghuysen	Minge	White
Gejdenson	Moran (KS)	Whitefield
Gekas	Moran (VA)	Wicker
Gibbons	Morella	Wolf
Gilchrest	Nethercutt	Woolsey
	Neumann	Yates

NOES—258

Abercrombie	Coble	Fowler
Ackerman	Collins	Frank (MA)
Aderholt	Combest	Frost
Allen	Condit	Gallegly
Andrews	Conyers	Ganske
Archer	Cook	Gephardt
Bachus	Costello	Goode
Baesler	Coyne	Goodling
Baker	Cramer	Gordon
Baldacci	Crapo	Granger
Ballenger	Cubin	Green
Barcia	Cummings	Hall (TX)
Barrett (WI)	Cunningham	Hansen
Bartlett	Danner	Hastings (FL)
Barton	Davis (FL)	Hefley
Becerra	Davis (IL)	Hefner
Bentsen	Deal	Herger
Berry	DeFazio	Hilleary
Bishop	DeGette	Hilliard
Blunt	Delahunt	Hinchey
Bonilla	DeLauro	Hinojosa
Bonior	Dickey	Holden
Borski	Dicks	Hooley
Boswell	Dingell	Hulshof
Boucher	Dixon	Hunter
Boyd	Dooley	Hutchinson
Brady	Doyle	Inglis
Brown (FL)	Duncan	Istook
Brown (OH)	Edwards	Jackson (IL)
Bryant	Emerson	Jackson-Lee
Bunning	Engel	(TX)
Burr	Ensign	Jefferson
Burton	Etheridge	Jenkins
Cardin	Evans	Johnson (WI)
Carson	Everett	Johnson, E. B.
Castle	Farr	Johnson, Sam
Chambliss	Fattah	Jones
Clay	Fazio	Kanjorski
Clayton	Filner	Kaptur
Clyburn	Ford	Kennedy (MA)

Kennedy (RI)	Murtha	Skelton
Kennelly	Myrick	Slaughter
Kildee	Nadler	Smith, Adam
Kilpatrick	Neal	Smith, Linda
King (NY)	Ney	Souder
Kleczka	Norwood	Spence
Klink	Nussle	Spratt
Kolbe	Oberstar	Stabenow
Kucinich	Obey	Stearns
Lampson	Olver	Stenholm
Lantos	Ortiz	Stokes
Largent	Packard	Strickland
Levin	Pallone	Stump
Lewis (GA)	Parker	Stupak
Lewis (KY)	Pascrell	Talent
Linder	Pastor	Tanner
Lipinski	Paul	Tauscher
Livingston	Payne	Tauzin
LoBiondo	Pelosi	Taylor (MS)
Lofgren	Pickering	Taylor (NC)
Lowe	Pombo	Thomas
Maloney (CT)	Porter	Thompson
Maloney (NY)	Price (NC)	Thornberry
Markey	Rahall	Thurman
Martinez	Rangel	Tierney
Mascara	Regula	Torres
Matsui	Reyes	Towns
McCarthy (MO)	Riggs	Traficant
McCarthy (NY)	Riley	Turner
McCrery	Roemer	Upton
McDermott	Rogers	Velazquez
McGovern	Rohrabacher	Vento
McHale	Rothman	Visclosky
McIntyre	Royal-Allard	Wamp
McKeon	Royce	Waters
McKinney	Rush	Watt (NC)
McNulty	Sabo	Watts (OK)
Meehan	Sanchez	Weldon (FL)
Meeks (NY)	Sanders	Weldon (PA)
Menendez	Sandlin	Weller
Metcalfe	Sanford	Weygand
Millender-	Sawyer	Wise
McDonald	Schumer	Wolf
Miller (CA)	Scott	Woolsey
Mink	Serrano	Wynn
Moakley	Shaw	Yates
Mollohan	Sisisky	

NOT VOTING—16

Chenoweth	Manton	Rodriguez
Deutsch	Meek (FL)	Schiff
Furse	Peterson (MN)	Stark
Gonzalez	Poshard	Waxman
Harman	Radanovich	
John	Redmond	

So the amendment, as modified, was not agreed to.

After some further time, The SPEAKER pro tempore, Mr. EWING, assumed the Chair.

When Mr. WICKER, Acting Chairman, pursuant to House Resolution 383, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "African Growth and Opportunity Act".

**SEC. 2. FINDINGS.**

The Congress finds that it is in the mutual economic interest of the United States and sub-Saharan Africa to promote stable and sustainable economic growth and development in sub-Saharan Africa. To that end, the United States seeks to facilitate market-led economic growth in, and thereby the social and economic development of, the countries of sub-Saharan Africa. In particular, the United States seeks to assist sub-Saharan African countries, and the private sector in those countries, to achieve economic self-reliance by—

(1) strengthening and expanding the private sector in sub-Saharan Africa, especially women-owned businesses;

(2) encouraging increased trade and investment between the United States and sub-Saharan Africa;

(3) reducing tariff and nontariff barriers and other trade obstacles;

(4) expanding United States assistance to sub-Saharan Africa's regional integration efforts;

(5) negotiating free trade areas;

(6) establishing a United States-Sub-Saharan Africa Trade and Investment Partnership;

(7) focusing on countries committed to accountable government, economic reform, and the eradication of poverty;

(8) establishing a United States-Sub-Saharan Africa Economic Cooperation Forum; and

(9) continuing to support development assistance for those countries in sub-Saharan Africa attempting to build civil societies.

**SEC. 3. STATEMENT OF POLICY.**

The Congress supports economic self-reliance for sub-Saharan African countries, particularly those committed to—

(1) economic and political reform;

(2) market incentives and private sector growth;

(3) the eradication of poverty; and

(4) the importance of women to economic growth and development.

**SEC. 4. ELIGIBILITY REQUIREMENTS.**

(a) IN GENERAL.—A sub-Saharan African country shall be eligible to participate in programs, projects, or activities, or receive assistance or other benefits under this Act if the President determines that the country does not engage in gross violations of internationally recognized human rights and has established, or is making continual progress toward establishing, a market-based economy, such as the establishment and enforcement of appropriate policies relating to—

(1) promoting free movement of goods and services between the United States and sub-Saharan Africa and among countries in sub-Saharan Africa;

(2) promoting the expansion of the production base and the transformation of commodities and nontraditional products for exports through joint venture projects between African and foreign investors;

(3) trade issues, such as protection of intellectual property rights, improvements in standards, testing, labeling and certification, and government procurement;

(4) the protection of property rights, such as protection against expropriation and a functioning and fair judicial system;

(5) appropriate fiscal systems, such as reducing high import and corporate taxes, controlling government consumption, participation in bilateral investment treaties, and the harmonization of such treaties to avoid double taxation;

(6) foreign investment issues, such as the provision of national treatment for foreign investors and other measures to create an environment conducive to domestic and foreign investment;

(7) supporting the growth of regional markets within a free trade area framework;

(8) governance issues, such as eliminating government corruption, minimizing government intervention in the market such as price controls and subsidies, and streamlining the business license process;

(9) supporting the growth of the private sector, in particular by promoting the emergence of a new generation of African entrepreneurs;

(10) encouraging the private ownership of government-controlled economic enterprises through divestiture programs;

(11) removing restrictions on investment; and

(12) observing the rule of law, including equal protection under the law and the right to due process and a fair trial.

(b) ADDITIONAL FACTORS.—In determining whether a sub-Saharan African country is eligible under subsection (a), the President shall take into account the following factors:

(1) An expression by such country of its desire to be an eligible country under subsection (a).

(2) The extent to which such country has made substantial progress toward—

(A) reducing tariff levels;

(B) binding its tariffs in the World Trade Organization and assuming meaningful binding obligations in other sectors of trade; and

(C) eliminating nontariff barriers to trade.

(3) Whether such country, if not already a member of the World Trade Organization, is actively pursuing membership in that organization.

(4) Where applicable, the extent to which such country is in material compliance with its obligations to the International Monetary Fund and other international financial institutions.

(5) The extent to which such country has a recognizable commitment to reducing poverty, increasing the availability of health care and educational opportunities, the expansion of physical infrastructure in a manner designed to maximize accessibility, increased access to market and credit facilities for small farmers and producers, and improved economic opportunities for women as entrepreneurs and employees, and promoting and enabling the formation of capital to support the establishment and operation of micro-enterprises.

(6) Whether or not such country is cooperating with the United States in efforts to eliminate slavery in Africa.

(7) Whether or not such country engages in activities that undermine United States national security or foreign policy interests.

(c) CONTINUING COMPLIANCE.—

(1) MONITORING AND REVIEW OF CERTAIN COUNTRIES.—The President shall monitor and review the progress of sub-Saharan African countries in order to determine their current or potential eligibility under subsection (a). Such determinations shall be based on quantitative factors to the fullest extent possible and shall be included in the annual report required by section 15.

(2) INELIGIBILITY OF CERTAIN COUNTRIES.—A sub-Saharan African country described in paragraph (1) that has not made continual progress in meeting the requirements with which it is not in compliance shall be ineligible to participate in programs, projects, or activities, or receive assistance or other benefits, under this Act.

(d) VIOLATIONS OF HUMAN RIGHTS AND INELIGIBLE COUNTRIES.—It is the sense of the Congress that a sub-Saharan African country should not be eligible to participate in programs, projects, or activities, or receive assistance or other benefits under this Act if the government of that country is determined by the President to engage in a consistent pattern of gross violations of internationally recognized human rights.

**SEC. 5. ADDITIONAL AUTHORITIES AND INCREASED FLEXIBILITY TO PROVIDE ASSISTANCE UNDER THE DEVELOPMENT FUND FOR AFRICA.**

(a) USE OF SUSTAINABLE DEVELOPMENT ASSISTANCE TO SUPPORT FURTHER ECONOMIC GROWTH.—It is the sense of the Congress that sustained economic growth in sub-Saharan Africa depends in large measure upon the development of a receptive environment for trade and investment, and that to achieve this objective the United States Agency for International Development should continue to support programs which help to create this environment. Investments in human resources, development, and implementation of free market policies, including policies to liberalize agricultural markets and improve food security, and the support for the rule of

law and democratic governance should continue to be encouraged and enhanced on a bilateral and regional basis.

(b) DECLARATIONS OF POLICY.—The Congress makes the following declarations:

(1) The Development Fund for Africa established under chapter 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2293 et seq.) has been an effective tool in providing development assistance to sub-Saharan Africa since 1988.

(2) The Development Fund for Africa will complement the other provisions of this Act and lay a foundation for increased trade and investment opportunities between the United States and sub-Saharan Africa.

(3) Assistance provided through the Development Fund for Africa will continue to support programs and activities that promote the long term economic development of sub-Saharan Africa, such as programs and activities relating to the following:

(A) Strengthening primary and vocational education systems, especially the acquisition of middle-level technical skills for operating modern private businesses and the introduction of college level business education, including the study of international business, finance, and stock exchanges.

(B) Strengthening health care systems.

(C) Strengthening family planning service delivery systems.

(D) Supporting democratization, good governance and civil society and conflict resolution efforts.

(E) Increasing food security by promoting the expansion of agricultural and agriculture-based industrial production and productivity and increasing real incomes for poor individuals.

(F) Promoting an enabling environment for private sector-led growth through sustained economic reform, privatization programs, and market-led economic activities.

(G) Promoting decentralization and local participation in the development process, especially linking the rural production sectors and the industrial and market centers throughout Africa.

(H) Increasing the technical and managerial capacity of sub-Saharan African individuals to manage the economy of sub-Saharan Africa.

(I) Ensuring sustainable economic growth through environmental protection.

(4) The African Development Foundation has a unique congressional mandate to empower the poor to participate fully in development and to increase opportunities for gainful employment, poverty alleviation, and more equitable income distribution in sub-Saharan Africa. The African Development Foundation has worked successfully to enhance the role of women as agents of change, strengthen the informal sector with an emphasis on supporting micro and small sized enterprises, indigenous technologies, and mobilizing local financing. The African Development Foundation should develop and implement strategies for promoting participation in the socioeconomic development process of grassroots and informal sector groups such as nongovernmental organizations, cooperatives, artisans, and traders into the programs and initiatives established under this Act.

(c) ADDITIONAL AUTHORITIES.—

(1) IN GENERAL.—Section 496(h) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(h)) is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following:

“(3) DEMOCRATIZATION AND CONFLICT RESOLUTION CAPABILITIES.—Assistance under this section may also include program assistance—

“(A) to promote democratization, good governance, and strong civil societies in sub-Saharan Africa; and

“(B) to strengthen conflict resolution capabilities of governmental, intergovernmental, and nongovernmental entities in sub-Saharan Africa.”

(2) CONFORMING AMENDMENT.—Section 496(h)(4) of such Act, as amended by paragraph (1), is further amended by striking “paragraphs (1) and (2)” in the first sentence and inserting “paragraphs (1), (2), and (3)”.

**SEC. 6. UNITED STATES-SUB-SAHARAN AFRICA TRADE AND ECONOMIC COOPERATION FORUM.**

(a) DECLARATION OF POLICY.—The President shall convene annual high-level meetings between appropriate officials of the United States Government and officials of the governments of sub-Saharan African countries in order to foster close economic ties between the United States and sub-Saharan Africa.

(b) ESTABLISHMENT.—Not later than 12 months after the date of the enactment of this Act, the President, after consulting with the governments concerned, shall establish a United States-Sub-Saharan Africa Trade and Economic Cooperation Forum (hereafter in this section referred to as the “Forum”).

(c) REQUIREMENTS.—In creating the Forum, the President shall meet the following requirements:

(1) The President shall direct the Secretary of Commerce, the Secretary of the Treasury, the Secretary of State, and the United States Trade Representative to host the first annual meeting with the counterparts of such Secretaries from the governments of sub-Saharan African countries eligible under section 4, the Secretary General of the Organization of African Unity, and government officials from other appropriate countries in Africa, to discuss expanding trade and investment relations between the United States and sub-Saharan Africa and the implementation of this Act including encouraging joint ventures between small and large businesses.

(2)(A) The President, in consultation with the Congress, shall encourage United States nongovernmental organizations to host annual meetings with nongovernmental organizations from sub-Saharan Africa in conjunction with the annual meetings of the Forum for the purpose of discussing the issues described in paragraph (1).

(B) The President, in consultation with the Congress, shall encourage United States representatives of the private sector to host annual meetings with representatives of the private sector from sub-Saharan Africa in conjunction with the annual meetings of the Forum for the purpose of discussing the issues described in paragraph (1).

(3) The President shall, to the extent practicable, meet with the heads of governments of sub-Saharan African countries eligible under section 4 not less than once every two years for the purpose of discussing the issues described in paragraph (1). The first such meeting should take place not later than twelve months after the date of the enactment of this Act.

(d) DISSEMINATION OF INFORMATION BY USIA.—In order to assist in carrying out the purposes of the Forum, the United States Information Agency shall disseminate regularly, through multiple media, economic information in support of the free market economic reforms described in this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(f) LIMITATION ON USE OF FUNDS.—None of the funds authorized under this section may be used to create or support any nongovern-

mental organization for the purpose of expanding or facilitating trade between the United States and sub-Saharan Africa.

**SEC. 7. UNITED STATES-SUB-SAHARAN AFRICA FREE TRADE AREA.**

(a) DECLARATION OF POLICY.—The Congress declares that a United States-Sub-Saharan Africa Free Trade Area should be established, or free trade agreements should be entered into, in order to serve as the catalyst for increasing trade between the United States and sub-Saharan Africa and increasing private sector development in sub-Saharan Africa.

(b) PLAN REQUIREMENT.—

(1) IN GENERAL.—The President, taking into account the provisions of the treaty establishing the African Economic Community and the willingness of the governments of sub-Saharan African countries to engage in negotiations to enter into free trade agreements, shall develop a plan for the purpose of entering into one or more trade agreements with sub-Saharan African countries eligible under section 4 in order to establish a United States-Sub-Saharan Africa Free Trade Area (hereafter in this section referred to as the “Free Trade Area”).

(2) ELEMENTS OF PLAN.—The plan shall include the following:

(A) The specific objectives of the United States with respect to the establishment of the Free Trade Area and a suggested timetable for achieving those objectives.

(B) The benefits to both the United States and sub-Saharan Africa with respect to the Free Trade Area.

(C) A mutually agreed-upon timetable for establishing the Free Trade Area.

(D) The implications for and the role of regional and sub-regional organizations in sub-Saharan Africa with respect to the Free Trade Area.

(E) Subject matter anticipated to be covered by the agreement for establishing the Free Trade Area and United States laws, programs, and policies, as well as the laws of participating eligible African countries and existing bilateral and multilateral and economic cooperation and trade agreements, that may be affected by the agreement or agreements.

(F) Procedures to ensure the following:

(i) Adequate consultation with the Congress and the private sector during the negotiation of the agreement or agreements for establishing the Free Trade Area.

(ii) Consultation with the Congress regarding all matters relating to implementation of the agreement or agreements.

(iii) Approval by the Congress of the agreement or agreements.

(iv) Adequate consultations with the relevant African governments and African regional and subregional intergovernmental organizations during the negotiations of the agreement or agreements.

(c) REPORTING REQUIREMENT.—Not later than 12 months after the date of the enactment of this Act, the President shall prepare and transmit to the Congress a report containing the plan developed pursuant to subsection (b).

**SEC. 8. ELIMINATING TRADE BARRIERS AND ENCOURAGING EXPORTS.**

(a) FINDINGS.—The Congress makes the following findings:

(1) The lack of competitiveness of sub-Saharan Africa in the global market, especially in the manufacturing sector, make it a limited threat to market disruption and no threat to United States jobs.

(2) Annual textile and apparel exports to the United States from sub-Saharan Africa represent less than 1 percent of all textile and apparel exports to the United States, which totaled \$45,932,000,000 in 1996.

(3) Sub-Saharan Africa has limited textile manufacturing capacity. During 1998 and the

succeeding 4 years, this limited capacity to manufacture textiles and apparel is projected to grow at a modest rate. Given this limited capacity to export textiles and apparel, it will be very difficult for these exports from sub-Saharan Africa, during 1998 and the succeeding 9 years, to exceed 3 percent annually of total imports of textile and apparel to the United States. If these exports from sub-Saharan Africa remain around 3 percent of total imports, they will not represent a threat to United States workers, consumers, or manufacturers.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) it would be to the mutual benefit of the countries in sub-Saharan Africa and the United States to ensure that the commitments of the World Trade Organization and associated agreements are faithfully implemented in each of the member countries, so as to lay the groundwork for sustained growth in textile and apparel exports and trade under agreed rules and disciplines;

(2) reform of trade policies in sub-Saharan Africa with the objective of removing structural impediments to trade, consistent with obligations under the World Trade Organization, can assist the countries of the region in achieving greater and greater diversification of textile and apparel export commodities and products and export markets; and

(3) the President should support textile and apparel trade reform in sub-Saharan Africa by, among other measures, providing technical assistance, sharing of information to expand basic knowledge of how to trade with the United States, and encouraging business-to-business contacts with the region.

(c) TREATMENT OF QUOTAS.—

(1) KENYA AND MAURITIUS.—Pursuant to the Agreement on Textiles and Clothing, the United States shall eliminate the existing quotas on textile and apparel exports to the United States—

(A) from Kenya within 30 days after that country adopts an efficient visa system to guard against unlawful transshipment of textile and apparel goods and the use of counterfeit documents; and

(B) from Mauritius within 30 days after that country adopts such a visa system. The Customs Service shall provide the necessary technical assistance to Kenya and Mauritius in the development and implementation of those visa systems.

(2) OTHER SUB-SAHARAN COUNTRIES.—The President shall continue the existing no quota policy for countries in sub-Saharan Africa. The President shall submit to the Congress, not later than March 31 of each year, a report on the growth in textiles and apparel exports to the United States from countries in sub-Saharan Africa in order to protect United States consumers, workers, and textile manufacturers from economic injury on account of the no quota policy.

(d) CUSTOMS PROCEDURES AND ENFORCEMENT.—

(1) ACTIONS BY COUNTRIES AGAINST TRANSSHIPMENT AND CIRCUMVENTION.—The President should ensure that any country in sub-Saharan Africa that intends to export textile and apparel goods to the United States—

(A) has in place a functioning and effective visa system and domestic laws and enforcement procedures to guard against unlawful transshipment of textile and apparel goods and the use of counterfeit documents; and

(B) will cooperate fully with the United States to address and take action necessary to prevent circumvention, as provided in Article 5 of the Agreement on Textiles and Clothing.

(2) PENALTIES AGAINST EXPORTERS.—If the President determines, based on sufficient evidence, that an exporter has willfully falsified information regarding the country of origin, manufacture, processing, or assembly

of a textile or apparel article for which duty-free treatment under section 503(a)(1)(C) of the Trade Act of 1974 is claimed, then the President shall deny to such exporter, and any successors of such exporter, for a period of 2 years, duty-free treatment under such section for textile and apparel articles.

(3) APPLICABILITY OF UNITED STATES LAWS AND PROCEDURES.—All provisions of the laws, regulations, and procedures of the United States relating to the denial of entry of articles or penalties against individuals or entities for engaging in illegal transshipment, fraud, or other violations of the customs laws shall apply to imports from Sub-Saharan countries.

(4) MONITORING AND REPORTS TO CONGRESS.—The Customs Service shall monitor and the Commissioner of Customs shall submit to the Congress, not later than March 31 of each year, a report on the effectiveness of the visa systems described in subsection (c)(1) and paragraph (1) of this subsection and on measures taken by countries in Sub-Saharan Africa which export textiles or apparel to the United States to prevent circumvention as described in Article 5 of the Agreement on Textiles and Clothing.

(e) DEFINITION.—For purposes of this section, the term "Agreement on Textiles and Clothing" means the Agreement on Textiles and Clothing referred to in section 101(d)(4) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(4)).

SEC. 9. GENERALIZED SYSTEM OF PREFERENCES.

(a) PREFERENTIAL TARIFF TREATMENT FOR CERTAIN ARTICLES.—Section 503(a)(1) of the Trade Act of 1974 (19 U.S.C. 2463(a)(1)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following:

"(C) ELIGIBLE COUNTRIES IN SUB-SAHARAN AFRICA.—The President may provide duty-free treatment for any article set forth in paragraph (1) of subsection (b) that is the growth, product, or manufacture of an eligible country in sub-Saharan Africa that is a beneficiary developing country, if, after receiving the advice of the International Trade Commission in accordance with subsection (e), the President determines that such article is not import-sensitive in the context of imports from eligible countries in sub-Saharan Africa. This subparagraph shall not affect the designation of eligible articles under subparagraph (B)."

(b) RULES OF ORIGIN.—Section 503(a)(2) of the Trade Act of 1974 (19 U.S.C. 2463(a)(2)) is amended by adding at the end the following:

"(C) ELIGIBLE COUNTRIES IN SUB-SAHARAN AFRICA.—For purposes of determining the percentage referred to in subparagraph (A) in the case of an article of an eligible country in sub-Saharan Africa that is a beneficiary developing country—

"(i) if the cost or value of materials produced in the customs territory of the United States is included with respect to that article, an amount not to exceed 15 percent of the appraised value of the article at the time it is entered that is attributed to such United States cost or value may be applied toward determining the percentage referred to in subparagraph (A); and

"(ii) the cost or value of the materials included with respect to that article that are produced in any beneficiary developing country that is an eligible country in sub-Saharan Africa shall be applied in determining such percentage."

(c) WAIVER OF COMPETITIVE NEED LIMITATION.—Section 503(c)(2)(D) of the Trade Act of 1974 (19 U.S.C. 2463(c)(2)(D)) is amended to read as follows:

"(D) LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRIES AND ELIGIBLE COUNTRIES IN

SUB-SAHARAN AFRICA.—Subparagraph (A) shall not apply to any least-developed beneficiary developing country or any eligible country in sub-Saharan Africa."

(d) EXTENSION OF PROGRAM.—Section 505 of the Trade Act of 1974 (19 U.S.C. 2465) is amended to read as follows:

"SEC. 505. DATE OF TERMINATION.

"(a) COUNTRIES IN SUB-SAHARAN AFRICA.—No duty-free treatment provided under this title shall remain in effect after June 30, 2008, with respect to beneficiary developing countries that are eligible countries in sub-Saharan Africa.

"(b) OTHER COUNTRIES.—No duty-free treatment provided under this title shall remain in effect after June 30, 1998, with respect to beneficiary developing countries other than those provided for in subsection (a)."

(e) DEFINITION.—Section 507 of the Trade Act of 1974 (19 U.S.C. 2467) is amended by adding at the end the following:

"(6) ELIGIBLE COUNTRY IN SUB-SAHARAN AFRICA.—The terms 'eligible country in sub-Saharan Africa' and 'eligible countries in sub-Saharan Africa' mean a country or countries that the President has determined to be eligible under section 4 of the African Growth and Opportunity Act."

(f) EFFECTIVE DATE.—The amendments made by this section take effect on July 1, 1998.

SEC. 10. INTERNATIONAL FINANCIAL INSTITUTIONS AND DEBT REDUCTION.

(a) BETTER MECHANISMS TO FURTHER GOALS FOR SUB-SAHARAN AFRICA.—It is the sense of the Congress that the Secretary of the Treasury should instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Monetary Fund, and the African Development Bank to use the voice and votes of the Executive Directors to encourage vigorously their respective institutions to develop enhanced mechanisms which further the following goals in eligible countries in sub-Saharan Africa:

(1) Strengthening and expanding the private sector, especially among women-owned businesses.

(2) Reducing tariffs, nontariff barriers, and other trade obstacles, and increasing economic integration.

(3) Supporting countries committed to accountable government, economic reform, the eradication of poverty, and the building of civil societies.

(4) Supporting deep debt reduction at the earliest possible date with the greatest amount of relief for eligible poorest countries under the "Heavily Indebted Poor Countries" (HIPC) debt initiative.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that relief provided to countries in sub-Saharan Africa which qualify for the Heavily Indebted Poor Countries debt initiative should primarily be made through grants rather than through extended-term debt, and that interim relief or interim financing should be provided for eligible countries that establish a strong record of macro-economic reform.

(c) EXECUTIVE BRANCH INITIATIVES.—The Congress supports and encourages the implementation of the following initiatives of the executive branch:

(1) AMERICAN-AFRICAN BUSINESS PARTNERSHIP.—The Agency for International Development devoting up to \$1,000,000 annually to help catalyze relationships between United States firms and firms in sub-Saharan Africa through a variety of business associations and networks.

(2) TECHNICAL ASSISTANCE TO PROMOTE REFORMS.—The Agency for International Development providing up to \$5,000,000 annually in short-term technical assistance programs to

help the governments of sub-Saharan African countries to—

(A) liberalize trade and promote exports;  
(B) bring their legal regimes into compliance with the standards of the World Trade Organization in conjunction with membership in that Organization; and

(C) make financial and fiscal reforms, as well as the United States Department of Agriculture providing support to promote greater agribusiness linkages.

(3) AGRICULTURAL MARKET LIBERALIZATION.—The Agency for International Development devoting up to \$15,000,000 annually as part of the multi-year Africa Food Security Initiative to help address such critical agricultural policy issues as market liberalization, agricultural export development, and agribusiness investment in processing and transporting agricultural commodities.

(4) TRADE PROMOTION.—The Trade Development Agency increasing the number of reverse trade missions to growth-oriented countries in sub-Saharan Africa.

(5) TRADE IN SERVICES.—Efforts by United States embassies in the countries in sub-Saharan Africa to encourage their host governments—

(A) to participate in the ongoing negotiations on financial services in the World Trade Organization;

(B) to revise their existing schedules to the General Agreement on Trade in Services of the World Trade Organization in light of the successful conclusion of negotiations on basic telecommunications services; and

(C) to make further commitments in their schedules to the General Agreement on Trade in Services in order to encourage the removal of tariff and nontariff barriers and to foster competition in the services sector in those countries.

**SEC. 11. SUB-SAHARAN AFRICA EQUITY AND INFRASTRUCTURE FUNDS.**

(a) INITIATION OF FUNDS.—It is the sense of the Congress that the Overseas Private Investment Corporation should, within 12 months after the date of the enactment of this Act, exercise the authorities it has to initiate 2 or more equity funds in support of projects in the countries in sub-Saharan Africa.

(b) STRUCTURE AND TYPES OF FUNDS.—

(1) STRUCTURE.—Each fund initiated under subsection (a) should be structured as a partnership managed by professional private sector fund managers and monitored on a continuing basis by the Corporation.

(2) CAPITALIZATION.—Each fund should be capitalized with a combination of private equity capital, which is not guaranteed by the Corporation, and debt for which the Corporation provides guaranties.

(3) TYPES OF FUNDS.—

(A) EQUITY FUND FOR SUB-SAHARAN AFRICA.—One of the funds should be an equity fund, with assets of up to \$150,000,000, the primary purpose of which is to achieve long-term capital appreciation through equity investments in support of projects in countries in sub-Saharan Africa.

(B) INFRASTRUCTURE FUND.—One or more of the funds, with combined assets of up to \$500,000,000, should be used in support of infrastructure projects in countries of sub-Saharan Africa. The primary purpose of any such fund would be to achieve long-term capital appreciation through investing in financing for infrastructure projects in sub-Saharan Africa, including for the expansion of businesses in sub-Saharan Africa, restructurings, management buyouts and buyins, businesses with local ownership, and privatizations.

(4) EMPHASIS.—The Corporation shall ensure that the funds are used to provide support in particular to women entrepreneurs and to innovative investments that expand

opportunities for women and maximize employment opportunities for poor individuals.

**SEC. 12. OVERSEAS PRIVATE INVESTMENT CORPORATION AND EXPORT-IMPORT BANK INITIATIVES.**

(a) OVERSEAS PRIVATE INVESTMENT CORPORATION.—

(1) ADVISORY COMMITTEE.—Section 233 of the Foreign Assistance Act of 1961 is amended by adding at the end the following:

“(e) ADVISORY COMMITTEE.—The Board shall take prompt measures to increase the loan, guarantee, and insurance programs, and financial commitments, of the Corporation in sub-Saharan Africa, including through the establishment and use of an advisory committee to assist the Board in developing and implementing policies, programs, and financial instruments with respect to sub-Saharan Africa. In addition, the advisory committee shall make recommendations to the Board on how the Corporation can facilitate greater support by the United States for trade and investment with and in sub-Saharan Africa. The advisory committee shall terminate 4 years after the date of the enactment of this subsection.”

(2) REPORTS TO THE CONGRESS.—Within 6 months after the date of the enactment of this Act, and annually for each of the 4 years thereafter, the Board of Directors of the Overseas Private Investment Corporation shall submit to the Congress a report on the steps that the Board has taken to implement section 233(e) of the Foreign Assistance Act of 1961 (as added by paragraph (1)) and any recommendations of the advisory board established pursuant to such section.

(b) EXPORT-IMPORT BANK.—

(1) ADVISORY COMMITTEE FOR SUB-SAHARAN AFRICA.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by inserting after paragraph (12) the following:

“(13)(A) The Board of Directors of the Bank shall take prompt measures, consistent with the credit standards otherwise required by law, to promote the expansion of the Bank’s financial commitments in sub-Saharan Africa under the loan, guarantee, and insurance programs of the Bank.

“(B)(i) The Board of Directors shall establish and use an advisory committee to advise the Board of Directors on the development and implementation of policies and programs designed to support the expansion described in subparagraph (A).

“(ii) The advisory committee shall make recommendations to the Board of Directors on how the Bank can facilitate greater support by United States commercial banks for trade with sub-Saharan Africa.

“(iii) The advisory committee shall terminate 4 years after the date of the enactment of this subparagraph.”

(2) REPORTS TO THE CONGRESS.—Within 6 months after the date of the enactment of this Act, and annually for each of the 4 years thereafter, the Board of Directors of the Export-Import Bank of the United States shall submit to the Congress a report on the steps that the Board has taken to implement section 2(b)(13)(B) of the Export-Import Bank Act of 1945 (as added by paragraph (1)) and any recommendations of the advisory committee established pursuant to such section.

**SEC. 13. ESTABLISHMENT OF ASSISTANT UNITED STATES TRADE REPRESENTATIVE FOR SUB-SAHARAN AFRICA.**

(a) ESTABLISHMENT.—The President shall establish a position of Assistant United States Trade Representative within the Office of the United States Trade Representative to focus on trade issues relating to sub-Saharan Africa.

(b) FUNDING AND STAFF.—The President shall ensure that the Assistant United States Trade Representative appointed pursuant to

subsection (a) has adequate funding and staff to carry out the duties described in subsection (a), subject to the availability of appropriations.

**SEC. 14. EXPANSION OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE IN SUB-SAHARAN AFRICA.**

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that the United States and Foreign Commercial Service should expand its presence in sub-Saharan Africa by increasing the number of posts and the number of personnel it allocates to sub-Saharan Africa.

(b) REPORTING REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of State, should report to the Congress on the feasibility of expanding the presence in sub-Saharan Africa of the United States and Foreign Commercial Service.

**SEC. 15. REPORTING REQUIREMENT.**

The President shall submit to the Congress, not later than 1 year after the date of the enactment of this Act, and not later than the end of each of the next 4 1-year periods thereafter, a report on the implementation of this Act.

**SEC. 16. SUB-SAHARAN AFRICA DEFINED.**

For purposes of this Act, the terms “sub-Saharan Africa”, “sub-Saharan African country”, “country in sub-Saharan Africa”, and “countries in sub-Saharan Africa” refer to the following:

Republic of Angola (Angola)  
 Republic of Botswana (Botswana)  
 Republic of Burundi (Burundi)  
 Republic of Cape Verde (Cape Verde)  
 Republic of Chad (Chad)  
 Democratic Republic of Congo  
 Republic of the Congo (Congo)  
 Republic of Djibouti (Djibouti)  
 State of Eritrea (Eritrea)  
 Gabonese Republic (Gabon)  
 Republic of Ghana (Ghana)  
 Republic of Guinea-Bissau (Guinea-Bissau)  
 Kingdom of Lesotho (Lesotho)  
 Republic of Madagascar (Madagascar)  
 Republic of Mali (Mali)  
 Republic of Mauritius (Mauritius)  
 Republic of Namibia (Namibia)  
 Federal Republic of Nigeria (Nigeria)  
 Democratic Republic of Sao Tome and Principe (Sao Tome and Principe)  
 Republic of Sierra Leone (Sierra Leone)  
 Somalia  
 Kingdom of Swaziland (Swaziland)  
 Republic of Togo (Togo)  
 Republic of Zimbabwe (Zimbabwe)  
 Republic of Benin (Benin)  
 Burkina Faso (Burkina)  
 Republic of Cameroon (Cameroon)  
 Central African Republic  
 Federal Islamic Republic of the Comoros (Comoros)  
 Republic of Cote d’Ivoire (Cote d’Ivoire)  
 Republic of Equatorial Guinea (Equatorial Guinea)  
 Ethiopia  
 Republic of the Gambia (Gambia)  
 Republic of Guinea (Guinea)  
 Republic of Kenya (Kenya)  
 Republic of Liberia (Liberia)  
 Republic of Malawi (Malawi)  
 Islamic Republic of Mauritania (Mauritania)  
 Republic of Mozambique (Mozambique)  
 Republic of Niger (Niger)  
 Republic of Rwanda (Rwanda)  
 Republic of Senegal (Senegal)  
 Republic of Seychelles (Seychelles)  
 Republic of South Africa (South Africa)  
 Republic of Sudan (Sudan)  
 United Republic of Tanzania (Tanzania)  
 Republic of Uganda (Uganda)  
 Republic of Zambia (Zambia)

**SEC. 17. CLARIFICATION OF DEDUCTION FOR SEVERANCE PAY.**

(a) IN GENERAL.—Section 404(a) of the Internal Revenue Code of 1986 (relating to deduction for contributions of an employer to an employee's trust or annuity plan and compensation under a deferred-payment plan) is amended by adding at the end the following new paragraph:

“(11) DETERMINATIONS RELATING TO SEVERANCE PAY.—For purposes of determining under this section—

“(A) whether severance pay is deferred compensation; and

“(B) when severance pay is paid, no amount shall be treated as received by the employee, or paid, until it is actually received by the employee.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years ending after October 8, 1997.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendment made by subsection (a) to change its method of accounting for its first taxable year ending after October 8, 1997—

(A) such change shall be treated as initiated by the taxpayer;

(B) such change shall be treated as made with the consent of the Secretary of the Treasury; and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account in such first taxable year.

**SEC. 18. DONATION OF OBSOLETE AIR TRAFFIC CONTROL EQUIPMENT TO ELIGIBLE SUB-SAHARAN AFRICAN COUNTRIES.**

It is the sense of the Congress that, to the extent appropriate, the United States Government should make every effort to donate to governments of sub-Saharan African countries (determined to be eligible under section 4 of this Act) obsolete air traffic control equipment, including appropriate related reimbursable technical assistance for such equipment.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BISHOP moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with the following amendment:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “African Growth and Opportunity Act”.

**SEC. 2. FINDINGS.**

The Congress finds that it is in the mutual economic interest of the United States and sub-Saharan Africa to promote stable and sustainable economic growth and development in sub-Saharan Africa. To that end, the United States seeks to facilitate market-led economic growth in, and thereby the social and economic development of, the countries of sub-Saharan Africa. In particular, the United States seeks to assist sub-Saharan African countries, and the private sector in those countries, to achieve economic self-reliance by—

(1) strengthening and expanding the private sector in sub-Saharan Africa, especially women-owned businesses;

(2) encouraging increased trade and investment between the United States and sub-Saharan Africa;

(3) reducing tariff and nontariff barriers and other trade obstacles;

(4) expanding United States assistance to sub-Saharan Africa's regional integration efforts;

(5) establishing a United States-Sub-Saharan Africa Trade and Investment Partnership;

(6) focusing on countries committed to accountable government, economic reform, and the eradication of poverty;

(7) establishing a United States-Sub-Saharan Africa Economic Cooperation Forum; and

(8) continuing to support development assistance for those countries in sub-Saharan Africa attempting to build civil societies.

**SEC. 3. STATEMENT OF POLICY.**

The Congress supports economic self-reliance for sub-Saharan African countries, particularly those committed to—

(1) economic and political reform;

(2) market incentives and private sector growth;

(3) the eradication of poverty; and

(4) the importance of women to economic growth and development.

**SEC. 4. ELIGIBILITY REQUIREMENTS.**

(a) IN GENERAL.—For each fiscal year, the President shall determine, on a case-by-case basis after providing an opportunity for public comment, whether each sub-Saharan African country is eligible to participate in programs, projects, or activities, or receive assistance or other benefits under this Act. The President's determination shall be based on the establishment and enforcement of appropriate policies relating to—

(1) promoting free movement of goods and services between the United States and sub-Saharan Africa and among countries in sub-Saharan Africa;

(2) promoting the expansion of the production base and the transformation of commodities and nontraditional products for exports through joint venture projects between African and foreign investors;

(3) trade issues, such as protection of intellectual property rights, particularly intellectual property rights with respect to textile and apparel goods, improvements in standards, testing, labeling, and certification;

(4) the protection of property rights, such as protection against expropriation and a functioning and fair judicial system;

(5) participation in bilateral investment treaties and the harmonization of such treaties to avoid double taxation;

(6) supporting the growth of regional markets within a free trade area framework;

(7) governance issues, such as eliminating government corruption, minimizing government intervention in the market such as price controls and subsidies, and streamlining the business license process;

(8) encouraging private ownership of government-controlled economic enterprises;

(9) removing restrictions on investment;

(10) engaging in a cooperative effort with the United States Customs Service to monitor and enforce policies necessary to implement the special access program authorized by section 8, including penalties for transshipment of textile and apparel goods in contravention of United States law, and providing to the Customs Service entry into that country, and access to accurate information in that country, in order to monitor and enforce such policies;

(11) progress on human and worker rights, such as the protection of internationally recognized worker rights as defined in section 507(4) of the Trade Act of 1974, especially restrictions on child labor; and

(12) reducing tariffs and eliminating nontariff barriers to United States textile and apparel goods.

(b) ADDITIONAL FACTORS.—In determining whether a sub-Saharan African country is eligible under subsection (a), the President shall take into account the following factors:

(1) An expression by such country of its desire to be an eligible country under subsection (a).

(2) The extent to which such country has made substantial progress toward—

(A) reducing tariff levels;

(B) binding its tariffs in the World Trade Organization and assuming meaningful binding obligations in other sectors of trade; and

(C) eliminating nontariff barriers to trade.

(3) Whether such country, if not already a member of the World Trade Organization, is actively pursuing membership in that Organization.

(4) The extent to which such country has a recognizable commitment to reducing poverty, increasing the availability of health care and educational opportunities, the expansion of physical infrastructure in a manner designed to maximize accessibility, increased access to market and credit facilities for small farmers and producers, and improved economic opportunities for women as entrepreneurs and employees, and promoting and enabling the formation of capital to support the establishment and operation of micro-enterprises.

(5) Whether or not such country engages in activities that undermine United States national security or foreign policy interests.

(c) CONTINUING COMPLIANCE.—

(1) MONITORING AND REVIEW OF CERTAIN COUNTRIES.—The President shall monitor and review the progress of sub-Saharan African countries in order to determine their current or potential eligibility under subsection (a). Such determinations shall be based on quantitative factors to the fullest extent possible and shall be included in the annual report required by section 16.

(2) INELIGIBILITY OF CERTAIN COUNTRIES.—A sub-Saharan African country described in paragraph (1) that has not made continual progress in meeting the requirements with which it is not in compliance shall be ineligible to participate in programs, projects, or activities, or receive assistance or other benefits, under this Act.

(3) INELIGIBILITY OF COUNTRIES NOT COOPERATING WITH UNITED STATES CUSTOMS.—The President shall not renew the eligibility of a sub-Saharan African country which does not fully cooperate with the United States Customs Service in the enforcement of laws against transshipment of textile and apparel goods as set forth in subsection (a)(10).

(d) VIOLATIONS OF HUMAN RIGHTS AND INELIGIBLE COUNTRIES.—It is the sense of the Congress that a sub-Saharan African country should not be eligible to participate in programs, projects, or activities, or receive assistance or other benefits under this Act if the government of that country is determined by the President to engage in a consistent pattern of gross violations of internationally recognized human rights.

(e) EXCEPTION.—This section does not apply with respect to the amendments made by section 10 of this Act.

**SEC. 5. ADDITIONAL AUTHORITIES AND INCREASED FLEXIBILITY TO PROVIDE ASSISTANCE UNDER THE DEVELOPMENT FUND FOR AFRICA.**

(a) USE OF SUSTAINABLE DEVELOPMENT ASSISTANCE TO SUPPORT FURTHER ECONOMIC GROWTH.—It is the sense of the Congress that sustained economic growth in sub-Saharan Africa depends in large measure upon the development of a receptive environment for trade and investment, and that to achieve this objective the United States Agency for International Development should continue to support programs which help to create this environment. Investments in human resources, development, and implementation of free market policies, including policies to liberalize agricultural markets and improve food security, and the support for the rule of law and democratic governance should continue to be encouraged and enhanced on a bilateral and regional basis.

(b) DECLARATIONS OF POLICY.—The Congress makes the following declarations:

(1) The Development Fund for Africa established under chapter 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2293 et seq.) has been an effective tool in providing development assistance to sub-Saharan Africa since 1988.

(2) The Development Fund for Africa will complement the other provisions of this Act and lay a foundation for increased trade and investment opportunities between the United States and sub-Saharan Africa.

(3) Assistance provided through the Development Fund for Africa will continue to support programs and activities that promote the long term economic development of sub-Saharan Africa, such as programs and activities relating to the following:

(A) Strengthening primary and vocational education systems, especially the acquisition of middle-level technical skills for operating modern private businesses and the introduction of college level business education, including the study of international business, finance, and stock exchanges.

(B) Strengthening health care systems.

(C) Strengthening family planning service delivery systems.

(D) Supporting democratization, good governance and civil society and conflict resolution efforts.

(E) Increasing food security by promoting the expansion of agricultural and agriculture-based industrial production and productivity and increasing real incomes for poor individuals.

(F) Promoting an enabling environment for private sector-led growth through sustained economic reform, privatization programs, and market-led economic activities.

(G) Promoting decentralization and local participation in the development process, especially linking the rural production sectors and the industrial and market centers throughout Africa.

(H) Increasing the technical and managerial capacity of sub-Saharan African individuals to manage the economy of sub-Saharan Africa.

(I) Ensuring sustainable economic growth through environmental protection.

(4) The African Development Foundation has a unique congressional mandate to empower the poor to participate fully in development and to increase opportunities for gainful employment, poverty alleviation, and more equitable income distribution in sub-Saharan Africa. The African Development Foundation has worked successfully to enhance the role of women as agents of change, strengthen the informal sector with an emphasis on supporting micro and small sized enterprises, indigenous technologies, and mobilizing local financing. The African Development Foundation should develop and implement strategies for promoting participation in the socioeconomic development process of grassroots and informal sector groups such as nongovernmental organizations, cooperatives, artisans, and traders into the programs and initiatives established under this Act.

(c) ADDITIONAL AUTHORITIES.—

(1) IN GENERAL.—Section 496(h) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(h)) is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following:

“(3) DEMOCRATIZATION AND CONFLICT RESOLUTION CAPABILITIES.—Assistance under this section may also include program assistance—

“(A) to promote democratization, good governance, and strong civil societies in sub-Saharan Africa; and

“(B) to strengthen conflict resolution capabilities of governmental, intergovernmental, and nongovernmental entities in sub-Saharan Africa.”

(2) CONFORMING AMENDMENT.—Section 496(h)(4) of such Act, as amended by paragraph (1), is further amended by striking “paragraphs (1) and (2)” in the first sentence and inserting “paragraphs (1), (2), and (3)”.

**SEC. 6. UNITED STATES-SUB-SAHARAN AFRICA TRADE AND ECONOMIC COOPERATION FORUM.**

(a) DECLARATION OF POLICY.—The President shall convene annual high-level meetings between appropriate officials of the United States Government and officials of the governments of sub-Saharan African countries in order to foster close economic ties between the United States and sub-Saharan Africa.

(b) ESTABLISHMENT.—Not later than 12 months after the date of the enactment of this Act, the President, after consulting with the governments concerned, shall establish a United States-Sub-Saharan Africa Trade and Economic Cooperation Forum (hereafter in this section referred to as the “Forum”).

(c) REQUIREMENTS.—In creating the Forum, the President shall meet the following requirements:

(1) The President shall direct the Secretary of Commerce, the Secretary of the Treasury, the Secretary of State, and the United States Trade Representative to host the first annual meeting with the counterparts of such Secretaries from the governments of sub-Saharan African countries eligible under section 4, the Secretary General of the Organization of African Unity, and government officials from other appropriate countries in Africa, to discuss expanding trade and investment relations between the United States and sub-Saharan Africa and the implementation of this Act.

(2)(A) The President, in consultation with the Congress, shall encourage United States nongovernmental organizations to host annual meetings with nongovernmental organizations from sub-Saharan Africa in conjunction with the annual meetings of the Forum for the purpose of discussing the issues described in paragraph (1).

(B) The President, in consultation with the Congress, shall encourage United States representatives of the private sector to host annual meetings with representatives of the private sector from sub-Saharan Africa in conjunction with the annual meetings of the Forum for the purpose of discussing the issues described in paragraph (1).

(3) The President shall, to the extent practicable, meet with the heads of governments of sub-Saharan African countries eligible under section 4 not less than once every two years for the purpose of discussing the issues described in paragraph (1). The first such meeting should take place not later than twelve months after the date of the enactment of this Act.

(d) DISSEMINATION OF INFORMATION BY USIA.—In order to assist in carrying out the purposes of the Forum, the United States Information Agency shall disseminate regularly, through multiple media, economic information in support of the free market economic reforms described in this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(f) LIMITATION ON USE OF FUNDS.—None of the funds authorized under this section may be used to create or support any nongovernmental organization for the purpose of expanding or facilitating trade between the United States and sub-Saharan Africa.

**SEC. 7. UNITED STATES-SUB-SAHARAN AFRICA FREE TRADE AREA.**

(a) DECLARATION OF POLICY.—The Congress declares that the President should investigate the establishment of a United States-Sub-Saharan Africa Free Trade Area as a result of a fully reciprocal free trade agreement, if the President determines that increased trade and private sector development have led to open market economies in the countries of sub-Saharan Africa.

(b) PLAN REQUIREMENT.—

(1) IN GENERAL.—The President, taking into account the provisions of the treaty establishing the African Economic Community and the willingness of the governments of sub-Saharan African countries to engage in negotiations to enter into free trade agreements, may develop a plan for the purpose of entering into one or more trade agreements with sub-Saharan African countries eligible under section 4 in order to establish a United States-Sub-Saharan Africa Free Trade Area (hereafter in this section referred to as the “Free Trade Area”).

(2) ELEMENTS OF PLAN.—The plan may include the following:

(A) The specific objectives of the United States with respect to the establishment of the Free Trade Area and a suggested timetable for achieving those objectives.

(B) The benefits to both the United States and sub-Saharan Africa with respect to the Free Trade Area.

(C) A mutually agreed-upon timetable for establishing the Free Trade Area.

(D) The implications for and the role of regional and sub-regional organizations in sub-Saharan Africa with respect to the Free Trade Area.

(E) Subject matter anticipated to be covered by the agreement for establishing the Free Trade Area and United States laws, programs, and policies, as well as the laws of participating eligible African countries and existing bilateral and multilateral and economic cooperation and trade agreements, that may be affected by the agreement or agreements.

(F) Procedures to ensure the following:

(i) Adequate consultation with the Congress and the private sector during the negotiation of the agreement or agreements for establishing the Free Trade Area.

(ii) Consultation with the Congress regarding all matters relating to implementation of the agreement or agreements.

(iii) Approval by the Congress of the agreement or agreements.

(iv) Adequate consultations with the relevant African governments and African regional and subregional intergovernmental organizations during the negotiations of the agreement or agreements.

(c) REPORTING REQUIREMENT.—The President shall prepare and transmit to the Congress a report containing the results of his investigation under subsection (a).

**SEC. 8. SPECIAL ACCESS PROGRAM FOR TEXTILE AND APPAREL ARTICLES FROM ELIGIBLE COUNTRIES.**

(a) SPECIAL ACCESS PROGRAM.—

(1) ESTABLISHMENT.—The President, in consultation with representatives of the domestic textile and apparel industry and with representatives of countries in sub-Saharan Africa that are eligible under section 4 and after providing an opportunity for public comment, shall establish a special access program for imports of textile and apparel articles from such eligible countries in sub-Saharan Africa under which specified levels of imports of eligible textile and apparel articles would not be subject to duties or quotas.

(2) PROGRAM MODELED ON EXISTING PROGRAMS.—The program under paragraph (1) should be modeled on existing programs providing for similar preferential tariff and

quota treatment, such as the program in effect for countries in the Caribbean Basin, consistent with the international obligations of the United States under the Agreement on Textiles and Clothing and other trade agreements.

(b) ELIGIBLE GOODS.—

(1) IN GENERAL.—Textile and apparel articles are eligible for the special access program established under subsection (a) only if the articles are—

(A) textile or apparel articles assembled in an eligible sub-Saharan African country from fabrics wholly formed and cut in the United States, from yarns wholly formed in the United States, that are—

(i) entered under subheading 9802.00.80 of the Harmonized Tariff Schedule of the United States; or

(ii) entered under chapter 61 or 62 of the Harmonized Tariff Schedule of the United States, if, after such assembly, the articles would have qualified for entry under subheading 9802.00.80 of such Schedule but for the fact that the articles were subjected to stone-washing, enzyme-washing, acid-washing, perma-pressing, oven-baking, bleaching, garment-dyeing, embroidery, or other similar processes; or

(B) handloomed, handmade, or folklore articles of an eligible sub-Saharan African country identified under paragraph (2) that are certified as such by the competent authority of such country.

(2) DETERMINATION OF HANDLOOMED, HANDMADE, OR FOLKLORE GOODS.—For purposes of paragraph (1)(B), the President, after consultation with the eligible sub-Saharan African country concerned, shall determine which, if any, particular textile and apparel goods of the country shall be treated as being handloomed, handmade, or folklore goods of a kind described in section 2.3(a), (b), or (c) or Appendix 3.1.B.11 of Annex 300-B of the North American Free Trade Agreement.

(3) ACTIONS BY PRESIDENT TO PREVENT MARKET DISRUPTION.—The President may impose the prevailing general column I rates of duty, restrict the quantity of imports, or both, with respect to imports of eligible goods under this subsection from any eligible sub-Saharan African country if such action is necessary to prevent market disruption or the threat thereof.

(c) REPORT.—The President shall include as part of the first annual report under section 16 a report on the establishment of the special access program under subsection (a) and shall report to the Congress annually thereafter on the implementation of the program and its effect on the textile and apparel industry in the United States.

(d) DEFINITION.—For purposes of this section, the term "Agreement on Textiles and Clothing" means the Agreement on Textiles and Clothing referred to in section 101(d)(4) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(4)).

**SEC. 9. PENALTIES FOR VIOLATIONS OF CUSTOMS LAWS INVOLVING TEXTILE AND APPAREL GOODS.**

(a) PENALTIES.—Section 592 of the Tariff Act of 1930 (19 U.S.C. 1592) is amended by adding at the end the following:

"(g) PENALTIES INVOLVING TEXTILE AND APPAREL GOODS.—

"(1) FRAUD.—Notwithstanding subsection (c), the civil penalty for a fraudulent violation of subsection (a) based on a claim that textile and apparel goods are products of countries in sub-Saharan Africa—

"(A) shall, subject to subparagraph (B), be double the amount that would otherwise apply under subsection (c)(1); and

"(B) shall be an amount not to exceed 300 percent of the declared value in the United States of the merchandise if the violation

has the effect of circumventing any quota on textile and apparel goods.

"(2) GROSS NEGLIGENCE.—Notwithstanding subsection (c), the civil penalty for a grossly negligent violation of subsection (a) based on a claim that textile and apparel goods are products of countries in sub-Saharan Africa—

"(A) shall, subject to subparagraphs (B) and (C), be double the amount that would otherwise apply under subsection (c)(2);

"(B) shall, if the violation has the effect of circumventing any quota of the United States on textile and apparel goods, and subject to subparagraph (C), be 200 percent of the declared value of the merchandise; and

"(C) shall, if the violation is a third or subsequent offense occurring within 3 years, be the penalty for a fraudulent violation under paragraph (1) (A) or (B), whichever is applicable.

"(3) NEGLIGENCE.—Notwithstanding subsection (c), the civil penalty for a negligent violation of subsection (a) based on a claim that textile and apparel goods are products of countries in sub-Saharan Africa—

"(A) shall, subject to subparagraphs (B) and (C), be double the amount that would otherwise apply under subsection (a)(3);

"(B) shall, if the violation has the effect of circumventing any quota of the United States on textile and apparel goods, and subject to subparagraph (C), be 100 percent of the declared value of the merchandise; and

"(C) shall, if the violation is a third or subsequent offense occurring within 3 years, be the penalty for a grossly negligent violation under paragraph (2) (A) or (B), whichever is applicable."

(b) MITIGATION.—Section 618 of the Tariff Act of 1930 (19 U.S.C. 1618) is amended—

(1) by striking "Whenever" and inserting "(a) IN GENERAL.—Whenever", and

(2) by adding at the end the following new subsection:

"(b) MITIGATION RULES RELATING TO TEXTILE AND APPAREL GOODS.—

"(1) GENERAL RULE.—Notwithstanding any other provision of law, the Secretary of the Treasury may remit or mitigate any fine or penalty imposed pursuant to section 592 based on a claim that textile and apparel goods are products of countries in sub-Saharan Africa only if—

"(A) in the case of a first offense, the violation is due to either negligence or gross negligence; and

"(B) in the case of a second or subsequent offense, prior disclosure (as defined in section 592(c)(4)) is made within 180 days after the entry of the goods.

"(2) SPECIAL RULE FOR PRIOR DISCLOSURES AFTER 180 DAYS.—In the case of a second or subsequent offense where prior disclosure (as defined in section 592(c)(4)) is made after 180 days after the entry of the goods, the Secretary of the Treasury may remit or mitigate not more than 50 percent of such fines or penalties."

(c) SEIZURE AND FORFEITURE.—Section 596(c)(2) of the Tariff Act of 1930 (19 U.S.C. 1595a(c)(2)) is amended—

(1) in subparagraph (E), by striking "or" after the semicolon;

(2) in subparagraph (F), by striking the period and inserting "; or"; and

(3) by inserting after subparagraph (F) the following:

"(G) it consists of textile or apparel goods that are claimed to be products of countries in sub-Saharan Africa introduced into the United States for entry, transit, or exportation, and

"(i) the merchandise or its container bears false or fraudulent markings with respect to the country of origin, unless the importer of the merchandise demonstrates that the markings were made in order to comply with

the rules of origin of the country that is the final destination of the merchandise, or

"(ii) the merchandise or its container is introduced or attempted to be introduced into the United States by means of, or such introduction or attempt is aided or facilitated by means of, a material false statement, act, or omission with the intention or effect of—

"(I) circumventing any quota that applies to the merchandise, or

"(II) undervaluing the merchandise."

(d) CERTIFICATES OF ORIGIN.—Notwithstanding any other provision of law, all importations of textile and apparel goods that are claimed to be products of countries in sub-Saharan Africa shall be accompanied by—

(1)(A) the name and address of the manufacturer or producer of the goods, and any other information with respect to the manufacturer or producer that the Customs Service may require; and

(B) if there is more than one manufacturer or producer, or there is a contractor or subcontractor of the manufacturer or producer with respect to the manufacture or production of the goods, the information required under subparagraph (A) with respect to each such manufacturer, producer, contractor, or subcontractor, including a description of the process performed by each such entity;

(2) a certification by the importer that the importer has exercised reasonable care to ascertain the true country of origin of the textile and apparel goods and the accuracy of all other information provided on the documentation accompanying the imported goods, as well as a certification of the specific action taken by the importer to ensure reasonable care for purposes of this paragraph; and

(3) a certification by the importer that the goods being entered do not violate applicable trademark, copyright, and patent laws.

Information provided under this subsection shall be sufficient to demonstrate compliance with the United States rules of origin for textile and apparel goods.

**SEC. 10. GENERALIZED SYSTEM OF PREFERENCES.**

(a) EXTENSION OF PROGRAM.—Section 505 of the Trade Act of 1974 (19 U.S.C. 2465) is amended to read as follows:

**"SEC. 505. DATE OF TERMINATION.**

"(a) COUNTRIES IN SUB-SAHARAN AFRICA.—No duty-free treatment provided under this title shall remain in effect after June 30, 2008, with respect to beneficiary developing countries that are countries in sub-Saharan Africa.

"(b) OTHER COUNTRIES.—No duty-free treatment provided under this title shall remain in effect after June 30, 1998, with respect to beneficiary developing countries other than those provided for in subsection (a)."

(b) DEFINITION.—Section 507 of the Trade Act of 1974 (19 U.S.C. 2467) is amended by adding at the end the following:

"(6) COUNTRIES IN SUB-SAHARAN AFRICA.—The term 'countries in sub-Saharan Africa' has the meaning given that term in section 17 of the African Growth and Opportunity Act."

(c) EFFECTIVE DATE.—The amendments made by this section take effect on July 1, 1998.

**SEC. 11. INTERNATIONAL FINANCIAL INSTITUTIONS AND DEBT REDUCTION.**

(a) BETTER MECHANISMS TO FURTHER GOALS FOR SUB-SAHARAN AFRICA.—It is the sense of the Congress that the Secretary of the Treasury should instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Monetary Fund, and the African Development Bank to use the voice and votes of the Executive Directors to en-

encourage vigorously their respective institutions to develop enhanced mechanisms which further the following goals in eligible countries in sub-Saharan Africa:

(1) Strengthening and expanding the private sector, especially among women-owned businesses.

(2) Reducing tariffs, nontariff barriers, and other trade obstacles, and increasing economic integration.

(3) Supporting countries committed to accountable government, economic reform, the eradication of poverty, and the building of civil societies.

(4) Supporting deep debt reduction at the earliest possible date with the greatest amount of relief for eligible poorest countries under the "Heavily Indebted Poor Countries" (HIPC) debt initiative.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that relief provided to countries in sub-Saharan Africa which qualify for the Heavily Indebted Poor Countries debt initiative should primarily be made through grants rather than through extended-term debt, and that interim relief or interim financing should be provided for eligible countries that establish a strong record of macroeconomic reform.

(c) EXECUTIVE BRANCH INITIATIVES.—The Congress supports and encourages the implementation of the following initiatives of the executive branch:

(1) AMERICAN-AFRICAN BUSINESS PARTNERSHIP.—The Agency for International Development devoting up to \$1,000,000 annually to help catalyze relationships between United States firms and firms in sub-Saharan Africa through a variety of business associations and networks.

(2) TECHNICAL ASSISTANCE TO PROMOTE REFORMS.—The Agency for International Development providing up to \$5,000,000 annually in short-term technical assistance programs to help the governments of sub-Saharan African countries to—

(A) liberalize trade and promote exports;

(B) bring their legal regimes into compliance with the standards of the World Trade Organization in conjunction with membership in that Organization; and

(C) make financial and fiscal reforms, as well as the United States Department of Agriculture providing support to promote greater agribusiness linkages.

(3) AGRICULTURAL MARKET LIBERALIZATION.—The Agency for International Development devoting up to \$15,000,000 annually as part of the multi-year Africa Food Security Initiative to help address such critical agricultural policy issues as market liberalization, agricultural export development, and agribusiness investment in processing and transporting agricultural commodities.

(4) TRADE PROMOTION.—The Trade Development Agency increasing the number of reverse trade missions to growth-oriented countries in sub-Saharan Africa.

(5) TRADE IN SERVICES.—Efforts by United States embassies in the countries in sub-Saharan Africa to encourage their host governments—

(A) to participate in the ongoing negotiations on financial services in the World Trade Organization;

(B) to revise their existing schedules to the General Agreement on Trade in Services of the World Trade Organization in light of the successful conclusion of negotiations on basic telecommunications services; and

(C) to make further commitments in their schedules to the General Agreement on Trade in Services in order to encourage the removal of tariff and nontariff barriers and to foster competition in the services sector in those countries.

## SEC. 12. SUB-SAHARAN AFRICA EQUITY AND INFRASTRUCTURE FUNDS.

(a) INITIATION OF FUNDS.—It is the sense of the Congress that the Overseas Private Investment Corporation should, within 12 months after the date of the enactment of this Act, exercise the authorities it has to initiate 2 or more equity funds in support of projects in the countries in sub-Saharan Africa.

(b) STRUCTURE AND TYPES OF FUNDS.—

(1) STRUCTURE.—Each fund initiated under subsection (a) should be structured as a partnership managed by professional private sector fund managers and monitored on a continuing basis by the Corporation.

(2) CAPITALIZATION.—Each fund should be capitalized with a combination of private equity capital, which is not guaranteed by the Corporation, and debt for which the Corporation provides guaranties.

(3) TYPES OF FUNDS.—

(A) EQUITY FUND FOR SUB-SAHARAN AFRICA.—One of the funds should be an equity fund, with assets of up to \$150,000,000, the primary purpose of which is to achieve long-term capital appreciation through equity investments in support of projects in countries in sub-Saharan Africa.

(B) INFRASTRUCTURE FUND.—One or more of the funds, with combined assets of up to \$500,000,000, should be used in support of infrastructure projects in countries of sub-Saharan Africa. The primary purpose of any such fund would be to achieve long-term capital appreciation through investing in financing for infrastructure projects in sub-Saharan Africa, including for the expansion of businesses in sub-Saharan Africa, restructurings, management buyouts and buyins, businesses with local ownership, and privatizations.

(4) EMPHASIS.—The Corporation shall ensure that the funds are used to provide support in particular to women entrepreneurs and to innovative investments that expand opportunities for women and maximize employment opportunities for poor individuals.

## SEC. 13. OVERSEAS PRIVATE INVESTMENT CORPORATION AND EXPORT-IMPORT BANK INITIATIVES.

(a) OVERSEAS PRIVATE INVESTMENT CORPORATION.—

(1) ADVISORY COMMITTEE.—Section 233 of the Foreign Assistance Act of 1961 is amended by adding at the end the following:

“(e) ADVISORY COMMITTEE.—The Board shall take prompt measures to increase the loan, guarantee, and insurance programs, and financial commitments, of the Corporation in sub-Saharan Africa, including through the establishment and use of an advisory committee to assist the Board in developing and implementing policies, programs, and financial instruments with respect to sub-Saharan Africa. In addition, the advisory committee shall make recommendations to the Board on how the Corporation can facilitate greater support by the United States for trade and investment with and in sub-Saharan Africa. The advisory committee shall terminate 4 years after the date of the enactment of this subsection.”

(2) REPORTS TO THE CONGRESS.—Within 6 months after the date of the enactment of this Act, and annually for each of the 4 years thereafter, the Board of Directors of the Overseas Private Investment Corporation shall submit to the Congress a report on the steps that the Board has taken to implement section 233(e) of the Foreign Assistance Act of 1961 (as added by paragraph (1)) and any recommendations of the advisory board established pursuant to such section.

(b) EXPORT-IMPORT BANK.—

(1) ADVISORY COMMITTEE FOR SUB-SAHARAN AFRICA.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended

by inserting after paragraph (12) the following:

“(13)(A) The Board of Directors of the Bank shall take prompt measures, consistent with the credit standards otherwise required by law, to promote the expansion of the Bank's financial commitments in sub-Saharan Africa under the loan, guarantee, and insurance programs of the Bank.

“(B)(i) The Board of Directors shall establish and use an advisory committee to advise the Board of Directors on the development and implementation of policies and programs designed to support the expansion described in subparagraph (A).

“(ii) The advisory committee shall make recommendations to the Board of Directors on how the Bank can facilitate greater support by United States commercial banks for trade with sub-Saharan Africa.

“(iii) The advisory committee shall terminate 4 years after the date of the enactment of this subparagraph.”

(2) REPORTS TO THE CONGRESS.—Within 6 months after the date of the enactment of this Act, and annually for each of the 4 years thereafter, the Board of Directors of the Export-Import Bank of the United States shall submit to the Congress a report on the steps that the Board has taken to implement section 2(b)(13)(B) of the Export-Import Bank Act of 1945 (as added by paragraph (1)) and any recommendations of the advisory committee established pursuant to such section.

## SEC. 14. ESTABLISHMENT OF ASSISTANT UNITED STATES TRADE REPRESENTATIVE FOR SUB-SAHARAN AFRICA.

(a) ESTABLISHMENT.—The President shall establish a position of Assistant United States Trade Representative within the Office of the United States Trade Representative to focus on trade issues relating to sub-Saharan Africa.

(b) FUNDING AND STAFF.—The President shall ensure that the Assistant United States Trade Representative appointed pursuant to subsection (a) has adequate funding and staff to carry out the duties described in subsection (a), subject to the availability of appropriations.

## SEC. 15. EXPANSION OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE IN SUB-SAHARAN AFRICA.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that the United States and Foreign Commercial Service should expand its presence in sub-Saharan Africa by increasing the number of posts and the number of personnel it allocates to sub-Saharan Africa.

(b) REPORTING REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of State, should report to the Congress on the feasibility of expanding the presence in sub-Saharan Africa of the United States and Foreign Commercial Service.

## SEC. 16. REPORTING REQUIREMENT.

The President shall submit to the Congress, not later than 1 year after the date of the enactment of this Act, and not later than the end of each of the next 4 1-year periods thereafter, a report on the implementation of this Act.

## SEC. 17. SUB-SAHARAN AFRICA DEFINED.

For purposes of this Act, the terms “sub-Saharan Africa”, “sub-Saharan African country”, “country in sub-Saharan Africa”, and “countries in sub-Saharan Africa” refer to the following:

Republic of Angola (Angola)  
 Republic of Botswana (Botswana)  
 Republic of Burundi (Burundi)  
 Republic of Cape Verde (Cape Verde)  
 Republic of Chad (Chad)  
 Democratic Republic of Congo  
 Republic of the Congo (Congo)

Republic of Djibouti (Djibouti)  
 State of Eritrea (Eritrea)  
 Gabonese Republic (Gabon)  
 Republic of Ghana (Ghana)  
 Republic of Guinea-Bissau (Guinea-Bissau)  
 Kingdom of Lesotho (Lesotho)  
 Republic of Madagascar (Madagascar)  
 Republic of Mali (Mali)  
 Republic of Mauritius (Mauritius)  
 Republic of Namibia (Namibia)  
 Federal Republic of Nigeria (Nigeria)  
 Democratic Republic of Sao Tome and Principe (Sao Tome and Principe)  
 Republic of Sierra Leone (Sierra Leone)  
 Somalia  
 Kingdom of Swaziland (Swaziland)  
 Republic of Togo (Togo)  
 Republic of Zimbabwe (Zimbabwe)  
 Republic of Benin (Benin)  
 Burkina Faso (Burkina)  
 Republic of Cameroon (Cameroon)  
 Central African Republic  
 Federal Islamic Republic of the Comoros (Comoros)  
 Republic of Cote d'Ivoire (Cote d'Ivoire)  
 Republic of Equatorial Guinea (Equatorial Guinea)  
 Ethiopia  
 Republic of the Gambia (Gambia)  
 Republic of Guinea (Guinea)  
 Republic of Kenya (Kenya)  
 Republic of Liberia (Liberia)  
 Republic of Malawi (Malawi)  
 Islamic Republic of Mauritania (Mauritania)  
 Republic of Mozambique (Mozambique)  
 Republic of Niger (Niger)  
 Republic of Rwanda (Rwanda)  
 Republic of Senegal (Senegal)  
 Republic of Seychelles (Seychelles)  
 Republic of South Africa (South Africa)  
 Republic of Sudan (Sudan)  
 United Republic of Tanzania (Tanzania)  
 Republic of Uganda (Uganda)  
 Republic of Zambia (Zambia)

**SEC. 18. CLARIFICATION OF DEDUCTION FOR SEVERANCE PAY.**

(a) IN GENERAL.—Section 404(a) of the Internal Revenue Code of 1986 (relating to deduction for contributions of an employer to an employee's trust or annuity plan and compensation under a deferred-payment plan) is amended by adding at the end the following new paragraph:

“(11) DETERMINATIONS RELATING TO SEVERANCE PAY.—For purposes of determining under this section—

“(A) whether severance pay is deferred compensation, and

“(B) when severance pay is paid, no amount shall be treated as received by the employee, or paid, until it is actually received by the employee.”

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years ending after October 8, 1997.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendment made by subsection (a) to change its method of accounting for its first taxable year ending after October 8, 1997—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account in such first taxable year.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. EWING, announced that the nays had it.

Mr. BISHOP demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 193  
 negative ..... } Nays ..... 224

¶17.11 [Roll No.46]

AYES—193

Abercrombie	Forbes	Ney
Ackerman	Fowler	Norwood
Aderholt	Frank (MA)	Oberstar
Andrews	Ganske	Obey
Bachus	Gejdenson	Olver
Baesler	Gephardt	Ortiz
Baker	Gibbons	Pallone
Baldacci	Goode	Pappas
Ballenger	Goodlatte	Pascrell
Barcia	Goodling	Pastor
Barr	Gordon	Pelosi
Barrett (WI)	Graham	Peterson (MN)
Bass	Green	Pickering
Becerra	Gutierrez	Pickett
Berry	Hall (TX)	Pomeroy
Bishop	Hayworth	Price (NC)
Blagojevich	Hefner	Rahall
Bonilla	Hillery	Reyes
Bonior	Hinchee	Riley
Borski	Holden	Rivers
Boswell	Hunter	Rogers
Boucher	Inglis	Rohrabacher
Boyd	Jenkins	Ros-Lehtinen
Brown (CA)	Johnson (WI)	Roybal-Allard
Brown (OH)	Jones	Rush
Bryant	Kanjorski	Sanchez
Bunning	Kaptur	Sanders
Burr	Kennedy (MA)	Sanford
Burton	Kennedy (RI)	Sawyer
Callahan	Kennelly	Serrano
Canady	Kildee	Sherman
Cardin	Kingston	Sisisky
Carson	Klecza	Skelton
Chambliss	Klink	Slaughter
Clay	Kucinich	Spence
Clayton	LaFalce	Spratt
Clement	Lantos	Stark
Clyburn	Largent	Stearns
Coble	Lewis (GA)	Stenholm
Coburn	Lewis (KY)	Stokes
Collins	Lucas	Strickland
Combest	Luther	Stump
Condit	Maloney (CT)	Stupak
Conyers	Maloney (NY)	Talent
Cooksey	Markey	Tanner
Costello	Martinez	Tauzin
Coyne	Mascara	Taylor (MS)
Cramer	McCarthy (MO)	Thompson
Cunningham	McDade	Thornberry
Danner	McGovern	Tierney
Deal	McHale	Torres
DeFazio	McHugh	Trafficant
Delahunt	McIntosh	Velazquez
DeLauro	McIntyre	Vento
Dickey	McNulty	Wamp
Dingell	Meehan	Waters
Doyle	Miller (CA)	Watkins
Duncan	Mink	Watt (NC)
Emerson	Moakley	Watts (OK)
Engel	Mollohan	Weygand
Etheridge	Moran (KS)	Wicker
Evans	Murtha	Woolsey
Everett	Myrick	Yates
Farr	Nadler	
Filner	Neal	

NOES—224

Allen	Bilirakis	Campbell
Archer	Bliley	Cannon
Armey	Blumenauer	Castle
Barrett (NE)	Blunt	Chabot
Bartlett	Boehrlert	Chenoweth
Barton	Boehner	Christensen
Bateman	Brady	Cook
Bentsen	Brown (FL)	Cox
Bereuter	Buyer	Crane
Berman	Calvert	Crapo
Bilbray	Camp	Cubin

Cummings	Jefferson	Pryce (OH)
Davis (FL)	Johnson (CT)	Quinn
Davis (IL)	Johnson, E. B.	Radanovich
Davis (VA)	Johnson, Sam	Ramstad
DeGette	Kasich	Rangel
DeLay	Kelly	Regula
Diaz-Balart	Kilpatrick	Riggs
Dicks	Kim	Roemer
Dixon	Kind (WI)	Rogan
Doggett	King (NY)	Rothman
Dooley	Klug	Roukema
Doolittle	Knollenberg	Royce
Dreier	Kolbe	Ryun
Dunn	LaHood	Sabo
Edwards	Lampson	Salmon
Ehlers	Latham	Sandlin
Ehrlich	LaTourette	Saxton
English	Lazio	Scarborough
Ensign	Leach	Schaefer, Dan
Eshoo	Levin	Schaffer, Bob
Ewing	Lewis (CA)	Scott
Fattah	Linder	Sensenbrenner
Fawell	Lipinski	Sessions
Fazio	Livingston	Shadegg
Foley	LoBiondo	Shaw
Ford	Lofgren	Shays
Fossella	Lowey	Shimkus
Fox	Manzullo	Shuster
Franks (NJ)	Matsui	Skaggs
Frelinghuysen	McCarthy (NY)	Skeen
Frost	McCollum	Smith (MI)
Gallegly	McCrery	Smith (NJ)
Gekas	McDermott	Smith (OR)
Gilchrest	McInnis	Smith (TX)
Gillmor	McKeon	Smith, Adam
Gilman	McKinney	Smith, Linda
Goss	MEEK (FL)	Snowbarger
Granger	Meeks (NY)	Snyder
Greenwood	Menendez	Souder
Gutknecht	Metcalfe	Sununu
Hall (OH)	Mica	Tauscher
Hamilton	Millender-	Taylor (NC)
Hansen	McDonald	Thomas
Hastert	Miller (FL)	Thune
Hastings (FL)	Minge	Thurman
Hastings (WA)	Moran (VA)	Tiahrt
Hefley	Morella	Towns
Herger	Nethercutt	Turner
Hill	Neumann	Upton
Hilliard	Northup	Visclosky
Hinojosa	Nussle	Walsh
Hobson	Owens	Waxman
Hoekstra	Oxley	Weldon (FL)
Hoolley	Packard	Weldon (PA)
Horn	Parker	Weller
Hostettler	Paul	Wexler
Houghton	Paxon	White
Hoyer	Payne	Whitfield
Hulshof	Pease	Wise
Hutchinson	Peterson (PA)	Wolf
Hyde	Petri	Wynn
Istook	Pitts	Young (AK)
Jackson (IL)	Pombo	Young (FL)
Jackson-Lee	Porter	
(TX)	Portman	

NOT VOTING—13

Deutsch	Manton	Schumer
Furse	Poshard	Solomon
Gonzalez	Redmond	Stabenow
Harman	Rodriguez	
John	Schiff	

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. EWING, announced that the yeas had it.

Mr. DICKS demanded a recorded vote on passage of said bill which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 233  
 affirmative ..... } Nays ..... 186

¶17.12 [Roll No. 47]

AYES—233

Ackerman	Armey	Barrett (WI)
Allen	Baker	Barton
Archer	Barrett (NE)	Bass

Bateman	Hill	Owens	Frank (MA)	McHugh	Schaffer, Bob
Becerra	Hilliard	Oxley	Gejdenson	McIntyre	Sensenbrenner
Bentsen	Hinchey	Packard	Gibbons	Metcalfe	Serrano
Bereuter	Hinojosa	Parker	Goode	Mica	Sherman
Berman	Hobson	Paxon	Goodling	Miller (CA)	Sisisky
Bilbray	Hoekstra	Payne	Gordon	Mink	Skelton
Blagojevich	Hooley	Pease	Graham	Moakley	Slaughter
Bliley	Horn	Pelosi	Green	Mollohan	Smith (NJ)
Blumenauer	Houghton	Peterson (PA)	Greenwood	Moran (KS)	Smith (OR)
Boehlert	Hoyer	Petri	Gutierrez	Murtha	Solomon
Boehner	Hulshof	Pitts	Hall (TX)	Myrick	Souder
Boswell	Hutchinson	Pombo	Hefley	Nadler	Spence
Brady	Hyde	Pomeroy	Hefner	Neumann	Spratt
Brown (FL)	Istook	Porter	Hilleary	Ney	Stark
Calvert	Jackson-Lee	Portman	Holden	Norwood	Stearns
Camp	(TX)	Pryce (OH)	Hostenettler	Oberstar	Stenholm
Campbell	Jefferson	Radanovich	Hunter	Obey	Stokes
Cannon	Johnson (CT)	Ramstad	Inglis	Olver	Strickland
Cardin	Johnson, E. B.	Rangel	Jackson (IL)	Ortiz	Stump
Castle	Johnson, Sam	Regula	Jenkins	Pallone	Stupak
Chabot	Kasich	Riggs	Johnson (WI)	Pappas	Talent
Christensen	Kelly	Rivers	Jones	Pascrell	Tanner
Cook	Kennedy (MA)	Roemer	Kanjorski	Pastor	Taylor (MS)
Cox	Kennelly	Rogan	Kaptur	Paul	Taylor (NC)
Coyne	Kilpatrick	Ros-Lehtinen	Kennedy (RI)	Peterson (MN)	Thompson
Crane	Kim	Rothman	Kildee	Pickering	Thornberry
Cubin	Kind (WI)	Roukema	Kingston	Pickett	Tierney
Cummings	King (NY)	Royce	Kleczka	Price (NC)	Torres
Davis (FL)	Klug	Ryun	Klink	Quinn	Traficant
Davis (VA)	Knollenberg	Sabo	Kucinich	Rahall	Velazquez
DeGette	Kolbe	Salmon	LaFalce	Reyes	Visclosky
DeLay	LaHood	Sandlin	Lantos	Riley	Walsh
Dicks	Lampson	Sawyer	Lewis (KY)	Rogers	Wamp
Dixon	Largent	Scarborough	Lipinski	Rohrabacher	Watt (NC)
Doggett	Latham	Scott	LoBiondo	Roybal-Allard	Weldon (PA)
Dooley	LaTourette	Sessions	Lucas	Rush	Weygand
Doolittle	Lazio	Shadegg	Maloney (CT)	Sanders	Whitfield
Dreier	Leach	Shaw	Mascara	Sanford	Wicker
Dunn	Levin	Shays	McGovern	Saxton	Woolsey
Edwards	Lewis (CA)	Shimkus	McHale	Schaefer, Dan	Young (AK)
Ehlers	Lewis (GA)	Shuster			
Ehrlich	Linder	Skaggs			
Engel	Livingston	Skeen			
English	Lofgren	Smith (MI)	Deutsch	John	Rodriguez
Eshoo	Lowey	Smith (TX)	Furse	Manton	Sanchez
Ewing	Luther	Smith, Adam	Gonzalez	Poshard	Schiff
Fattah	Maloney (NY)	Smith, Linda	Harman	Redmond	Schumer
Fawell	Manzullo	Snowbarger			
Fazio	Markey	Snyder			
Foley	Martinez	Stabenow			
Ford	Matsui	Sununu			
Fossella	McCarthy (MO)	Tauscher			
Fox	McCarthy (NY)	Tauzin			
Franks (NJ)	McCollum	Thomas			
Frelinghuysen	McCrery	Thune			
Frost	McDade	Thurman			
Gallegly	McDermott	Tiahrt			
Ganske	McInnis	Towns			
Gekas	McIntosh	Turner			
Gephardt	McKeon	Upton			
Gilchrest	McKinney	Vento			
Gillmor	McNulty	Waters			
Gilman	Meehan	Watkins			
Gingrich	Meek (FL)	Watts (OK)			
Goodlatte	Meeke (NY)	Waxman			
Goss	Menendez	Weldon (FL)			
Granger	Millender-McDonald	Weller			
Gutknecht	Miller (FL)	Wexler			
Hall (OH)	Minge	White			
Hamilton	Moran (VA)	Wise			
Hansen	Morella	Wolf			
Hastert	Neal	Wynn			
Hastings (FL)	Nethercutt	Yates			
Hastings (WA)	Northup	Young (FL)			
Hayworth	Nussle				
Herger					

## NOT VOTING—12

Deutch	John	Rodriguez
Furse	Manton	Sanchez
Gonzalez	Poshard	Schiff
Harman	Redmond	Schumer

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶17.13 PROVIDING FOR THE  
CONSIDERATION OF H.R. 2883

Ms. PRYCE, by direction of the Committee on Rules, reported (Rept. No. 105-433) the resolution (H. Res. 384) providing for the consideration of the bill (H.R. 2883) to amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports.

When said resolution and report were referred to the House Calendar and ordered printed.

¶17.14 WAIVING POINTS OF ORDER  
AGAINST THE CONFERENCE REPORT TO  
ACCOMPANY H.R. 1757

Ms. PRYCE, by direction of the Committee on Rules, reported (Rept. No. 105-434) the resolution (H. Res. 385) waiving points of order against the conference report to accompany the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization (NATO) proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain

arms control agreements, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶17.15 PROVIDING FOR THE  
CONSIDERATION OF H.R. 992

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 382):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 992) to end the Tucker Act shuffle. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶17.16 ORDER OF BUSINESS—  
CONSIDERATION OF AMENDMENT—H.R.  
992

On motion of Mr. SMITH of Texas, by unanimous consent,

## NOES—186

Abercrombie	Bunning	Crapo
Aderholt	Burr	Cunningham
Andrews	Burton	Danner
Bachus	Buyer	Davis (IL)
Baesler	Callahan	Deal
Baldacci	Canady	DeFazio
Ballenger	Carson	Delahunt
Barcia	Chambliss	DeLauro
Barr	Chenoweth	Diaz-Balart
Bartlett	Clay	Dickey
Berry	Clayton	Dingell
Bilirakis	Clement	Doyle
Bishop	Clyburn	Duncan
Blunt	Coble	Emerson
Bonilla	Coburn	Ensign
Bonior	Collins	Etheridge
Borski	Combest	Evans
Boucher	Condit	Everett
Boyd	Conyers	Farr
Brown (CA)	Cooksey	Filner
Brown (OH)	Costello	Forbes
Bryant	Cramer	Fowler

*Ordered.* That, during the consideration of the bill (H.R. 992) to end the Tucker Act shuffle, in the Committee of the Whole pursuant to House Resolution 382, after the legislative day of today no further debate or amendments to the committee amendment in the nature of a substitute shall be in order, except as follows: On the legislative day of Thursday, March 12, the amendment by Representative Watt of North Carolina, if offered today, shall be further debatable for twenty minutes equally divided and controlled by Representative Watt of North Carolina and an opponent thereto.

#### ¶17.17 TUCKER ACT SHUFFLE

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 382 and rule XXIII, declared the House resolved into the Committee of the Whole on the state of the Union for the consideration of the bill (H.R. 992) to end the Tucker Act shuffle.

The SPEAKER pro tempore, Mr. EWING, by unanimous consent, designated Mr. EWING as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. EWING, assumed the Chair.

When Mr. SUNUNU, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

#### ¶17.18 MESSAGE FROM THE PRESIDENT— WAIVER OF EXECUTIVE ORDER WITH RESPECT TO VIETNAM

The SPEAKER pro tempore, Mr. EWING, laid before the House a message from the President, which was read as follows:

##### *To the Congress of the United States:*

Pursuant to section 402(c)(2)(A) of the Trade Act of 1974, as amended (the "Act"), I have determined that a waiver of the application of subsections 402 (a) and (b) with respect to Vietnam will substantially promote the objectives of section 402. A copy of that determination is attached. I also have received assurances with respect to the emigration practices of Vietnam required by section 402(c)(2)(B) of the Act. This message constitutes the report to the Congress required by section 402(c)(2).

Pursuant to subsection 402(c)(2) of the Act, I shall issue an Executive order waiving the application of subsections (a) and (b) of section 402 of the Act with respect to Vietnam.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 9, 1998.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 105-227).

#### ¶17.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. PASCARELL, for today until 2 p.m.;

To Mr. TANNER, for today after 5 p.m. and March 12;

To Mr. DEUTSCH, for today after 3:30 p.m. and March 12; and

To Mr. MANTON, for today after 3 p.m.

And then,

#### ¶17.20 ADJOURNMENT

On motion of Mr. HUNTER, at 8 o'clock and 5 minutes p.m., the House adjourned.

#### ¶17.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 384. Resolution providing for consideration of the bill (H.R. 2883) to amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports (Rept. No. 105-433). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 385. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization (NATO) proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes (Rept. No. 105-434). Referred to the House Calendar.

Mr. HYDE: Committee on the Judiciary. House Resolution 118. Bill to provide for the collection of data on traffic stops; with an amendment (Rept. No. 105-435). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. House Resolution 2696. Bill to amend title 17, United States Code, to provide for protection of certain original designs; with an amendment (Rept. No. 105-436). Referred to the Committee of the Whole House on the State of the Union.

#### ¶17.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BUNNING of Kentucky (for himself and Mrs. KENNELLY of Connecticut):

H.R. 3433. A bill to amend the Social Security Act to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide beneficiaries with disabilities meaningful opportunities to return to work and to extend Medicare coverage for such beneficiaries, and to amend the Internal Revenue Code of 1986 to provide a tax credit for impairment-related work expenses; to the Committee on Ways and Means.

By Mr. EVANS (for himself and Mr. BILIRAKIS):

H.R. 3434. A bill to amend title 10, United States Code, to provide limited authority for concurrent receipt of military retired pay and veterans' disability compensation in the case of certain disabled military retirees who are over the age of 65; to the Committee on National Security.

By Mr. CAMPBELL (for himself, Mr. METCALF, Mr. TORRES, Mr. JACKSON,

Mr. TALENT, Mr. MCINTYRE, and Mr. FOX of Pennsylvania):

H.R. 3435. A bill to remove barriers to the provision of affordable housing for all Americans; to the Committee on Banking and Financial Services.

By Mr. FRANK of Massachusetts:

H.R. 3436. A bill to amend Public Law 96-87 to authorize the Secretary of the Interior to acquire certain lands for inclusion in the Frederick Law Olmstead National Historic Site; to the Committee on Resources.

By Mr. GOODE (for himself, Mr. BOUCHER, and Mr. SISISKY):

H.R. 3437. A bill to provide market transition assistance for quota holders, active tobacco producers, and tobacco-growing counties, to authorize a private Tobacco Production Control Corporation and tobacco loan associations to control the production and marketing and ensure the quality of tobacco in the United States, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KELLY (for herself, Mr. FROST, and Mr. TRAFICANT):

H.R. 3438. A bill to amend title 18, United States Code, to prohibit taking a child hostage in order to evade arrest; to the Committee on the Judiciary.

By Mr. KENNEDY of Massachusetts:

H.R. 3439. A bill to amend the Community Reinvestment Act of 1977 to require insured credit unions to meet the credit needs of the community served by the credit union; to the Committee on Banking and Financial Services.

By Mr. ROEMER (for himself, Ms. ESHOO, Mr. KIND of Wisconsin, Mr. MORAN of Virginia, and Mr. DOOLEY of California):

H.R. 3440. A bill to improve the supply of well-qualified elementary school and secondary school teachers; to the Committee on Education and the Workforce.

By Mr. KLUG (for himself, Mr. CASTLE, Mr. GREENWOOD, Mr. KILDEE, Mr. ANDREWS, Mr. BARTON of Texas, Mr. ENSIGN, and Mr. WALSH):

H.R. 3441. A bill to amend the National Environmental Education Act to extend the programs under the Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MARKEY (for himself and Mr. MANTON):

H.R. 3442. A bill to amend the Communications Act of 1934 to require schools and libraries that receive universal service support for discounted telecommunications services to establish policies governing access to material that is inappropriate for children; to the Committee on Commerce.

By Mr. STUPAK:

H.R. 3443. A bill to amend the Internal Revenue Code of 1986 to repeal the requirement for computation of tax on the aggregate income of husband and wife and to repeal joint and several liability of husband and wife; to the Committee on Ways and Means.

By Mr. REYES:

H. Con. Res. 240. Concurrent resolution expressing the sense of the Congress that postage stamps should be issued by the United States to honor and recognize the first permanent settlement of the western United States by the Spanish explorer Don Juan de Onate; to the Committee on Government Reform and Oversight.

By Mr. VENTO:

H. Con. Res. 241. Concurrent resolution expressing the sense of the Congress regarding tax simplification and the adoption in 1998 of 10 tax changes to reduce individual tax preparation time by 60 minutes; to the Committee on Ways and Means.

## ¶17.23 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. BRADY and Mrs. CHENOWETH.  
 H.R. 94: Mr. GILLMOR, Mr. HINOJOSA, Mr. SHAYS, Mr. DELAUNT, and Mr. ARCHER.  
 H.R. 108: Mr. GUTIERREZ.  
 H.R. 139: Mr. LARGENT.  
 H.R. 198: Mr. LINDER.  
 H.R. 306: Mr. DOYLE and Mr. STUPAK.  
 H.R. 350: Mr. THOMPSON, Mr. BLUMENAUER, Mr. CALVERT, and Mrs. KELLY.  
 H.R. 371: Mr. RADANOVICH.  
 H.R. 372: Mr. HINCHEY.  
 H.R. 676: Mr. HINCHEY.  
 H.R. 766: Mr. CLYBURN.  
 H.R. 859: Mr. COBURN.  
 H.R. 934: Mr. SMITH of Michigan.  
 H.R. 959: Mr. BLUMENAUER and Mr. CALVERT.  
 H.R. 971: Mrs. ROUKEMA.  
 H.R. 979: Mr. BOB SCHAFFER, Mrs. EMERSON, Mr. MASCARA, Mr. MCINNIS, Mr. RUSH, and Mr. MOAKLEY.  
 H.R. 981: Mr. WOLF, Ms. VELAZQUEZ, Mr. MORAN of Virginia, Ms. JACKSON-LEE, Mr. MCDERMOTT, Mr. LEWIS of Georgia, and Mr. PRICE of North Carolina.  
 H.R. 995: Mr. COX of California.  
 H.R. 1009: Mr. RIGGS.  
 H.R. 1121: Mr. BACHUS, Mr. COOK and Mr. BARR of Georgia.  
 H.R. 1126: Mr. RIGGS.  
 H.R. 1134: Mrs. MEEK of Florida.  
 H.R. 1131: Ms. BROWN of Florida and Mr. HOLDEN.  
 H.R. 1241: Ms. SANCHEZ and Mr. LANTOS.  
 H.R. 1376: Mr. MARTINEZ.  
 H.R. 1401: Ms. FURSE.  
 H.R. 1518: Mr. EVANS.  
 H.R. 1524: Mr. HAMILTON.  
 H.R. 1670: Mr. LAMPSON, Mrs. MINK of Hawaii, and Ms. PELOSI.  
 H.R. 1704: Mrs. MALONEY of New York, Mr. MCINTOSH, Mr. HERGER, and Mr. BARR of Georgia.  
 H.R. 1715: Mr. KLUG and Mr. NETHERCUTT.  
 H.R. 1766: Mr. ACKERMAN, Mr. ALLEN, Mr. BARTLETT of Maryland, Mr. BEREUTER, Mr. BONIOR, Mr. CANADY of Florida, Mr. DAVIS of Illinois, Mr. DICKS, Mr. DIXON, Mr. DOGGETT, Ms. GRANGER, Mr. SAM JOHNSON, Mr. LOBIONDO, Mr. MCCOLLUM, Mr. PAPPAS, Mr. PASCRELL, Mrs. ROUKEMA, Mr. PASTOR, Mr. RYUN, Mr. SANFORD, Mrs. LINDA SMITH of Washington, Mr. WEXLER, and Mr. FRANKS of New Jersey.  
 H.R. 1773: Mr. GALLEGLY.  
 H.R. 1788: Mr. FILNER.  
 H.R. 1813: Mr. TIERNEY and Mr. WEXLER.  
 H.R. 1891: Mr. THOMAS.  
 H.R. 1995: Mr. KENNEDY of Massachusetts, Mr. YATES, Mr. STOKES, Mr. WEXLER, Mrs. MEEK of Florida, and Mr. KENNEDY of Rhode Island.  
 H.R. 2001: Mr. HUNTER.  
 H.R. 2050: Mr. CRAMER.  
 H.R. 2070: Mr. CALVERT, Mr. ENGLISH of Pennsylvania, and Mr. LOBIONDO.  
 H.R. 2250: Mr. BOB SCHAFFER.  
 H.R. 2284: Mr. SNYDER.  
 H.R. 2305: Mr. BURR of North Carolina, Mr. MCINTYRE, and Mr. ENGLISH of Pennsylvania.  
 H.R. 2409: Mrs. THURMAN and Mr. HASTINGS of Florida.  
 H.R. 2497: Mr. FORBES, Mr. NEY, Mr. KIM, Mr. EVERETT, and Mr. WAMP.  
 H.R. 2567: Mrs. FOWLER.  
 H.R. 2698: Mr. ETHERIDGE and Mr. TOWNS.  
 H.R. 2708: Mr. ENGLISH of Pennsylvania, Mr. PORTMAN, Mr. HALL of Texas, Mr. LAHOOD, Mr. DOOLEY of California, Mr. MATSUI, Mr. CHRISTENSEN, Mr. KLECZKA, Mr. HASTINGS of Florida, Mr. CLEMENT, Mr. KIM, and Ms. LOFGREN.  
 H.R. 2714: Mr. EVANS.

H.R. 2723: Mr. STEARNS.  
 H.R. 2748: Mr. METCALF and Mr. COSTELLO.  
 H.R. 2755: Ms. ROYBAL-ALLARD, Mr. TIAHRT, Mr. MCNULTY, Mr. GUTIERREZ, Mr. SHERMAN, and Mr. CALVERT.  
 H.R. 2775: Mr. GREENWOOD and Mr. SHUSTER.  
 H.R. 2792: Mr. BACHUS.  
 H.R. 2807: Ms. WOOLSEY, Mr. MARKEY, Mr. OLVER, Ms. NORTON, Mr. SAWYER, Mr. LANTOS, Mr. NEAL of Massachusetts, Ms. LOFGREN, Mr. DUNCAN, and Mr. SANDERS.  
 H.R. 2821: Mr. MANZULLO and Ms. FURSE.  
 H.R. 2829: Mr. BACHUS, Mr. BARTON of Texas, Mr. BEREUTER, Mr. CAMPBELL, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CLAY, Mr. COBLE, Mrs. CUBIN, Mr. DEAL of Georgia, Mr. DREIER, Mr. FOLEY, Mr. FOSSELLA, Mrs. FOWLER, Mr. GEKAS, Mr. GIBBONS, Mr. GILCHREST, Mr. JONES, Mrs. KELLY, Mr. KNOLLENBERG, Mr. LAHOOD, Mr. LEACH, Mr. LINDER, Mr. MANZULLO, Mr. MILLER of Florida, Mrs. MYRICK, Mr. PAXON, Mr. PITTS, Mr. SPENCE, Mr. THOMAS, and Mr. THORNBERRY.  
 H.R. 2870: Mr. ENGLISH of Pennsylvania, Mr. BEREUTER, and Mr. MANZULLO.  
 H.R. 2898: Mr. LOBIONDO, Mr. UPTON, Mr. FARR of California, Mr. MCGOVERN, Mr. SHAYS, Mr. BARRETT of Wisconsin, Mr. MINGE, Mr. OLVER, Mr. BROWN of Ohio, Mr. MARKEY, Mr. FRANK of Massachusetts, Mr. CONYERS, Mr. GANSKE, Mr. STARK, Ms. WOOLSEY, Mr. MENENDEZ, Ms. LOFGREN, Mr. KUCINICH, Mr. VENTO, Ms. RIVERS, Mr. OWENS, and Ms. FURSE.  
 H.R. 2905: Mr. FORD.  
 H.R. 2910: Mr. BALDACCI.  
 H.R. 2931: Mr. HALL of Texas, Mr. FOX of Pennsylvania, Mr. HASTINGS of Florida, Mr. TOWNS, and Mr. ENGEL.  
 H.R. 2936: Mr. DAN SCHAEFER of Colorado, Mr. BONILLA, Mr. PAUL, and Mr. SANDLIN.  
 H.R. 2955: Mr. KLUG.  
 H.R. 2973: Mr. DEAL of Georgia and Mr. SHAW.  
 H.R. 3007: Mr. GUTIERREZ, Mr. EHLERS, and Ms. STABENOW.  
 H.R. 3039: Ms. WATERS and Mr. LAHOOD.  
 H.R. 3050: Ms. ESHOO, Mr. RUSH, and Mr. STRICKLAND.  
 H.R. 3086: Mr. MALONEY of Connecticut, Mr. DEFazio, Mrs. MEEK of Florida, Mr. NEAL of Massachusetts, and Mr. SCOTT.  
 H.R. 3103: Mr. PAPPAS.  
 H.R. 3107: Mr. WATTS of Oklahoma.  
 H.R. 3128: Mr. TRAFICANT, Ms. KAPTUR, Mr. KUCINICH, and Ms. PELOSI.  
 H.R. 3131: Mr. BARRETT of Wisconsin and Mr. TOWNS.  
 H.R. 3139: Ms. BROWN of Florida and Mr. MCGOVERN.  
 H.R. 3149: Mr. ENGLISH of Pennsylvania.  
 H.R. 3151: Mr. ENGLISH of Pennsylvania.  
 H.R. 3153: Ms. FURSE.  
 H.R. 3155: Mr. OWENS.  
 H.R. 3166: Mr. COBURN.  
 H.R. 3175: Mr. ENGLISH of Pennsylvania.  
 H.R. 3181: Mr. CRAMER.  
 H.R. 3185: Mr. CRANE, Mr. BATEMAN, Mr. ENGLISH of Pennsylvania, Mr. MCHUGH, Mr. NEY, Mr. SALMON, Mr. HUNTER, and Mr. TALENT.  
 H.R. 3189: Mr. SNOWBARGER, Mr. SENSENBRENNER, Mr. HYDE, Mr. BRYANT, Mr. LINDER, Mr. COMBEST, Mr. HASTERT, Mr. BUNNING of Kentucky, Mr. BARR of Georgia, Mr. LIVINGSTON, Mr. SALMON, and Mr. WELDON of Florida.  
 H.R. 3205: Mr. DOOLEY of California.  
 H.R. 3206: Mr. BLILEY and Mr. STUMP.  
 H.R. 3211: Ms. DANNER, Mr. SMITH of New Jersey, Mr. WHITFIELD, Mr. BUYER, Mr. FOX of Pennsylvania, Mr. MCCOLLUM, Mrs. LINDA SMITH of Washington, Mr. DAVIS of Florida, Mr. CALVERT, Mr. SPENCE, Mr. REDMOND, and Mr. PORTER.  
 H.R. 3213: Mr. LAHOOD.  
 H.R. 3242: Mr. ROHRBACHER.  
 H.R. 3259: Ms. DELAURO.

H.R. 3260: Mr. JONES and Mr. SHIMKUS.  
 H.R. 3262: Mr. TOWNS.  
 H.R. 3267: Mr. GINGRICH, Mr. DREIER, Mr. RIGGS, Mr. NETHERCUTT, Mr. BILBRAY, Mr. MCKEON, Mr. FRANK of Massachusetts, Mrs. TAUSCHER, Mr. CUNNINGHAM, and Mr. PACKARD.  
 H.R. 3269: Mrs. LOWEY and Ms. CARSON.  
 H.R. 3279: Mr. JACKSON.  
 H.R. 3284: Mr. KLECZKA, Mr. ANDREWS, Mr. LAFALCE, and Mr. POMEROY.  
 H.R. 3295: Mr. BOYD, Mr. HOBSON, Ms. DELAURO, Mr. WELDON of Pennsylvania, Mr. BALDACCI, Mr. UNDERWOOD, Mr. BLAGOJEVICH, Mr. PORTMAN, and Mr. FROST.  
 H.R. 3331: Mr. ENGLISH of Pennsylvania, Mr. GANSKE, Mr. TIAHRT, and Mr. HALL of Texas.  
 H.R. 3336: Mr. STEARNS, Ms. BROWN of Florida, and Mr. BOYD.  
 H.R. 3351: Mr. KLECZKA.  
 H.R. 3353: Mr. BOSWELL and Mr. HUTCHINSON.  
 H.R. 3400: Mr. HINCHEY.  
 H.J. Res. 102: Mr. BILBRAY, Mr. BOEHNER, Mr. BOEHLERT, Mr. COYNE, Mr. KIND of Wisconsin, Mr. LUTHER, Mr. OBERSTAR, Mr. RADANOVICH, Mr. SANDLIN, Mr. SPENCE, Mr. TALENT, Mr. TIAHRT, Mr. TOWNS, Mr. UNDERWOOD, and Mr. BASS.  
 H. Con. Res. 183: Mr. CALVERT.  
 H. Con. Res. 184: Ms. WOOLSEY.  
 H. Con. Res. 203: Mr. BROWN of California, Mr. WELDON of Pennsylvania, Ms. LOFGREN and Mr. JENKINS.  
 H. Con. Res. 212: Mr. DOOLITTLE, Mr. HASTINGS of Washington, Mr. ETHERIDGE, Mr. HULSHOF, and Mr. SKEEN.  
 H. Con. Res. 224: Mr. PETERSON of Minnesota and Ms. DELAURO.  
 H. Res. 37: Mr. PASTOR.  
 H. Res. 267: Mr. TOWNS and Mr. BLILEY.  
 H. Res. 364: Mr. SNOWBARGER.  
 H. Res. 375: Mr. FAZIO of California, Mr. PORTER, Mr. FROST, and Mr. HALL of Ohio.

## ¶17.24 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1670: Mr. FROST.  
 H.R. 2495: Mr. FORD.  
 H.R. 3086: Mr. BALLENGER.

## THURSDAY, MARCH 12, 1998 (18)

## ¶18.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BRADY, who laid before the House the following communication:

WASHINGTON, DC,  
 March 12, 1998.

I hereby designate the Honorable KEVIN BRADY to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
 Speaker of the House of Representatives.

## ¶18.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BRADY, announced he had examined and approved the Journal of the proceedings of Wednesday, March 11, 1998. Mr. WELLER, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BRADY, announced that the yeas had it.